

Burlington Development Review Board

149 Church Street, City Hall

Burlington, VT 05401

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BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday February 16, 2016 PUBLIC HEARING NOTICE

The Burlington Development Review Board will hold a meeting on **Tuesday February 16, 2016 at 5:00 p.m. in Conference Room 12 in the lower level of City Hall.**

1. **16-0511CA; 154 Park St (RM, Ward 3C) Amy E. Pickering**
Re-open appeal on family daycare in existing single family.
2. **16-0784CU; 400 Pine St (ELM, Ward 5S) Howard Space Partnership LLP**
Performing arts center within existing mixed use facility. No site or exterior building changes included.
3. **16-0724PD; 451 Ethan Allen Pkwy (RL, Ward 7N) Timothy G. Alles**
Preliminary plat review of nine unit planned unit development in three buildings and associated site improvements.
4. **16-0707CA/CU; 77-87 Pearl St (D, Ward 3C) Irene C. Hinsdale**
Demolish garage structure and replace with parking spaces.
5. **16-0477AP; 99 Loomis St (RL, Ward 1E) Jonathan E. Lubas**
Appeal of Code Enforcement determination relative to occupancy by unrelated adults.

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

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

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

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).

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401

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Mary O'Neil, AICP, Principal Planner
Elsie Tillotson, Department Secretary
Anita Wade, Zoning Clerk



MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Principal Planner
Date: February 16, 2016
RE: ZP16-0707CA/CU, 77-87 Pearl Street (building fronts Pine Street, fka 6 Pine St.)

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: 16-0707CA/CU

Location: Behind 77-87 Pearl Street, formerly known as 6 Pine Street.

Zone: D **Ward:** 3C

Date application accepted: January 11, 2016

Applicant/ Owner: Hinsdale Properties

Request: Demolish carriage barn, replace with surface parking.



Land purchase by Hinsdales: January 1979

Background:

77-87 Pearl Street

- Non-applicability of Zoning Permit Requirements 15-0949NA; repair and replace fascia on east and south side of (Pearl St.) building. April 2015.
- Non-applicability of Zoning Permit Requirements 15-0792NA; replace and repair damaged and rotten trim and window sills on exterior store fronts. February 2015.
- Non-applicability of Zoning Permit Requirements 12-0880NA; painting of mural on west side of building. March 2012.
- Zoning Permit 09-955CA; remove 2 roof additions (Pearl St.), strip and re-sheath existing rooftop structure and enclosed stairway with cementitious clapboard; install rubber roofing system to flat roofs, asphalt shingle roof on penthouse. Remove and reconstruct existing

decorative cornice to match existing. Building 10' x 10' and 10' x 15' roof decks with railing. June 2009.

- Zoning Permit 09-541CA; remove existing mixed asphalt and slate roof shingles and replace with asphalt shingles on apartment house at 6 Pine Street. Carriage barn is NOT included within this permit approval. February 2009.
- Zoning Permit 01-294; two non-illuminated parallel signs of painted/enameled metal, one on Pearl Street frontage and one on Pine Street. Includes gooseneck down lighting fixtures. January 2001.
- Zoning Permit 01-228, refurbish existing corner grocery store with a deli component exterior façade. Uncover blocked windows and paneling to restore original design and opening. No change in use or massing. November 2000.
- Zoning Permit application to change use to add deli and cook area. Application withdrawn March 1999.
- Zoning Permit 91-121; install awning with sign on front for Leonardo's Pizza (83 Pearl.) October 1990.
- Zoning Permit 91-013; change of use to restaurant (83 Pearl.) July 1990.
- Zoning Permit 87-741; change of use to allow for used furniture sales. Formerly a ceramic shop. March 1988.
- Zoning Permit 81-205; erect stockage fence 6' high. October 1980.
- Zoning Permit 81-142; construct peak roof on existing structure. Additional space will provide one additional dwelling unit. September 1980.
- Zoning Permit to convert a pet shop at 77 Pearl Street into a laundromat, install venting. April 1978.
- Zoning Permit for Giroux Sign Screen Print to sell and make signs at 87 Pearl Street, formerly the Pet Shop. November 1977.
- Zoning Permit to convert a storage use at 85 Pearl into an amusement arcade. September 1975.

6 Pine Street

- **Zoning Permit 79-36** (? illegible); move Plateau Club from present location to 6 Pine Street duplex. No exterior or structural changes. February 1979. [Owner Clark Hinsdale.]

Overview: Staff met with a representative of Hinsdale Properties January 14 2016 to discuss the requested demolition of a 19th century barn on the site of 77-87 Pearl Street (formerly 6-8 Pine Street.) Jacob Hinsdale had submitted an (incomplete) application prior to the meeting, and staff provided instruction on what was needed for the Conditional Use request to demolish an historic structure.

The building is individually listed on the Vermont State Register of Historic Resources; therefore Section 5.4.8 (b) and (d) apply.

Recommendation: Due to incomplete nature of submission materials and adverse findings under Section 5.4.8 and Article 6, **denial** is recommended.

I. Findings

Conditional use review required by Section 5.4.8 d) 2:

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

Article 3 Applications, Permits and Project Reviews

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 building demolition will not materially affect the service of public utilities or planned facilities in the area. The applicant proposes an expanded parking area at the site of the barn, so additional traffic may be expected at the curb cut on Pine Street. This may not rise to nuisance level, but increase congestion at the intersection of Pearl and Pine.

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;*

The parcel is within the Downtown Zoning District, the primary urban center of the City. The subject accessory structure remains a tangible reminder and unique survivor of this Burlington residential neighborhood pre-urban renewal. From the Municipal Development Plan:

- Identify and protect its historic structures and resources. (MDP, Page IV-1.)*
- Conserve the existing elements and design of its established neighborhoods. (Ibid.)*
- Use historic preservation as an economic development tool by offering technical and financial incentives that promote the rehabilitation of historic buildings. (Ibid.)*
- Provide technical assistance to property owners and developers on historic preservation techniques as well as identification of financing opportunities for eligible historic preservation projects. (MDP, Page IV-9.)*
- Develop a range of incentives to support historic preservation efforts in the City including a Historic Preservation Trust Fund and a Historic Preservation Tax Stabilization Program. (MDP, Page IV-9.) See further elaboration in comments below.*

Adverse 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 property owner proposes an expansion of parking. On-site parking is limited in this block, with the exception of the Cathedral parking lot. The desire for more on-site parking is understandable given its rarity, and the proposed parking spaces will not increase noise, odor, or vibrations more than the current norm at this busy intersection. **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 footprint of the building will likely only provide 1-2 parking spaces; not a tremendous increase in traffic on-site, but nonetheless mean more cars crossing the sidewalk utilizing the existing curb cut and entering onto Pine Street. As the surrounding yard is utilized as parking, the proposal will continue an existing condition.

Affirmative finding.

and

5. *The utilization of renewable energy resources;*
Not applicable.

and

6. *Any standards or factors set forth in existing City bylaws and city and state ordinances.*
If demolition is approved, review for appropriate remediation and disposal of materials containing asbestos or lead will be necessary. All materials must be disposed of in a safe and legal manner. Further guidance may be sought from the building inspector and/or state representatives with appropriate jurisdiction.

Vermont Statutes T24 §4414(F) *Local historic districts and landmarks* offer this:

(i) *Bylaws may contain provisions for the establishment of historic districts and the designation of historic landmarks. Historic districts shall include structures and areas of historic or architectural significance and may include distinctive design or landscape characteristics, areas, and structures with a particular relationship to the historic and cultural values of the surrounding area, and structures whose exterior architectural features bear a significant relationship to the remainder of the structure or to the surrounding area. Bylaws may reference National and State Registers of Historic Places, properties, and districts.*

6 Pine Street (77-87 Pearl Street) is listed individually on the Vermont State Register of Historic Resources. The City of Burlington has adopted these historic structures within the Comprehensive Development Ordinance; the treatment of such properties subject to Section 5.4.8.

(ii) With respect to external appearances and other than normal maintenance, no structure within a designated historic district may be rehabilitated, substantially altered, restored, moved, demolished, or changed, and no new structure within an historic district may be erected without approval of the plans therefor by the appropriate municipal panel. The panel shall consider the following in its review of plans submitted:

- I. The historic or architectural significance of the structure, its distinctive characteristics, and its relationship to the historic significance of the surrounding area;*
- II. The relationship of the proposed changes in the exterior architectural features of the structure to the remainder of the structure and to the surrounding area.*
- III. The general compatibility of the proposed exterior design, arrangement, texture, and materials proposed to be used.*
- IV. Any other factors, including the environmental setting and aesthetic factors that the panel deems to be pertinent.*

This application is relative to the request to demolish an accessory building that has been recorded as having unique Tudor style stick work, on a block that offers rare remnants post Urban Renewal. The building has a contextual relationship with the residential building fronting Pine St.



(iii) When an appropriate municipal panel is reviewing an application relating to an historic district, the panel:

- I. Shall be strict in its judgment of plans for those structures deemed to be valuable under subdivision (1) (F) (i) of this section, but is not required to limit new construction,*

alteration, or repairs to the architectural style of any one period, but may encourage compatible new design.

An expanded parking lot is proposed. This is not compatible design.

II. If an application is submitted for the alteration of the exterior appearance of a structure or for the moving or demolition of a structure deemed to be significant under subdivision (a) (F) (i) of this section, shall meet with the owner of the structure to devise an economically feasible plan for the preservation of the structure.

In meeting with the property representative, staff suggested the building be re-purposed for an additional residential unit. Re-use of historic buildings offers the potential for 100% waiver of parking requirements per Article 8. (This reflects a goal of the Municipal Development Plan of 2006; offer incentives to increase the repair and retention of historic structures.) The applicant was not amenable to that proposal.

III. Shall approve an application only when the panel is satisfied that the proposed plan will not materially impair the historic or architectural significance of the structure or surrounding area.

Demolition of the carriage barn will materially impair the appearance and integrity of the site and remove an architecturally significant, if not modest building from its original location.

*IV. In the case of a structure deemed to be significance under subdivision (1) (F) (i) of this section, may approve the proposed alteration despite subdivision (a) (F) (ii) (iii) of this section if the panel finds either or both of the following:
(aa) the structure is a deterrent to a major improvement program that will be of clear and substantial benefit to the municipality.*

Providing 2 more parking spaces on a privately controlled parcel does not introduce a substantial benefit to the city.

(bb) Retention of the structure would cause undue financial hardship to the owner.

No analysis of the owner's ability to repair or repurpose the structure has been made. Hinsdales have owned the property since 1979. There are permits on file to repair the front (commercial) structure. Other than graffiti cover, there is no evidence of building repair on the barn.

(iv) This subdivision (a) (F) and bylaws issued pursuant to it shall apply to designation of individual landmarks as well as to designation of local historic districts. A landmark is any individual building, structure, or site that by itself has a special historic, architectural, or cultural value.

As noted, the building is individually listed on the Vermont State Register of Historic Places. The barn at 6 Pine St. / 77-87 Pearl Street therefore meets the definition of landmark as provided in statute.

Adverse 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;*

If an expanded parking lot is approved, the applicant shall be required to provide screening or landscaping to prevent headlight trespass onto neighboring properties. **Affirmative finding if conditioned.**

- 2. Time limits for construction.*

If approved, the zoning permit will be valid for 2 years. **Affirmative finding if conditioned.**

- 3. Hours of operation and/or construction to reduce the impact on surrounding properties.*

Construction hours will be limited to M-F 7:30 am to 5:30 pm. No exterior work is to occur on Saturdays. **Affirmative finding if conditioned.**

- 4. That any future enlargement or alteration of the use returns for review to the DRB to permit the specifying of new conditions.*

Any future increase in the parking area (outside this permit review) will require appropriate permitting/review under the regulations in effect at the time of request. **Affirmative finding if conditioned.**

and

- 5. Such additional reasonable performance standards, conditions and safeguards as it may deem necessary to implement the purposes of this chapter and the zoning regulations.*

This is at the discretion of the Board.

Sec. 5.4.8 Historic Buildings and Sites

(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;*

The applicant has submitted a contractor's estimate for repair versus demolition. There is no demonstration that Advantage Property Service has experience in rehabilitation of historic structures,

or ability to make an evaluation as to the suitability for rehabilitation. There is no support that the submittal was prepared by a licensed engineer or architect. **Adverse finding.**

B. A statement addressing compliance with each applicable review standard for demolition;

The application material is absent any information relative to compliance with review standards. **Adverse finding.**

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:

Rather than economic hardship, the applicant has declared that they have no interest in investing any money in the structure. The submission lacks a feasibility report from an architect, developer or appraiser, or other person experienced in rehabilitation and adaptive reuse. **Adverse finding.**

(i) the estimated market value of the property on which the structure lies, both before and after demolition or removal;

No claim of economic hardship has been raised.

An estimate for market value have not been submitted. **Adverse finding.**

and,

(ii) the feasibility of rehabilitation or reuse of the structure proposed for demolition or partial demolition;

Although suggested by staff, the owner expressed no interest in the rehabilitation of the building for residential use. When “Tiny Homes” have become the rage across the country (note explosion of books on Tiny Home construction, and HGTV featured shows); when young and old are returning back to urban centers, the opportunity to create a new “hip” residential unit in the core of Downtown Burlington appears attractive. In addition to the potential for a full parking waiver, it is likely that federal tax credits would be available toward the rehabilitation of the building as an income generating investment property. It would be beneficial to have the structural soundness of the building assessed by one qualified to do so. Unfortunately the owner has been unwilling to explore alternatives to demolition. Further investigation of the building’s potential for reuse is strongly encouraged.

If the Board favors the removal of the building over rehabilitation, *it should at the very least* be advertised for sale and relocation; an option that would allow its survival.

Adverse finding for inadequate exploration of alternatives to demolition.

D. 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;

Replacement of this notable structure with 2 additional parking spaces is not a satisfactory redevelopment plan that honors the architectural and historic qualities of this or surrounding structures. **Adverse finding.**

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.

The submitted site plan shows an expanded parking lot. No coverage calculation has been submitted, but it is estimated to be close to 100% for the parcel.

Affirmative finding for submitting site plan.

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;

Observation shows evidence of fire damage (south elevation, boarded over), a failing chimney and soffit with holes. This is consistent with the main dwelling, where squirrels were observed entering holes in the soffit/fascia on the south side. Despite that, the applicant has not demonstrated in the submitted narrative any evidence or documentation confirming that the building is unsound.



Adverse finding.

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;

Submission materials are absent any evaluation of the building's suitability for rehabilitation. No exploration of relocation has been made. **Adverse finding.**

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.

An expanded parking area will have a minimal benefit to the tenants, but no marked benefit for the greater community. The building, with its unique detailing and association with the duplex immediately north of it, has greater architectural value. **Adverse 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;

There is no mitigation of the adverse effect of removing the building within the application.

Adverse 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;

If demolition is approved, photodocumentation of the structure should be completed to retain a record of this significant building, just as Urban Renewal photographs were compiled prior to that effort. **Affirmative finding if 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.

The applicant proposes an immediate demolition and expansion of the existing parking area. It is not clear if the intention is to pave the approx. 26' x 26' building footprint. There is no identification of the location for relocated dumpsters and what appear to be waste oil drums on the submitted site plan.

No replacement structure is proposed. A parking lot will not enhance the architectural character of the immediate area, neighborhood or district.

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.

There has been no such deed restriction proffered. **Adverse finding for Section F.**

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, the applicant is encouraged to offer the building for relocation; absent that, a requirement to deconstruct using the safest method possible, minimizing exposure to lead paint and any other potential public safety issue. What material may be salvaged is encouraged for sale or reuse.

Affirmative finding if conditioned.

Article 6: Development Review Standards

Part 1: Land Division Design Standards

Not applicable.

Part 2: Site Plan Design Standards

Sec. 6.2.2 Review Standards

(a)Protection of Important Natural Features:

There are no identified natural features on site. **Affirmative finding.**

(b) Topographical Alterations:

None proposed. **Affirmative finding.**

(c)Protection of Important Public Views:

There are no protected public views across the site. Not applicable.

(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:

Not applicable.

(f) Brownfield Sites:

Not applicable.

(g) Provide for nature's events:

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

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

Although the site is currently covered by a building, its removal and replacement with pavement will likely have implications for stormwater runoff. As more than 400 sq. ft. will be disturbed, a small project erosion prevention and sediment control planned will be required. **Affirmative finding if conditioned.**

(h) Building Location and Orientation:

The building sits in its original location and orientation; set back from its associated primary structure (duplex fronting Pine Street). Its removal will alter the characteristics of the site that provide evidence of early site development and neighborhood character; information that expanded parking will not. **Adverse finding.**

(i) Vehicular Access:

Vehicular access is proposed to remain as existing. The 1981 site plan shows a limited curb cut (15'), while the current site plan has no such limitation. A narrower throat to the parking area is recommended. **Affirmative finding if conditioned.**

(j) Pedestrian Access:

No change is proposed to the existing pedestrian access to the overall parcel. The parking access should be limited to minimize conflicts with the public sidewalk. **Affirmative finding if conditioned.**

(k) Accessibility for the Handicapped:

Not applicable.

(l) Parking and Circulation:

The parking area has been identified on a site plan since 1981. At that time, it served multiple apartments in 77-83 Pearl Street, one apartment in 6 Pine Street, and commercial use on the first floor of 6 Pine and the entire commercial space at 85-87. This application proposes the demolition of the accessory structure, which most likely served as a repository for a cutter (horse drawn sleight) and horse, with equipment and hay storage above. There is no approved parking plan that illustrates striping or the number of spaces defined; but the removal of this building is intended to provide additional on-site surface parking. A site visit February 2, 2016 illustrated parking for 7 cars; six in angled spaces in front of the barn, and one next to it. Removal of the barn is likely to only provide one new parking space, as back-up requirements will simply relocate the parking space immediately next to the barn.

No change to access is proposed.

Affirmative finding.

(m) Landscaping and Fences:

None proposed.

(n) Public Plazas and Open Space:

Not applicable.

(o) Outdoor Lighting:

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

Not applicable.

(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.

This is an existing accessory structure that could provide substantial benefit to the associated residential units with bicycle and equipment storage, trash and recycling location, residential storage, or material storage for the commercial uses. The application fails to credit the opportunity of having such a storage building, and proposes removal.

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 place 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.



Both current and early photographs demonstrate dumpsters located in close proximity to this building. There is no site plan on file that has approved dumpsters, which are not screened and are visually unattractive as well as a potential for fire calamity for the wood frame barn. A plan will be required for the location and screening of all dumpsters and oil drums.

Affirmative finding if conditioned.

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 existing building is consistent with its original function. Its removal will eliminate that characteristic site feature. **Adverse**

finding.

2. Roofs and Rooflines.

Not applicable.

3. Building Openings

Not applicable.

(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:

See Section 6.2.2. c.

(d) Provide an active and inviting street edge:

This quirky yet ornate building has enormous interest from the street front. Its removal and replacement with surface parking will be a significant loss to the site and neighborhood. **Adverse finding.**

(e) Quality of materials:

Owners of historic structures are encouraged to consult with an architectural historian in order to determine the most appropriate repair, restoration or replacement of historic building materials as outlined by the requirements of Art 5, Sec. 5.4.8.

Submission materials do not reflect consultation with an architectural historian relative to appropriate repair, restoration or replacement activities. **Adverse finding.**

(f) Reduce energy utilization:

There is no analysis of comparative energy expenditure, particularly energy utilized by heavy equipment to tear down the small structure when added to the value of the “embodied energy” of the existing building: the amount of energy invested in its materials and construction. Various studies, including one by the Department of Defense, have examined Btu’s of energy lost from demolition, adding the cost of energy to demolish, remove and dispose of debris. The addition of new materials (macadam, paint striping, cost of equipment, delivery and manpower) further elevates that energy expenditure. From “The Benefits of Cultural Resource Conservation”, published by the U.S. Department of Defense:

The process of rehabilitating a historic facility consumes less energy than new construction. And, the energy costs of operating a rehabilitated structure vs. a new structure are effectively equal.¹

And noted economist Donovan Rypkema writes;

It is a fiscally irresponsible and economically irrational act to demolish for parking, independent of the architectural or historic importance of the building.²

Adverse finding.

(g) Make advertising features complementary to the site:

Not applicable.

(h) Integrate infrastructure into the building design:

See Section 6.2.2. (p), above.

(i) Make spaces secure and safe:

At present, the building is vacant but filled with refuse and discarded building materials. Two dumpsters are located under the building eaves and gable end. Sawdust is scattered in front. There is a significant threat to the building due to vandalism, fire, or ongoing neglect. The applicant is strongly encouraged to move the dumpsters, clean out the debris, and plan for repair and/or rehabilitation. If demolition is approved, a site plan illustrating the location and method of screening for the dumpsters will be required.

Affirmative finding if conditioned.

Article 8: Parking

Table 8.1.8-1 requires 1 parking space for every residential unit in the Downtown Parking District. Although the barn has not likely accommodated a conveyance vehicle for some time, it has counted toward satisfaction of their parking requirement. The submitted site plan defines an existing parking lot of approximately. 74' deep x 37' wide. (The curb cut in the 1981 site plan was 15' wide.) The proposal to demolish the structure and provide 2 additional parking spaces will effectively replace the spaces contributing toward that requirement by the use of the barn. It can be noted that conversion of the structure to another residential unit will have no requirement for additional parking, as re-use of an historic building can benefit from a 100% parking waiver. The applicant has not requested such re-use.

Affirmative finding for accommodating lost parking.

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

¹ As reprinted in *The Economics of Historic Preservation* Washington DC; National Trust for Historic Preservation), 1998. P 51-52.

² Ibid, p. 49.

ADVANTAGE PROPERTY SERVICE

PO BOX 45
ALBURGH , VT 05440
802-796-4808

Estimate

Date	Estimate #
1/4/2016	1187

Name / Address
Hinsdale Properties 294 North Winooski ave Burlington , VT 05401

RECEIVED

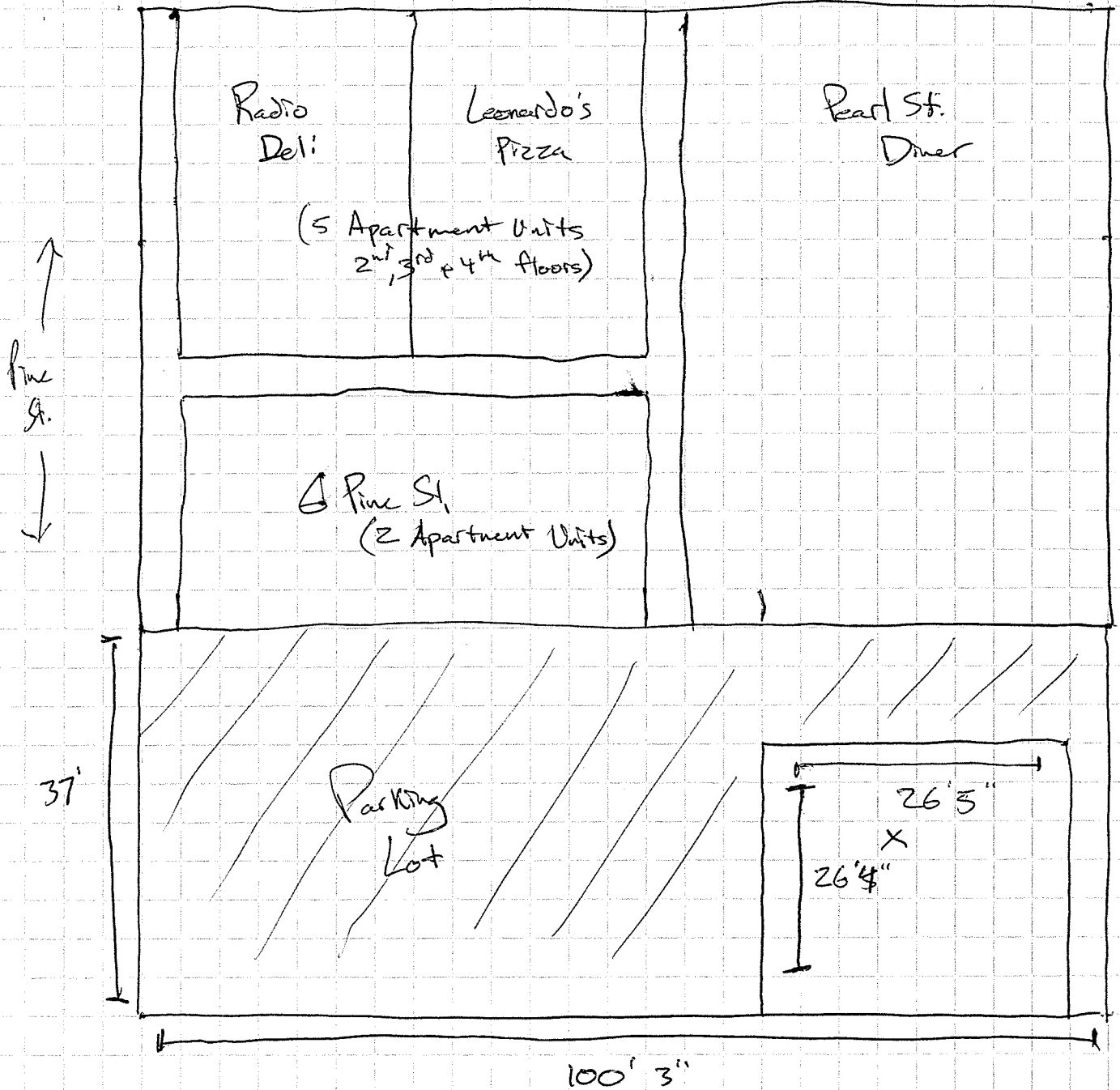
JAN 11 2016

DEPARTMENT OF
PLANNING & ZONING

			Project
Description	Qty	Rate	Total
construction and repairs estimate #6 pine st building is badly deteriorated at ground level , it is missing slate and showing significant deterioration at roof level as well, with the roof open in spots allowing weather to penetrate the buildings interior ground level rot repair and structural rehab required around most of building perimeter est 3 men 2 weeks + materials 5200.00 roof level rot repairs , new sheathing and slate (current roofing slate are expired and unsavable for future repairs) est 3 men 2 weeks + materials 6800 disposal of all construction debris new paint and siding/trim repairs 2 men 1 week or option #2 demo and remove structure 6500		0.00 5,200.00 6,800.00 675.00 2,475.00	0.00 5,200.00 6,800.00 675.00 2,475.00
		Total	\$15,150.00

← Pearl St →

12/8/15



Proposal: Demolish Structure in parking lot to add parking spaces.

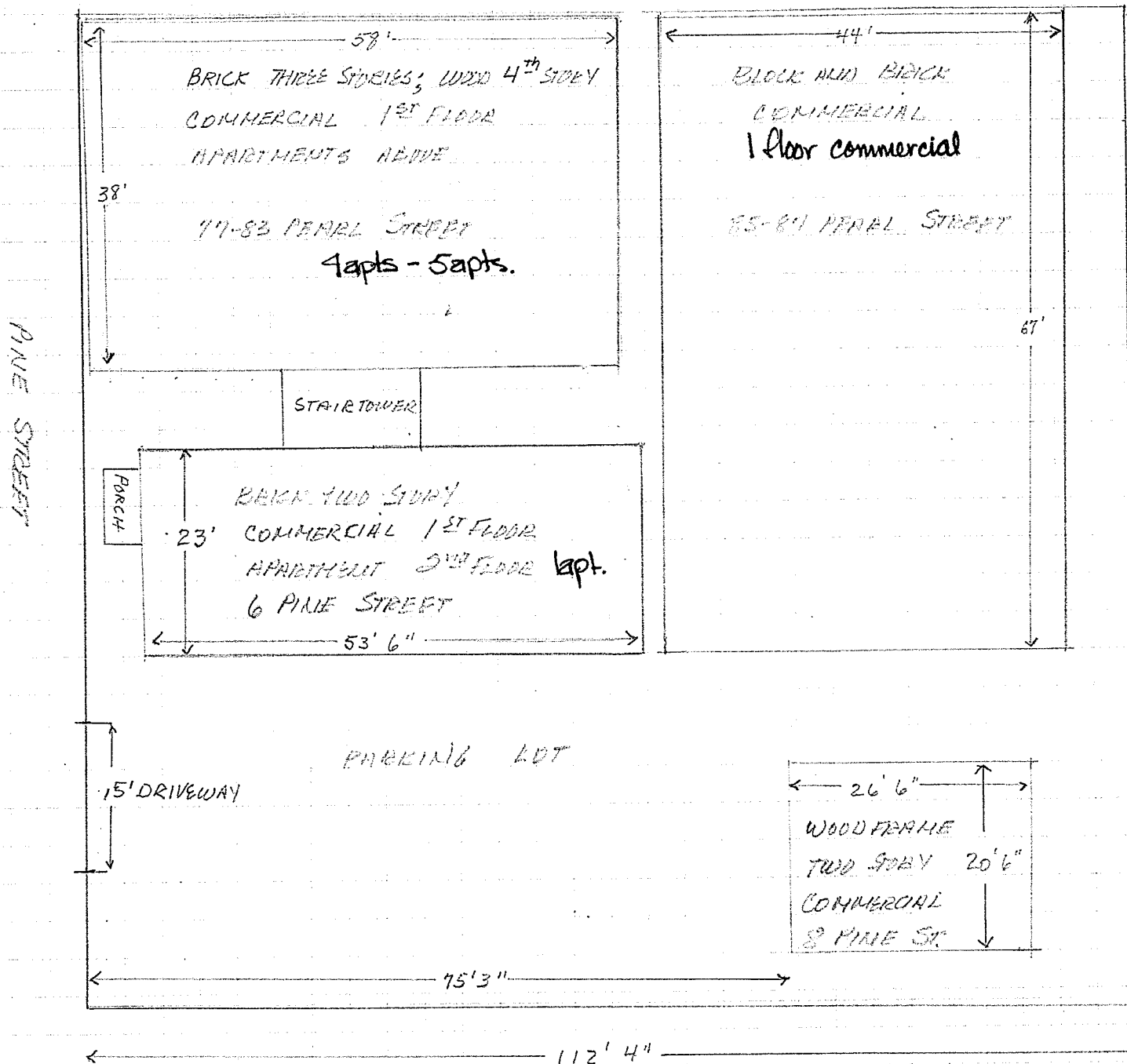
RECEIVED

DEC - 9 2015

DEPARTMENT OF
PLANNING & ZONING

From ZP 81-142

PEARL STREET



36x70 P.

SITE PLAN

CORNER OF PEARL ST & PINE ST, BURLINGTON

LOT SIZE 112' 4" X 105' 6"

CLARK W. HINSDALE JR, OWNER

SEPTEMBER 4, 1980

SCALE : ONE SQUARE EQUALS FOUR FEET

219
948 6914
204 2520
086



First Floor: Interior

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DEC - 9 2015

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PLANNING & ZONING





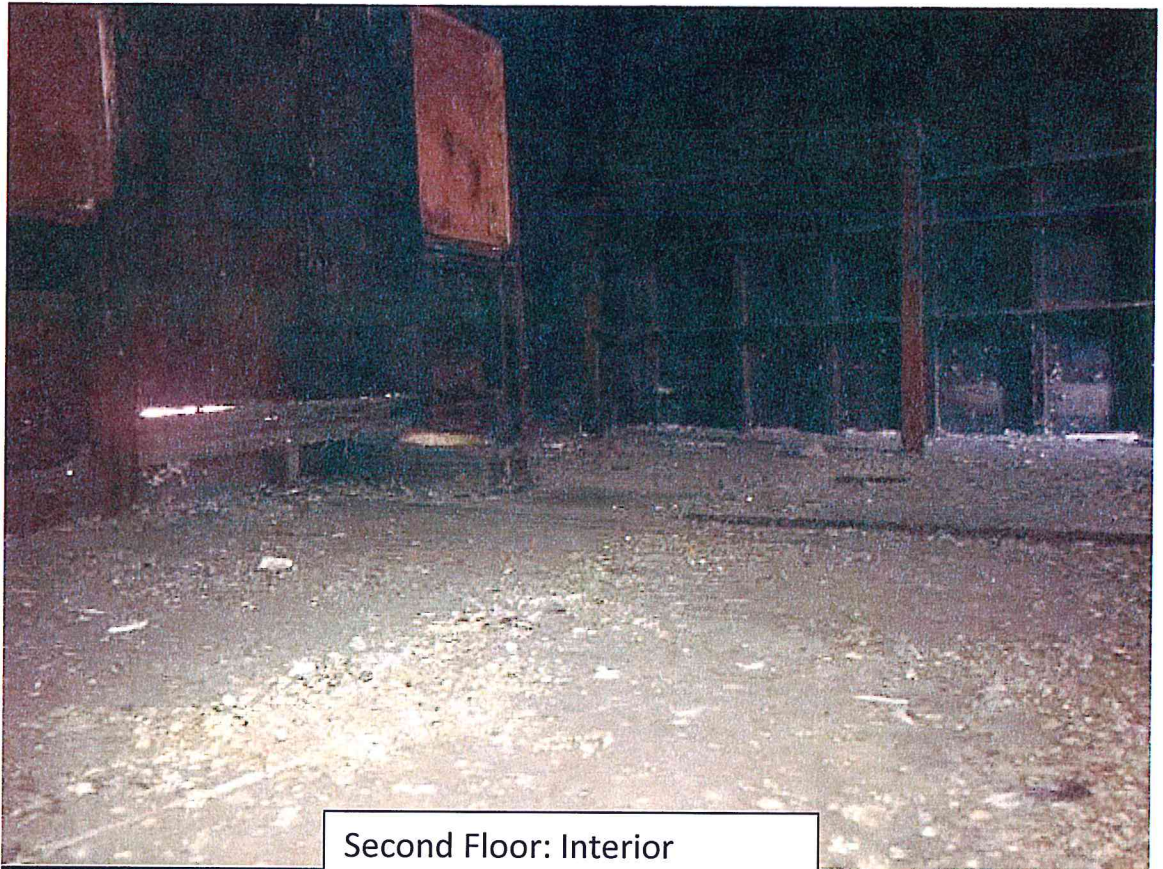
First Floor: Interior Steps

RECEIVED

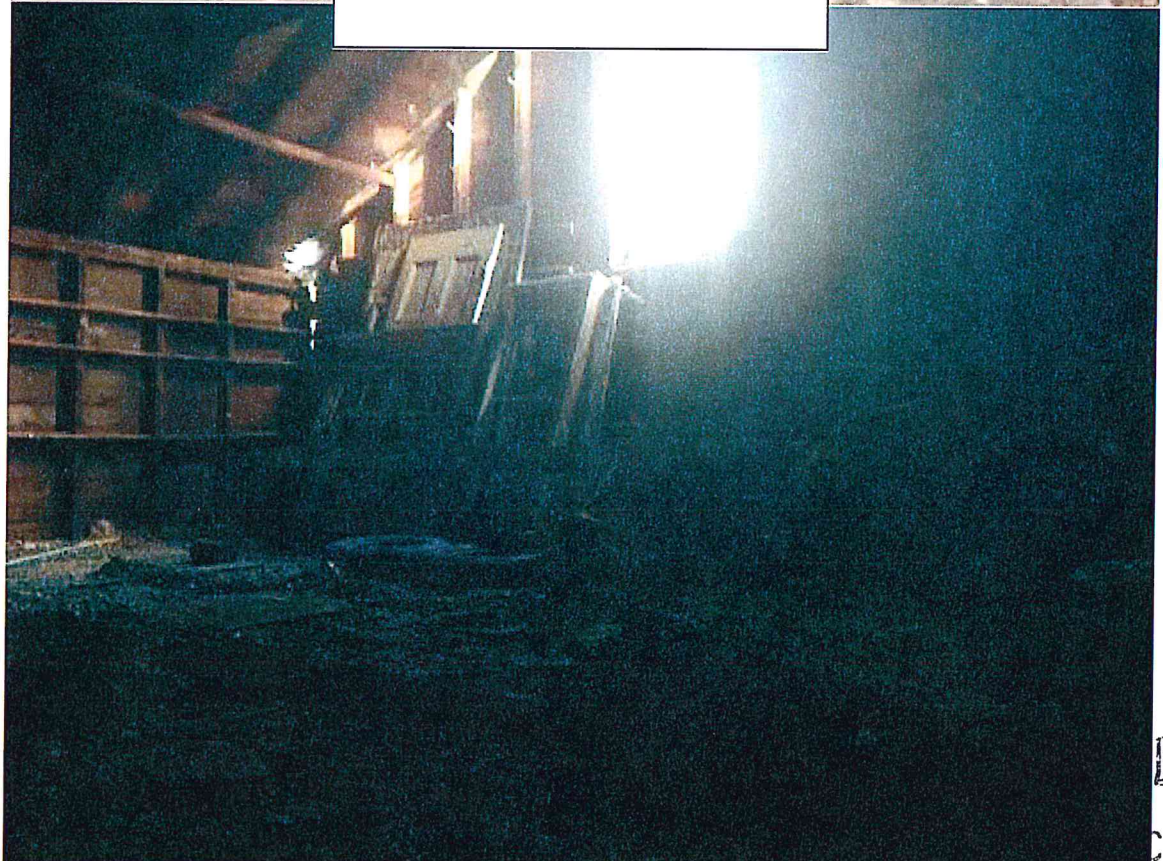
DEC - 9 2015

DEPARTMENT OF
PLANNING & ZONING





Second Floor: Interior



EIVE

C - 9 2015

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JAN 11 2016

SURVEY NUMBER:

6 Pine St.

NEGATIVE FILE NUMBER:

77-A-191

STATE OF VERMONT DEPARTMENT OF
Division for Historic Preservation
Montpelier, VT 05602 PLANNING & ZONING

HISTORIC SITES & STRUCTURES SURVEY
Individual Structure Survey Form

UTM REFERENCES:

Zone/Easting/Northing

U.S.G.S. QUAD. MAP:

PRESENT FORMAL NAME:

ORIGINAL FORMAL NAME:

PRESENT USE: garage

ORIGINAL USE: barn (carriage)

ARCHITECT/ENGINEER:

BUILDER/CONTRACTOR:

PHYSICAL CONDITION OF STRUCTURE

Excellent ☐ Good ☐

Fair ☒ Poor ☐

THEME:

STYLE: stick style (Queen Anne)

DATE BUILT:

ca. 1885

COUNTY: Chittenden

TOWN: Burlington

LOCATION:

garage on 6 Pine St. property

COMMON NAME:

FUNCTIONAL TYPE: garage-barn

OWNER:

ADDRESS:

ACCESSIBILITY TO PUBLIC:

Yes ☐ No ☒ Restricted ☐

LEVEL OF SIGNIFICANCE:

Local ☒ State ☐ National ☐

GENERAL DESCRIPTION:

Structural System

1. Foundation: Stone ☐ Brick ☐ Concrete ☐ Concrete Block ☐
2. Wall Structure
 - a. Wood Frame: Post & Beam ☐ Balloon ☐
 - b. Load Bearing Masonry: Brick ☐ Stone ☐ Concrete ☐ Concrete Block ☐
 - c. Iron ☐ d. Steel ☐ e. Other:
3. Wall Covering: Clapboard ☒ Board & Batten ☐ Wood Shingle ☐ Shiplap ☐ Novelty ☐ Stucco ☐ Sheet Metal ☐ Aluminum ☐ Asphalt Shingle ☐ Brick Veneer ☐ Stone Veneer ☐ Bonding Pattern: Other:
4. Roof Structure
 - a. Truss: Wood ☐ Iron ☐ Steel ☐ Concrete ☐
 - b. Other:
5. Roof Covering: Slate ☒ Wood Shingle ☐ Asphalt Shingle ☐ Sheet Metal ☐ Built Up ☐ Rolled ☐ Tile ☐ Other:
6. Engineering Structure:
7. Other:

Appendages: Porches ☐ Towers ☐ Cupolas ☐ Dormers ☐ Chimneys ☐ Sheds ☐ Ells ☐ Wings ☐ Other:

Roof Style: Gable ☒ Hip ☐ Shed ☐ Flat ☐ Mansard ☐ Gambrel ☐ Jerkinhead ☐ Saw Tooth ☐ With Monitor ☐ With Bellcast ☐ With Parapet ☐ With False Front ☐ Other:

Number of Stories: 2

Number of Bays: 1 x 2

Approximate Dimensions: 15 x 18

Entrance Location: off center

THREAT TO STRUCTURE:

No Threat ☐ Zoning ☐ Roads ☐ Development ☐ Deterioration ☐ Alteration ☐ Other:

LOCAL ATTITUDES:

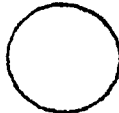
Positive ☐ Negative ☐ Mixed ☐ Other:

ADDITIONAL ARCHITECTURAL OR STRUCTURAL DESCRIPTION:

The gable end faces the street. Gable is pedimented and embellished with angled boards. Below this is a door to the upper level which is embellished with criss-crossed boards and flanked by 2 windows. More stick work consisting of vertical boards between horizontal boards decorates the space above the main door. Curved wood pieces connect the small windows to the upper level door and give the building a tudor flavor which sets it apart from the usual stick work of the period.

RELATED STRUCTURES: (Describe)**STATEMENT OF SIGNIFICANCE:**

This is one of the nicest barns on the street, and for that matter in the whole area. The tudor style stick work is not common and its appearance here is noteworthy.

REFERENCES:**MAP: (Indicate North In Circle)****SURROUNDING ENVIRONMENT:**

Open Land ☐ Woodland ☐
Scattered Buildings ☐
Moderately Built Up ☒
Densely Built Up ☐
Residential ☒ Commercial ☐
Agricultural ☐ Industrial ☐
Roadside Strip Development ☐
Other:

RECORDED BY:

Adele Cramer

ORGANIZATION:

VT Division for Historic Preservation

DATE RECORDED:

6/15/77

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JAN 11 2016

DEPARTMENT OF
PLANNING & ZONING



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, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Anita Wade, Zoning Clerk
Elsie Tillotson, Department Secretary*



TO: Development Review Board
FROM: Scott Gustin *SG*
DATE: February 16, 2016
RE: 16-0748CU; 400 Pine 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: ELM Ward: 5S

Owner/Applicant: Howard Space Partnership / PJ McHenry & Arts Riot

Request: Establish performing arts center within existing mixed use facility. No site or exterior building changes included.

Applicable Regulations:

Article 3 (Applications and Reviews), Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 8 (Parking)

Background Information:

The applicant is seeking conditional use approval as a performing arts center. The use is in place and was originally permitted March 28, 2013 as an art gallery and performing arts studio with associated café space. Over time; however, it became apparent that the use more closely resembled a performing arts center. At that time, performing arts centers were not allowed in the ELM zone. With support from the Planning Commission and the City Council, the zoning was amended August 10, 2015 to allow performing arts centers in the ELM zone, subject to conditional use review. The applicant is seeking approval for the use and related parking management plan. No site or exterior building changes are proposed.

The subject property contains a mix of uses within a variety of buildings. The zoning permit history is lengthy and pertains largely to changes among the uses and related signs and building modifications.

Recommendation: 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 (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 use is presently served by municipal water and sewer. No additional demands are anticipated with this application. **(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;*

The subject property is located along Pine Street within the ELM zone. This zone 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. The South End is Burlington's de facto arts district, a status not yet clearly articulated in the CDO but addressed in the draft PlanBTV South End. This arts district status was a key consideration in amending the zoning to allow for performing arts centers. This application is consistent with provision for accessory commercial uses and is directly in line with the area's arts district status. **(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;*

Performance space is wholly contained within the building. Noise, odor, dust, heat, and vibrations are not greater than that generated by other uses within the ELM 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;*

Information has been provided relative to the number of employees and patrons visiting the performing arts center. There are 6 full time employees and 14 part-time employees. On average, 77 patrons visit the establishment per day. AM (7:30 – 8:30 AM) versus PM (4:30 – 5:30 PM) peak hour traffic generation is not noted; however, the application points out that 95% of patrons come after 5:00 PM (resulting in essentially no AM peak hour trips). The application also asserts that 75% of surveyed patrons come because they do not have to drive there. Proximity to clientele base and accessibility by alternative means of transportation support the assertion of relatively little traffic generation during peak hours. Pine Street is classified as a major street with capacity to serve multiple uses and related connector streets. **(Affirmative finding)**

and,

- 5. The utilization of renewable energy resources;*

The application makes no reference to utilization of renewable energy resources. The performing arts center will have no impact on the future potential use of renewable energy resources.

(Affirmative finding)

and,

6. *Any standards or factors set forth in existing City bylaws and city and state ordinances;*

No conflicts are evident in the proposal. It is the applicants' responsibility to comply with all applicable city and state bylaws and ordinances. **(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 performing arts center will likely not generate offsite noise or glare substantial enough to require mitigation. **(Affirmative finding)**

2. *Time limits for construction.*

No construction is proposed. **(Not applicable)**

3. *Hours of operation and/or construction to reduce the impacts on surrounding properties.*

Hours of operation are Tuesday – Saturday from 4:30 PM – 10:00 PM. Occasional events will be held outside of these hours. The usual days and hours of operation are reasonable for a performing arts center and also enable shared use of parking spaces with daytime users. **(Affirmative finding)**

4. *That any future enlargement or alteration of the use return for review to the DRB to permit the specifying of new conditions; 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.*

See recommended conditions of approval.

Article 4: Maps & Districts

Sec. 4.4.3, Enterprise Districts:

(a) Purpose

(1) Light Manufacturing (E-LM)

As noted previously, the ELM zone is primarily intended for industrial uses such as manufacturing, processing, and distribution. Other uses are allowed such as arts studios, art galleries, performing arts centers, and related arts uses. The performing arts center is consistent with this intent. **(Affirmative finding)**

(b) Dimensional Standards & Density

No construction is included in this proposal. **(Not applicable)**

(c) Permitted & Conditional Uses

Per zoning amendment ZA-15-06 adopted August 10, 2015, performing arts centers are a conditional use in the ELM zone with the following limitations: Performing arts centers in the ELM zone shall be limited to a total of 5,000 square feet in size and to properties with frontage on Pine Street. Performing arts centers may contain accessory space for preparation and serving food and beverages, including alcohol, provided this accessory space comprises less than 50% of the entire establishment. Based on the floor plans, the performing arts center space totals 4,875 sf and has frontage along Pine Street. Related space for preparation and consumption of food and drink is just about half of that space. Confirmation of exact area is needed.

Note that square footage information relative to the performing arts space cited in the applicants' parking table do not mirror those evident in the floor plans. This inconsistency needs to be rectified. **(Affirmative finding as conditioned)**

(d) District Specific Regulations

(Not applicable)

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.3 (b).

Sec. 5.2.4, Buildable Area Calculation

See Sec. 4.4.3 (b).

Sec. 5.2.5, Setbacks

See Sec. 4.4.3 (b).

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.3 (b).

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.4.3 (b).

Sec. 5.5.1, Nuisance Regulations

Nothing in the proposal appears to constitute a nuisance under this criterion. **(Affirmative finding)**

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

The subject property is located in the shared use parking district. The minimum parking requirement for performing arts centers is based on seating capacity. In this case, that capacity is

up to 195 seats. That maximum capacity translates into a 49 space parking requirement (1 space per 4 seats).

The applicants have provided an analysis of existing uses onsite and associated parking requirements. Including the performing arts center, total parking required for all of the uses is 169 spaces. There are 92 parking spaces onsite. A parking waiver is sought. See Sec. 8.1.15 below for details. **(Affirmative finding)**

Sec. 8.1.15, Waivers from Parking Requirements/Parking Management Plans

The subject property contains multiple uses of various sizes and a variety of associated parking requirements. It is ripe for delineation of a parking management plan. Effectively, shared use of the parking resource occurs now. The applicant is seeking to formalize that arrangement with a parking management plan.

Most of the uses onsite operate during the morning and afternoon hours. Morning start times vary between 6:30 AM and 10:00 AM. The uses generally operate though 4:00 PM to 6:00 PM. Some uses, such as storage and independent studios have very limited and/or flexible hours of operation. The performing arts center largely operates during the evening hours (4:30 PM – 10:00 PM with most activity occurring after 5:00 PM).

The five retail spaces may receive a 100% parking waiver (47 spaces). The remainder of the uses onsite may receive up to a 50% parking waiver (61 spaces). The maximum possible waiver is not needed. Viewed collectively, a 46% waiver is needed (77 spaces).

The parking management plan focuses on shared use of the available parking as well as efforts to utilize alternative means of transportation. The shared use concept is simple and works so long as different users utilize the parking spaces at different times. Such is the case here. As for reducing single vehicle occupancy trips to the property, the management plan points to accessibility via CCTA bus route and close walking proximity to adjacent neighborhoods and businesses. In addition, the performing arts center provides Uber and Carshare VT accounts for employees to use. Significantly, the applicants can point to a history of shared parking use and reduced parking demand onsite.

In an effort to better understand and track the efficacy of parking management plans, it is recommended that the applicants provide an annual report for 3 years to the Department of Planning & Zoning that specifies actual onsite parking demand. **(Affirmative finding as conditioned)**

Sec. 8.2.5, Bicycle Parking Requirements

There is no bike parking requirement specified for performing arts centers. Where none is specified, the DRB is to make the determination. The application notes that four bike racks are provided onsite in association with the business. Capacity is not noted and should be. In addition, space should be provided within the building for secure, sheltered long term bike parking. **(Affirmative finding as conditioned)**

II. Conditions of Approval

1. **Prior to release of the zoning permit**, the following items shall be addressed, subject to staff review and approval:
 - a. Exact square footage of the entire performing arts center and, within that, the exact square footage of food & drink preparation and consumption area.
 - b. Capacity of the 4 outdoor bike racks and delineation of secure indoor long term bike parking.
2. Each year for 3 years following this approval, the applicant shall submit to staff a report on the status of the parking management plan incorporated into this approval, subject to staff review and approval. The report shall describe any changes to the traffic management plan, provide a quantitative assessment of the effectiveness of the parking management plan in reducing onsite parking demand and in sharing the existing parking resource, and confirm that the property remains compliant with the parking management plan.
3. The Applicant/Property Owner is responsible for obtaining all necessary Zoning Permits and Building Permits through the Department of Public Works as well as other permit(s) as may be required, and shall meet all energy efficiency codes of the city and state as required
4. Standard Conditions 1-14.

Speak Easy Arts, LLC d/b/a ArtsRiot
Conditional Use Application
January 16th, 2016

RECEIVED
JAN 19 2016

**DEPARTMENT OF
PLANNING & ZONING**

Background:

For the first 2 years of operation at 400 Pine Street, ArtsRiot has engaged with the City of Burlington to discuss and determine the designated use of their facility and how it applies to the operation of their dynamic and multi-faceted business model. Through these engagements an amendment to the zoning ordinance has passed to include the 'Performing Arts Center' use as a permissible conditional use in the Enterprise zone within which the business' location is located. Since the passing of this amendment ArtsRiot ownership has worked with both the landlord of the property and the Department of Planning & Zoning to fulfill the requirements set forth on the application checklist.

Description:

This application is being submitted by ArtsRiot to propose the inclusion of 'Performing Arts Center' as a conditional use at its 400 Pine Street, Burlington, Vermont 05401 location.

By including 'Performing Arts Center' as a conditional use at our location we will be able to continue to provide the South End, Burlington and the rest of Vermont original entertainment and programming aimed to engage the community, educate and inspire the growth of a better country. Please see a list of proposed upcoming events:

- 3/29 - Networking and Entrepreneurship Event by Launch VT
- 3/31 - Theatrical Performance of Hedwig & the Angry Itch (6 nights)
- 4/13 - Burlington Book Event
- 4/16 - Musical Performance by Red Baraat
- 4/23 - Burlington does Burlington local music showcase
- 5/4 - Comedy and Cupcakes Fundraiser & Stand-up Comedy Night
- 5/12 - Musical Performance by The Barr Brothers
- 6/3 - TURN: A contemporary take on Chamber Music

In addition to these proposed events please see just a few examples of successfully managed efforts by ArtsRiot:

- Summer 2015 Bernie Sanders Fundraiser with over 1,000 people in attendance
- Summer 2012-2015 Truck Stop Food Truck Rally with over 1,000 people at 60+ dates
- Winter 2015 5,000 lb. Food Drive for Food Shelf with Dealer.com & Champlain Elementary... supported and instigated by the synergy of using 'canned food' as admission to events at ArtsRiot.
- Ongoing - Super Supper community-sourced funding for community projects. Donating \$1,000 of unrestricted funds to individuals and organizations 4 times a year.
- Ongoing - Live Art Installations, come and eat dinner or attend a concert and watch Burlington's artists redecorate the walls of ArtsRiot!
- Ongoing - GROW. In coordination with University of Vermont and the Collaboratory ArtsRiot has spear-headed an urban agriculture initiative to build bridges between the Public School System, the State University and the private sector. Two elementary schools (Flynn & Champlain) have instituted classroom gardens which educate students while growing food!
- Ongoing - SEED. In coordination with University of Vermont and the Collaboratory ArtsRiot heads a power and privilege initiative trying to build a more aware and insightful world specifically focusing on race, gender and socioeconomic power and privilege. For four years ArtsRiot has taught power and privilege classes through service learning projects

Days & Hours of Operation:

Our hours of operation fall into two categories; our normal business hours and hours we are open for events.

Normal Business Hours - every week our doors are open at these times

Tuesday-Saturday 4:30pm-10pm

Open for Events - if a private party or program is booked it may fall within these hours

Sunday-Saturday 8am-2am

To clarify the event hours. Our track record shows the following frequencies of these event falling OUTSIDE our normal business hours:

- 8am-11am: 1-2 times per year
- 11am-4pm: 6-10 times per year
- 10pm-12am: 8-12 times per month
- 12am-2am: 4-6 times per year

Traffic generation & parking analysis:

Please see separate Parking Management Plan.

Phasing Schedule: n/a**Information pursuant to Sec. 3.5.6.:**

1. The capacity of our facility will not change.
2. The character of the area affected by the conditional use will not change.
3. Traffic on Pine Street is, well, traffic on Pine Street.
4. The conditional use will not have an adverse effect on any standards in City bylaws or City/State ordinances
5. Impact on renewable energy resources is non-existent
6. While the DRB considers the cumulative impact of the proposed use please keep in mind our organization will not change course just move from being on the road to compliance with the City of Burlington to have a conditional use of 'Performing Arts Center' in place.
7. n/a
8. please see separate parking management plan
9. n/a
10. Please keep in mind we have worked diligently with neighboring businesses and residences to ensure a positive track record and minimal impact.
11. n/a
12. Please see hours of operation as listed above.
13. ArtsRiot accepts and acknowledges that any changes or enlargements of this use may be required to be brought back to the DRB.
14. Please refer to Department of Labor, Department of Taxes, Department of Health, Burlington Fire Department, Burlington Police Department, City Council, the Mayor's Office, CEDO, Planning & Zoning, and/or the Clerk's Office to obtain a better understanding of the business' performance standards over the course of the past two years of operation.
15. ArtsRiot understands additional reasonable conditions and safeguards may be put in place by the DRB in order to implement the purposes of Article 3 of the Zoning ordinance.

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JAN 19 2016

DEPARTMENT OF
PLANNING & ZONING

ArtsRiot Parking Management Plan

On Behalf of Howard Space Partnership

Submitted by: Speak Easy Arts, LLC
d/b/a ArtsRiot
400 Pine Street
Burlington, VT 05401

Performed by PJ McHenry
pj@artsriot.com
(c) 802-578-3560
(o) 802-540-0406

Speak Easy Arts, LLC d/b/a ArtsRiot
Parking Management Plan
January 16th, 2016

RECEIVED
JAN 19 2016

DEPARTMENT OF
PLANNING & ZONING

Summary:

This plan has been drafted by PJ McHenry, owner and operator of Speak Easy Arts, LLC d/b/a ArtsRiot. ArtsRiot is located at 400 Pine Street, Burlington, VT and on the premise of the Howard Space Complex located at the NE corner of the intersection of Howard Street and Pine Street. ArtsRiot, on behalf of land owner, Howard Space Partnership, proposes to the City of Burlington and the Design Review Board that based on existing parking usage, practices and private management the following parking plan effectively accounts for the needs of the property.

Using the analysis of Scott Gustin, ArtsRiot requests a parking waiver for the Howard Space Complex for 100% of the required parking for retail uses and 50% of the required parking for the remaining parking needs for the site.

The supporting evidence below shows that these waivers can feasibly be granted. Primarily based on the following:

1. Scott Gustin, Senior Planner - Parking Analysis & Recommendation
2. Acknowledging existing shared use spaces on-site
3. Howard Space/ArtsRiot aligned parking strategies/management and efficacy

Supporting Evidence:

Information specifying ArtsRiot parking use (Per Sec. 8.1.15):

Employees:

ArtsRiot has 2 owners, 1 chef and currently employs an additional 3 full-time employees. We also staff 14 part-time staff OR 5 FTE's. As a young, fit and environmentally conscious organization we promote, encourage and incentivize alternative transport for commuting. Of the above staff please see a list below of prior methods of transport:

Please note our business is located at 400 Pine Street, Burlington, VT. Beyond encouraging alternative transport our company culture attracts a certain lifestyle and we highly regard knowledge of local politics/community/economy as well as a small ecological footprint. In parenthesis you will see the distance from work the following staff live.

- Owner, PJ McHenry, 55 Howard Street (0.2 mile), NO VEHICLE
- Owner, Felix Wai, 29 Spruce Street (0.3 mile), VEHICLE/NO COMMUTE
- Chef, George Lambertson, 207 Flynn Ave (1.1 mile), NO VEHICLE

- Catering Director, Ian Delorme, 116 Hayward Street (0.3 mile), VEHICLE/NO COMMUTE
- Marketing Director, Danielle Patterson, 135 Hayward Street (0.3 mile), VEHICLE/NO COMMUTE
- Bar Manager, Ben Rutter, 143 Howard Street (0.4 mile), NO VEHICLE
- Event Staff, Julia Winrock, 102 Howard Street (0.3 mile), VEHICLE/NO COMMUTE
- Catering Staff, Christina Collette, 72 Spruce Street (0.4 mile), VEHICLE/NO COMMUTE
- Kitchen, Chris Belval, 156 Ferguson Ave (1.1 mile), NO VEHICLE

As you can see not only does a large number of our staff not even own vehicles, almost half of the staff lives within 1.1 miles of ArtsRiot. Beyond that we have a CarShare VT account and allow any employee to sign-up on our account as a driver.

Daily Shifts:

Now that you have a better understanding of our employees, please refer to the table below to see the shift times and flow of employees to/from our business on a daily basis:

Normal Business:

- 10am Owner arrives
- 11am Chef arrives
- 2pm Line Cook arrives
- 3pm Bar Manager arrives
- 4pm Server arrives
- 4pm Host arrives
- 5pm Dishwasher arrives

Event (maximum staffing situation...30 times per year):

- 10am Owner arrives
- 11am Chef arrives
- 3pm Bar Manager arrives
- 3pm Production Manager arrives
- 3pm Production assistant arrives
- 4pm Second Owner arrives
- 4pm Server arrives (x2)
- 4pm Host arrives
- 5pm Dishwasher arrives
- 5pm Second Bartender arrives
- 5pm Head Security staff arrives
- 5pm Kitchen Expeditor arrives
- 7pm Door staff arrives
- 8pm Security staff arrives (x4)

Customers/Visitors/Clients:

Over the past two years ArtsRiot has effectively built a sustainable business primarily through attracting neighborhood residents and South End workers. Through recognizing patrons and

surveying our clientele we estimate that just over 60% of our patrons either live or work in the South End. When asking patrons we recognize (see staff addresses above) - i.e. our work & residential neighbors - over 75% of them prefer coming to ArtsRiot because they do not have to drive. By positioning our business in the South End we've been able to attract customers and workers who are already here and are trying to avoid getting back in the car.

On average we see 77 people a day through the doors of our business. These patrons come to ArtsRiot 95% of the time after 5pm. We are the only business open at the Howard Space complex at night. The communal parking available to our customers is vacated by our neighbors during our normal business hours. Please see the neighbors hours of operation listed below in the 'Anticipated Demand' section of this management plan.

For those commuting from outside of our neighborhood we have made large efforts to work with neighboring businesses to reduce parking impact. We have worked in particular with the Maltex Building on a limited use basis for overflow parking providing their parking lot with supervision and security throughout the our designated times of use.

Deliveries:

Please see the below schedule of vendors and delivery times/frequencies:

- Farrell Distribution
 - 2 times per week (Wednesday & Friday)
- Baker Distribution
 - 1 time per week (Wednesday)
- Calmont Distribution
 - 1 time per week (Wednesday)
- Craft Beer Guild
 - 1 time per week (Wednesday)
- Dole & Bailey
 - 1 time per week (Tuesday)
- Black River Produce
 - 3 times per week (Tuesday, Wednesday, Thursday)
- Unifirst
 - 2 times per month (Every other Wednesday)
- W.B. Mason
 - 2-3 times per month (Wednesdays)
- Swish/White River Paper
 - 1 time per week (Wednesday)

Anticipated Parking Demand:

Demand by use has been determined by Scott Gustin from the Department of Planning & Zoning. Please see the attached correspondence with Scott. Please note I have included the original research done by ArtsRiot ownership to show the diligence of the effort to obtain information from 3rd parties to make this management plan possible.

Demand by time of day. Please see the hours of operation below of ArtsRiot and neighboring business'.

Amalgamated Cultureworks:	Monday-Friday	8am-5pm
ArtsRiot:	Tuesday-Saturday	4:30pm-10pm
Burlington Furniture:	Monday-Saturday Sunday	10am-6pm 12pm-5pm
Dealer.com:	Monday-Friday	9am-5pm
Great Harvest Bread:	Monday-Friday Saturday	7am-6pm 8am-5pm
Mitchell Sheet Metal:	Monday-Friday	7am-4pm
SEABA:	Monday-Friday	9am-5pm
Speeder & Earls:	Monday-Friday Saturday Sunday	6:30am-6pm 8am-6pm 8am-5pm

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Anticipated Parking Utilization:

ArtsRiot proposes that the Howard Space parking management plan takes advantage of shared use spaces. Please see below for supporting evidence.

Current Use: While a management plan is not developed for the Howard Space site, organically an environment of shared use spaces has occurred based off of market supply and demand & through lease contracts between landlord and tenant. We believe that this parking management plan will provide information that highlights the benefits of shared use spaces and indicates that because of the diverse mix of tenants shared use spaces can best accommodate the differences in peak parking demands.

Reasons for utilization of shared use parking spaces:

- Accommodate different peak needs
- Reduced vehicle emissions
 - Park once, then walk
- More efficient land use
 - Do away with old idea of the need to develop large expansive lots
- Reduced area of pavement
 - More green space, less stormwater run-off
- Promotion of alternative transportation
 - bike racks are readily available throughout Howard Space

Please see the following attached documents to demonstrate the feasibility and impact of shared spaces and dual use.

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Capitol Region Council of Governments - Shared Parking Fact Sheet

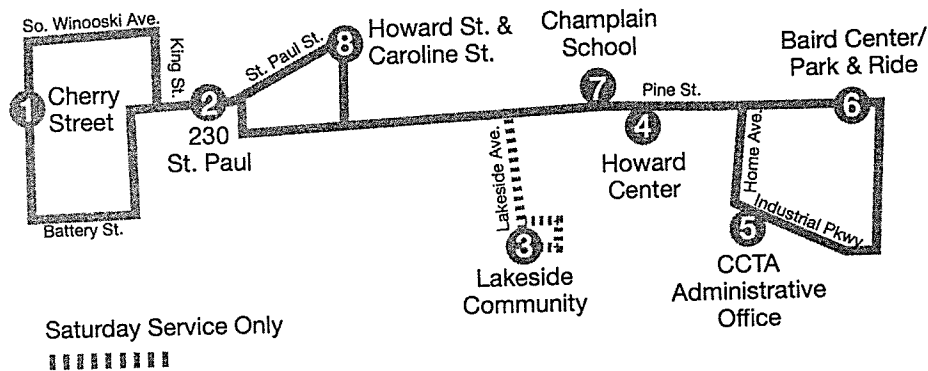
Green Parking Council - What is Shared Parking?

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Public Transport:

The nearest public transport pick-up and drop-offs are as follows:

CCTA Pine Street Route. Stop #8 is 1500 feet from ArtsRiot/Howard Space. Stop #7 is 4000 feet from ArtsRiot/Howard Space. The frequency of this route is every 30 minutes from 6am to 12am Monday-Saturday.



Strategies:

Please see the following strategies that will be used to reduce and manage the demand for future parking needs:

- Company Culture, ecologically minded, stewardship of sustainable lifestyle, actual urban living with bicycling and walking as primary means of transport.
- Company Accounts: ArtsRiot has Uber and CarShareVT accounts for employees to use
- Strategic Partnerships: For the two years ArtsRiot has been in business we have actively sought out and engaged partnerships with the City of Burlington and Local Motion to better understand the issues surrounding the South End Development and the Transportation needs of our neighborhood and City. Over the two year period we have held over 10 events primarily focused on raising awareness and educating not only our staff but also the surrounding tenants, workers and residents on the current state and future of parking/development in our area.
- Alternative Parking: Since we have been in business we have commissioned both the City and the landlord to increase alternative parking spaces outside our business. We have successfully implemented 4 new bicycle racks onsite and plan to continue building on this effort.

Parking Analysis - Howard Space

Prepared By: PJ McHenry

Date Prepared: 9/17/2015

Preface: Burlington is split into 3 parking zones: Downtown (D), Shared Use (SU), and Neighborhood (N). The Howard Space lies within a Shared Use parking zone. Please note these zones are defined separately from Zoning Districts. For further information regarding other zoning implications the Howard Space lies within the Enterprise - Light Manufacturing zone.

ID	Use	Square Footage	Parking Requirement
xxx	Bakery	2394	2.5 <i>6</i>
Bakery Retail in Shared Use District requires 2.5 parking spaces.			
B-1	Cafe	2280	0
Cafe in Shared Use District has no parking space requirement. Check w/ city on Speeder's actual use.			
E-1	Glass Studio	1226	<i>1</i> <i>2</i>
E-3	Glass Studio	613	<i>1</i> <i>2</i>
No glass studio designation in ordinance. Average parking requirement for studio is 1 space. Check w/ city to define glass studio actual use and see what Burlington Glass & AO are zoned as.			
I-1	Graphic Arts	1421	<i>1</i> <i>2</i>
E-2	Graphic Arts	576	<i>1</i>
No Graphic Arts designation in ordinance. Average parking requirement for studio is 1 space. Check w/ city to define glass studio actual use and see what I-2 & E-2 are zoned as.			
C-3	Maintenance Shop	xxx	1
No maintenance shop designation in ordinance. Most shop (wood, metal) parking requirements are 1 space.			
A-10	Metal Shop	796	1
Machine Shop/Woodworking Shop in Shared Use District has a parking requirement of 1 parking space. Check with city for actual zoning of A-10 (Brad Mitchell's Shop).			
I-M-2	Office	775	2
xxx	Office	xxx	2 <i>?</i>
Office - General in Shared Use District has a parking requirement of 2 spaces.			
B-3	Performing Arts Center	2016	6 <i>4/9</i>
Performing Arts Center now allowed per amendment as conditional use. Parking requirement is 1 space per 4 seats. Check with city to determine seating/parking requirements.			
4-3-1C	Recording Studio	700	1

Recording Studio in Shared Use District has a parking requirement of 1 space.

B-4	Restaurant/Bar	2304	-12
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Restaurant in Shared Use District has a parking requirement of 1 space per 4 seats. Bar in Shared Use District has no parking requirement. Check with city to determine seating/parking requirements.

M-M-1	Retail - Clothing	1722	-2
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2-M-1, 4-M-1, 1-M-1	Retail - Furniture	4370, 5016, 4850	-2
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A-1	Retail - Jewellery	2003	-2
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A-2	Retail - Lamp Shop	1996	-2
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H	Retail - T-shirt	3507	-2
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General Merchandise/Retail in Shared Use District has a parking requirement of 2 spaces.

xxx	Storage	xxx	-3
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xxx	Storage	xxx	
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V-1	Storage	600	
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V-2	Storage	600	
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V-3	Storage	600	
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V-4	Storage	600	
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V-5	Storage	600	
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V-6	Storage	600	
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V-7	Storage	600	
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A-5-B	Storage	696	
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A-5-A	Storage	440	
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A-6	Storage	460	
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A-11	Storage	493	
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I-8-B	Storage	1940	
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D-1	Storage	180	
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xxx	Storage	1136	
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I-16	Storage	430	
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I-10	Storage	350	
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I-9	Storage	191	
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F-3	Storage	11690	
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Warehouse - Storage Facility in Shared Use District has a parking requirement of 1 space per resident manager and 1 space per 100 leasable storage spaces. I have estimated 2 resident managers (Kevin & John) and then 1 space due to less than 100 leasable storage spaces onsite. We may be able to save a space here by reducing resident managers to 1. Therefore all storage spaces would require 3 parking spaces for this site.

3-M-1	Storage - Warehouse	7575	0.35
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R-Warehouse	Storage - Warehouse	4900	0.35
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Warehouse in Shared Use District has a parking requirement of 0.35 spaces. Check with city to determine current use of these warehouse spaces to confirm parking requirements.

4-3-1A	Studio <i>silk screen</i>	810	1
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4-3-1B	Studio <i>music</i>	586	1
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4-3-1D	Studio <i>art</i>	1757	1
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M-S-1	Studio <i>art</i>	3206	1
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M-S-3	Studio <i>art</i>	2436	1
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M-T-1	Studio <i>music</i>	800	1
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G-1	Studio <i>artist</i>	1722	1
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G-2	Studio <i>artist</i>	845	1
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G-3	Studio <i>artist</i>	871	1
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A-7	Studio <i>art</i>	951	1
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A-8	Studio <i>art</i>	1160	1
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A-12	Studio <i>sculptor</i>	1073	1
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A-9	Studio <i>recording</i>	1000	1
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D-3	Studio <i>sculptor</i>	923	1
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D-2	Studio <i>art</i>	1219	1
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I-18	Studio <i>art</i>	800	1
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I-17	Studio <i>art</i>	800	1
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I-8-A	Studio <i>office</i>	xxx	1
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I-7-B	Studio <i>storage</i>	xxx	1
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I-7-A	Studio <i>storage</i>	400	1 ?
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I-3	Studio <i>recording</i>	1520	1 + 2
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I-2	Studio <i>art</i>	987	1
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I-11	Studio <i>art</i>	506	1
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I-12	Studio <i>art</i>	506	1
------	-------------------	-----	---

F-1A	Studio <i>music</i>	222	1
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F-1B	Studio <i>music</i>	222	1
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F-1C	Studio <i>music</i>	222	1
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F-1D	Studio <i>music</i>	222	1
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F-1E	Studio <i>storage</i>	222	1 ?
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E-4	Studio <i>art</i>	576	1
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E-5	Studio	<i>glass.</i>	2259	1
E-6	Studio	<i>glass.</i>	617	1
O-1	Studio	<i>art</i>	767	1
O-2	Studio	<i>art</i>	510	1
O-3	Studio	<i>art</i>	882	1
O-6	Studio	<i>art.</i>	375	1
O-8	Studio	<i>art.</i>	250	1
O-10	Studio	<i>art</i>	418	1
O-11	Studio	<i>art</i>	225	1

No Studio - General designation in ordinance. There are many studios defined in ordinance (i.e. Recording, Film, Health, Performing Arts, Photo, Radio & TV). Most of these have a parking requirement of 1 space. Again, we should check with the city to see the current uses for these studios.

B-2	Studio/Gallery	2328	2.5
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SEABA's zoning is mixed so we should check with city to see what they are zoned as. Of all possible options (Office, Gallery, School, Studio) the largest requirement in Shared Use District is Gallery with 2.5 spaces.

C-4	Wood Shop	789	1
A-4	Wood Shop	2244	1
I-6	Wood Shop	1068	1
I-5	Wood Shop	454	1

Wood Shop in Shared Use District has a parking requirement of 1 space.

FROST WALL

COMMON AREA	1881
-------------	------

Common area of 2nd floor of Howard Space and Frost Wall were undefined spaces that I did not include in this parking analysis.

Parking Analysis Results

Estimated Total Number of Parking Spaces Required

~~907~~ 169

Estimated Total Number of Off Street Parking Spaces Existing

92

Total Number of Bike Racks Existing

6

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Parking Map

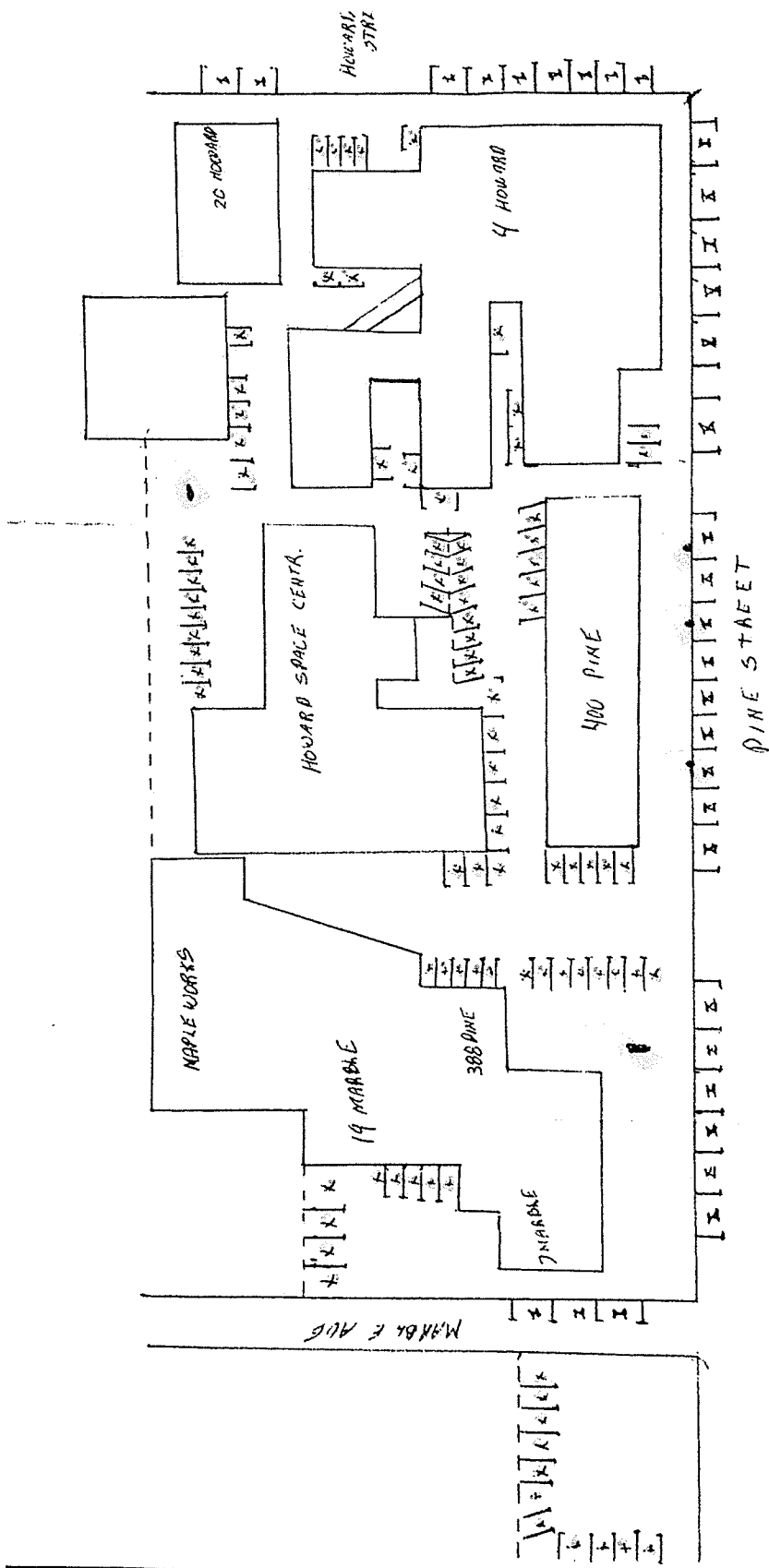
ArtsRiot Parking Management Plan

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LEGEND
92 X OFF STREET PARKING
33 X ON STREET PARKING
5 BIKE RACK



← NORTH

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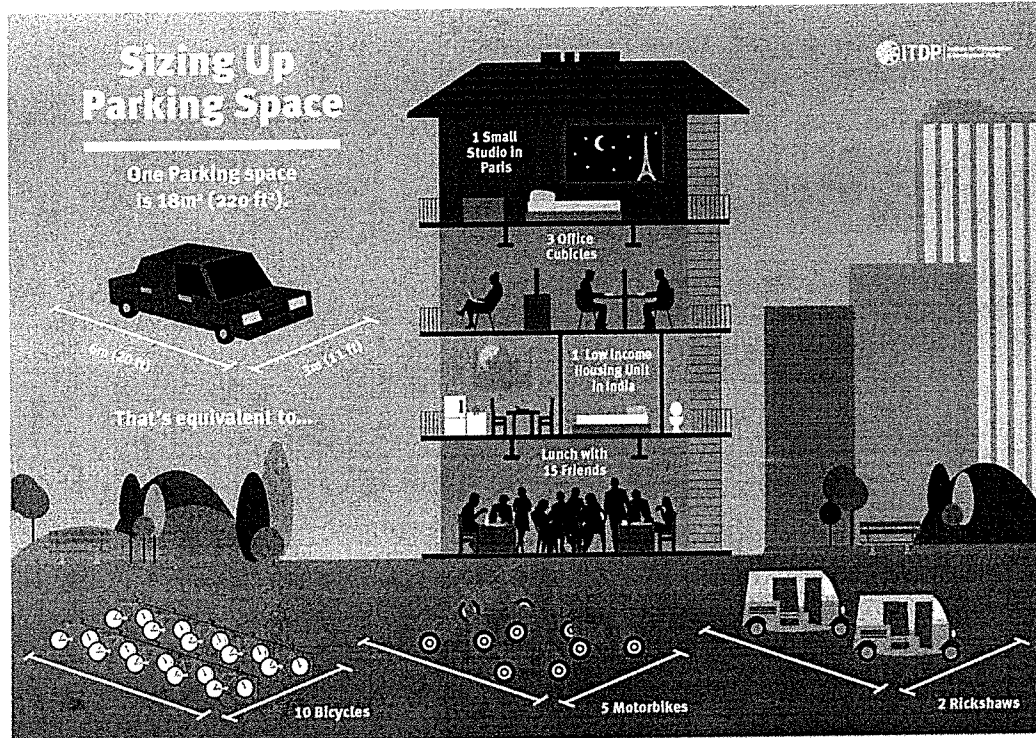
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Supporting Documentation

ArtsRiot Parking Management Plan

Featured » What is Shared Parking?



What is Shared Parking?

The Institute for Transportation & Development Policy provides technical transport and planning expertise to local authorities in cities around the world. ITDP promotes transport solutions that reduce greenhouse gas emissions and air pollution, while improving urban livability and economic opportunity. Its projects inspire cities towards more



environmentally and people-friendly transportation. ITDP identifies and promotes core sustainable parking principles and advocates how smarter parking management can benefit consumers and businesses in time and money savings, while also leading to more livable, attractive communities. (They also produce awesome graphics – including the one above – and get it that parking matters.) This is reprint of ITDP's Shared Parking Policy Brief.

Parking demands, like other transport demand patterns, operate on a peak and off-peak schedule depending on related land use. Distinct but complementary patterns, such as "office parking" that is generally empty in the evenings and on weekends and "residential parking" that is generally fuller in the evenings, offer an opportunity for cities to better satisfy residents and commuters without increasing supply. Shared parking is a land use/development strategy that optimizes parking capacity by allowing complementary land uses to share spaces, rather than producing separate spaces for separate uses.

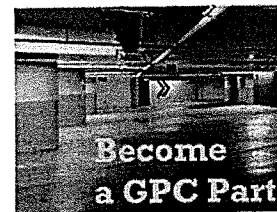
In effect, shared parking makes spaces publicly accessible rather than reserved for a particular tenant or property owner. It may be privately constructed and operated, depending on a contractual agreement, but should remain within the

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In a first for Las Vegas, MGM Resorts to charge for parking at
<https://t.co/vYleTtrvIA>

New Chapter! GBCI Acquiring and Will Administer Green Garage Certification - @USGBC -
<https://t.co/zwE7K5RRFL>

Fortune: Obama (Very Surprised) Renews Call for a Carbon Tax to Fund Transportation - <https://t.co/aoT>

It ain't easy being green: Seattle's political battle over Seattle's new protected bike lane –
<https://t.co/9MPityP2MG>

Is Ford's FordPass app - a partnership with ParkWhiz & ParkMobile - the beginning of the end of car ownership? <https://t.co/L68F0J>

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government's jurisdiction for long-term transport planning purposes.

Peak Parking Demand

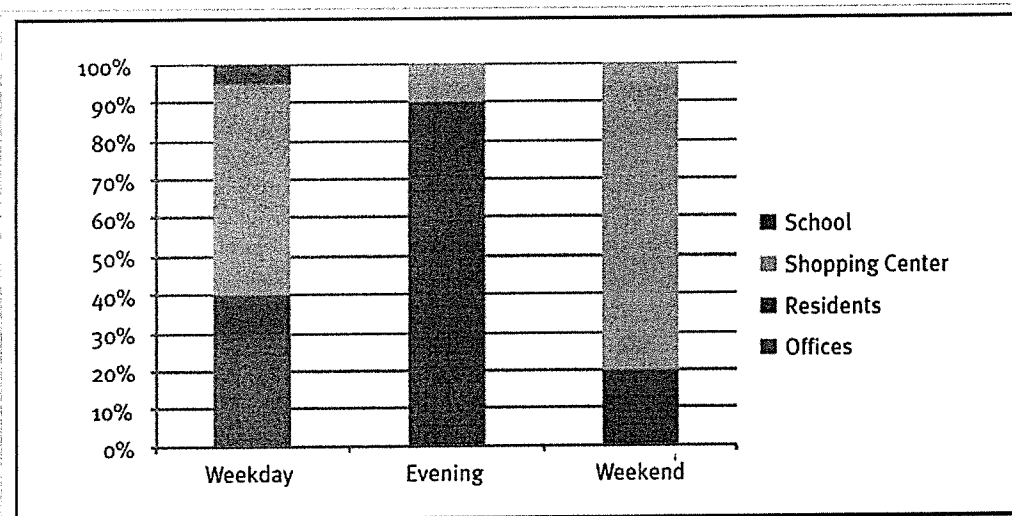
Weekday Peaks	Evening Peaks	Weekend Peaks
Banks	Auditoriums	Religious institutions
Schools	Bars and dance halls	Parks
Distribution facilities	Residents	Shops
Factories	Meeting halls	
Medical clinics	Restaurants	
Offices	Cinemas	

This table is an example of peak parking demand for different land use types. Parking can be shared efficiently by land uses with different peaks. Source: Modified from the original version from Victoria Transport Policy Institute

Often, regulations require the creation of a predetermined amount of parking space for each type of land use. This results in an overabundance of parking, as far more spaces are created than are demanded at any given moment. The excess of parking induces more driving while also leaving many spaces underused. It further inhibits the possibility to design more compact developments and neighborhoods with active uses. Shared parking goes hand-in-glove with mixed use, compact development.

Shared parking unlocks the potential for higher development densities around transit and acts as a control mechanism against urban sprawl. By allowing adjacent property owners to share parking spaces, cities can accommodate essential parking demands like disabled parking, emergency vehicles and freight delivery while promoting travel by more sustainable modes with better land use integration. For example, parking developed for a cinema can be shared with office workers and nearby residents, since each use's parking demands are heaviest at different hours.

Shared parking can reduce parking requirements by 20-40%, creating positive economic, social and environmental benefits. According to the Victoria Transport Policy Institute, 60-80 parking spaces can be shared among 100 employees in the North American context. The mixed-use Circle Centre in the city of Indianapolis was able to reduce the provision of parking by 53% from the standard regulations by using a shared parking approach. That also amounted to a savings of \$10,000 USD per space to the developers.



The table illustrates how 100 parking spaces in a mixed-use district can be distributed based on usage at different times.

How does shared parking work?

For a city to reap the full benefits of a shared parking program, parking needs to be publically accessible with no private, reserved spaces. If all parking is publicly accessible then it can be traded as a commodity. This also requires eliminating free parking. The government can act as an intermediary in helping the private sector identify how and where the spaces can be shared in existing neighborhoods, especially during the transition toward making all parking publicly accessible. For expanding city districts, shared parking can exist for essential uses or as a regional- wide transition toward sustainable transport. Government might handle contracts for public parking to assure satisfying performance indicators such as

Events

1/20/16 @ 2 PM EST

[IPI Online:](#)

Reduce Costs and Maximize the Efficiency of Your Parking with Renewable Energy and Electric Vehicle (EV) Charging
Webinar - Register

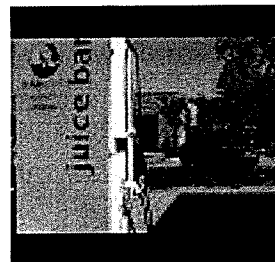
5/17/16

[International Parking Institute](#)
Green Garage Assessor Training
Nashville, TN - Info & Registration

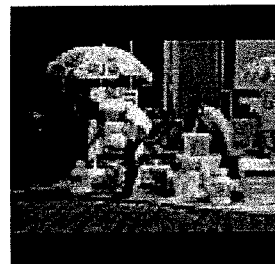
5/17/16 - 5/20/16

[International Parking Institute](#)
Conference & Expo
Nashville, TN - Info

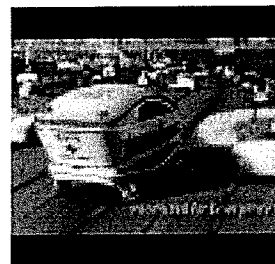
GPC videos



Lynda.com | Juice Bar (2:04)



Parking is Hip at Ikea (1:09)



The EN-V: GM's Urban Mobility
(4:22)

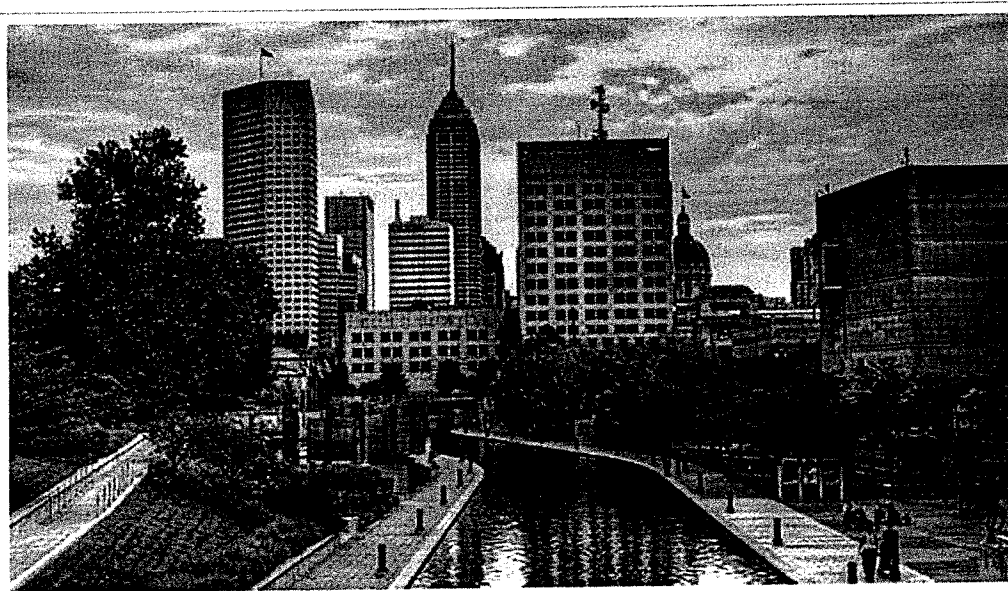
occupancy rate, mode shift and funds raised for neighborhood improvement projects as street use and capacity issues change.

Parking provision and restriction is an important part of transport planning. To successfully implement shared parking, a review should be conducted that looks at local zoning ordinances, existing use of parking space use at varying times of the day, and the existing parking management strategy. The city should have an idea of the mode split it wants to support. Designing for shared parking is an iterative strategy, and should be revisited every few years. The process should shift the city away from trying to satisfy all parking demands by increasing parking supply. Shared parking is most effective when done in conjunction with promotion of public transport use, walking and cycling. Shared parking spaces must be conveniently located and easily accessible by all relevant users. In other words, it creates the possibility to shift away from planning merely for driving trips.

What are the benefits?

Shared parking can alleviate traffic congestion, allow for increased density near transit and promote compact development. The main benefits of pursuing a shared parking strategy include:

- Efficient and optimized use of existing parking infrastructure
- Eliminate the burden on developers to build more parking
- Support for transit-oriented development



Downtown Indianapolis is using a shared parking approach while pushing forward better cycling and walking amenities leading to a more compact, mixed-use city center. Source: JoeyBLS Photography on Flickr

Overcoming Barriers to Shared Parking

Outdated local ordinances can inhibit the possibility of applying shared parking to an area. To successfully implement new parking standards, it is necessary to mitigate any standing barriers to a shared parking initiative.

1. Understand the actual parking demand in a neighborhood.

- Feasibility studies and understanding community traffic patterns are essential to successful implementation
- A city planner, transportation expert and the community need to be involved
- Understand current parking supply versus what is being used
- Determine who is paying for current parking such as land owners, employers or users
- Evaluate the price of parking as a lever that can change parking demand

2. Eliminate minimum parking standards.

- Minimum parking standards based on land uses lead to an over-supply of parking. To alleviate the waste of real estate, local governments can offer incentives and create directives to develop shared parking instead.

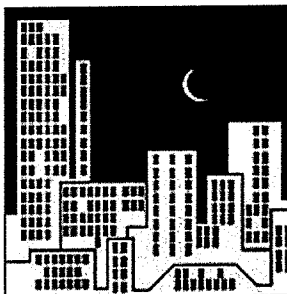
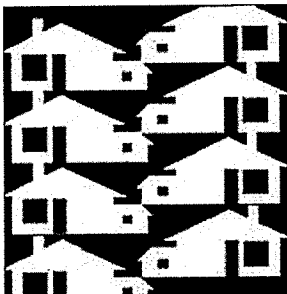
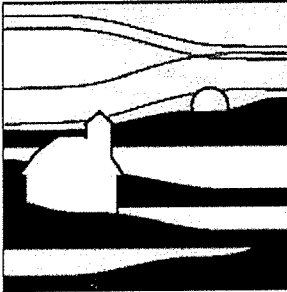
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8. Shared Parking

Fact Sheet



This smart growth tool can be used in rural, suburban, or urban communities.

What is Shared Parking?

Shared parking is a tool through which adjacent property owners share their parking lots and reduce the number of parking spaces each would provide on their individual properties. Shared parking is not a new concept. It has been used extensively in traditional neighborhood commercial nodes and downtown settings for decades. At these locations, there are higher-density office or apartment buildings with shops and restaurants lining the sidewalks. People often park in one spot and then walk from one destination to another. The effect is that those various uses share the same parking spaces. Shared parking is being used more and more in conjunction with new development. If adjacent land uses have different peak hours of parking demand, then they can share the some of the same parking spaces.

Why use Shared Parking?

Parking is one of the largest uses of land in urban and especially suburban areas. In a typical suburban shopping center, for example, parking occupies more land area than the building itself. Often, shopping centers with large parking lots are located next door to other sites with equally large lots. If adjacent sites serve different purposes, each parking lot may lie empty for long periods of time. This suggests that an excessive amount of space is given over to parking, and that less parking would be needed if the lots were somehow connected, shared, and used more efficiently. Shared parking can reduce the amount of land needed for parking, creating opportunities for more compact development, more space for pedestrian circulation, or more open space and landscaping.

Two Approaches to Shared Parking

There are two main approaches to shared parking: (1) contractual agreements between adjacent uses; and (2) parking management districts. Whereas the first approach involves only two adjacent users, the second approach encompasses an entire district with multiple property owners. Under a contractual agreement, the circumstances under which parking spaces would be shared would be explicitly defined in the contract. In a parking management district, all uses within the district would have access to all the parking spaces at any given time.

Approach 1: CONTRACTUAL AGREEMENT BETWEEN TWO ADJACENT USES

Toolbox

- ✕ **Special Permit Approval.** For two uses in a commercial area, shared parking should be encouraged as part of the review process. The provisions should state that shared parking between two adjacent land uses (whether on the same site or on adjacent sites) would be preferred, especially if they have different peak times (e.g., a movie theater and a supermarket) or, conversely, if they share the same patrons (e.g., a dry cleaner and a deli)
- ✕ **Demonstrated Difference in Peak Parking Demand.** As part of the approval process, the developer would have to demonstrate that the two land uses have differing peak-hours (or days, or seasons) of parking demand, or that the total parking demand at any one time would be adequately served by the total number of parking spaces.
- ✕ **Contractual Agreement Required.** A development agreement between sharing property owners is necessary in order to ensure the proper functioning of the shared parking arrangement. The adopting ordinance needs to require such an agreement between developers as a condition of engaging in shared parking, and model language for an agreement should be adopted.

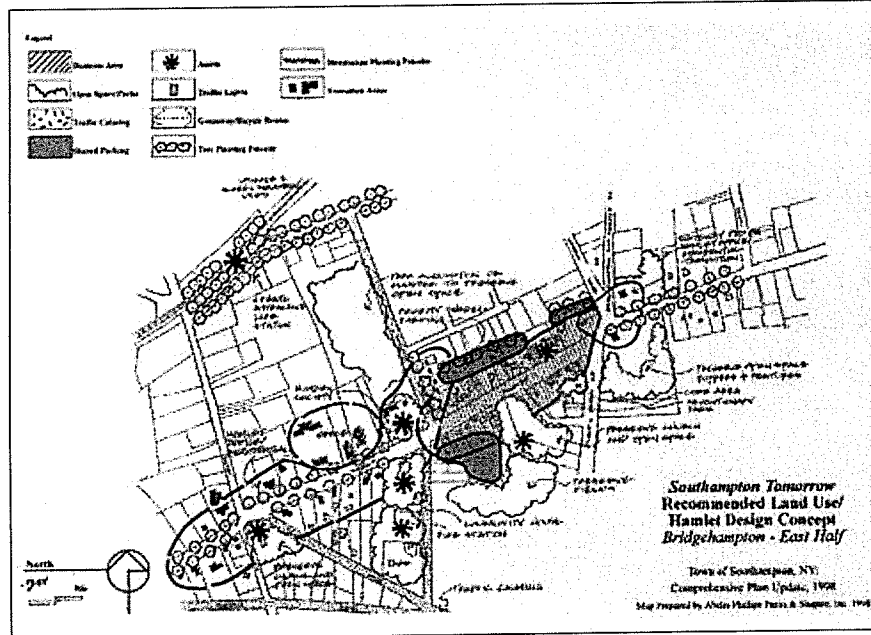
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This plan for the Bridgehampton hamlet center in Southampton, Long Island calls for a shared parking area that would serve the hamlet businesses. (Source: APPS, Inc.)

Keys to Success

- 🔑 **Target auto-oriented mixed-use commercial uses.** Shared parking works best in situations where there are somewhat dissimilar land uses, with different peak hours of use — i.e., a hotel and an office, or a home supply store and a movie theater. A traditional mix of uses (in the form of a "Main Street" environment) is not necessary, but the use mix must be varied enough to generate different peak times of demand. But



bear in mind that shared parking can also work for complementary uses where the patrons go from store to store (e.g., antique center). The essential ingredient in both cases is patrons park once.



Keep the "sum" clause. Most zoning ordinances have minimum parking requirements for each individual use, and on multi-use sites, most zoning ordinances require that the parking requirement be equal to the sum of the requirements for each individual use. This requirement should not be removed because it ensures an adequate amount of parking when there are two similar uses on the same site, especially when they do not share the same customers. For example, a site with a grocery store and a home supply store would tend to have the same peak-hours of customer attraction. The "sum" clause would ensure that adequate parking is available during weekends and evenings.



Provide zoning incentives in auto-oriented business centers. In many commercial centers and office parks, businesses depend on large parking lots for business and parking is a natural business incentive to provide as much parking as possible. Zoning incentives for shared parking can encourage a reduction in the size of the parking lots. Incentives that could be provided for shared parking include an increase in floor area ratio (FAR) and increased flexibility in certain zoning regulations, such as building coverage or height. Incentives for shared parking are generally not necessary in traditional neighborhood centers or downtown areas, because the scarcity of land in those locations provides an inherent economic incentive for pursuing shared parking.

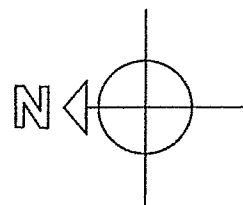


Make shared lots walkable. Parking spaces that are shared should be located within a reasonable walking distance of all the destinations they are intended to serve. Generally, the preferred parking-space-to-front-door distance that a person is willing to walk for shopping or work is 400 to 800 feet, and the maximum is generally 1,200 feet. In addition, walkways, crosswalks, decorative paving, signs for cars, and landscaping are needed to allow easy walking through the parking areas, such that the shared parking area is well-integrated with each of the sites that it serves.

~~MAR 15 2005~~

HANDICAP RAMP NOTES:

1. HANDRAILS TO BE CONSTRUCTED OF WOOD OR GALV. STEEL. VERIFY WITH OWNER.
2. THE MAXIMUM SLOPE SHALL BE 1:12
3. THE MAXIMUM RISE FOR ANY RUN(RAMP) SHALL BE 30".
4. TOP OF HANDRAILS TO BE 36" ABOVE RAMP AND LANDING.
5. LANDING TO BE AS WIDE AS THE RAMP RUN AND THE LENGTH TO BE A MIN. OF 60 INCHES CLEAR.
6. THE CLEAR SPACE BETWEEN THE HANDRAIL AND THE WALL SHALL BE 1 1/2" MINIMUM.
7. GRIPPING SURFACE SHALL BE CONTINUOUS
8. ENDS OF HANDRAILS SHALL BE EITHER ROUNDED OR RETURNED SMOOTHLY TO FLOOR, WALL OR POST.
9. HANDRAILS SHALL EXTEND HORIZONTALLY ABOVE THE LANDINGS FOR 12" MINIMUM BEYOND THE TOP AND BOTTOM OF RAMP RUNS.
10. THE CLEAR WIDTH OF A RAMP RUN AND, WHERE HANDRAILS ARE PROVIDED, THE CLEAR WIDTH BETWEEN HANDRAILS SHALL BE 36" MINIMUM.
11. GUARDS SHALL BE PROVIDED AT THE OPEN SIDES OF MEANS OF EGRESS THAT EXCEED 30" ABOVE THE FLOOR OR THE FINISHED GROUND LEVEL BELOW.



NEW FLOOR PLAN
1/8" = 1'-0"

STEVE GUILD DESIGN, LLC

ONE STEELE STREET, BURLINGTON, VT 05401

PHONE: 802-363-1482

EMAIL: steve@stevequillddesign.com

FRESH MARKET

RENOVATION/ADDITION TO EXISTING BUILDING
400 PINE STREET BURLINGTON, VERMONT

SHEET TITLE:

EXISTING
FLOOR PLAN

DRAW

PERMITS ONLY
NOT FOR
CONSTRUCTION
3/14/13

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
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Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Anita Wade, Zoning Clerk
Elsie Tillotson, Department Secretary*



TO: Development Review Board
FROM: Scott Gustin
DATE: February 16, 2016
RE: 99 Loomis Street; 16-0477AP

In regards to item 16-0477AP, appeal of an administrative decision relative to the Code Enforcement letter dated September 28, 2015 to Jonathan & Justin Lubas for the premises at 99 Loomis Street, the parties have agreed to the terms of settlement and cure the alleged zoning violation.

Department of Planning and Zoning

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Elsie Tillotson, Department Secretary



TO: Development Review Board
FROM: Scott Gustin *[Signature]*
DATE: February 16, 2016
RE: 16-0724PD; 451 Ethan Allen Parkway

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 Ward: 7N

Owner/Applicant: Tim Alles & Bill Ellis / Jon Anderson

Request: Preliminary plat review for 9-unit planned unit development and associated site improvements

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), and Article 11 (Planned Unit Development)

Background Information:

The applicant is seeking preliminary plat approval of a 9-unit planned unit development (PUD) consisting of 3 detached structures and a new private driveway. The subject property is located just north of Moore Drive. It is heavily wooded with steep slopes and wetlands and is currently undeveloped. The property is located primarily in the non-design control RL zone; however, as a PUD with three 3-unit structures it requires design review. A small portion of the site is zoned RCO which will remain undisturbed.

A previous preliminary plat proposal almost identical to this one was approved by the Development Review Board on August 2, 2011 under the 1994 Zoning Ordinance and 1974 Subdivision Regulations; however, that preliminary plat approval expired. This current proposal is subject to review under the 2008 Comprehensive Development Ordinance as amended. The DRB reviewed sketch plans for this current proposal November 7, 2012. While several years ago, there is no expiration of sketch plans, and the applicants may proceed to preliminary plat review now.

The Conservation Board reviewed this preliminary plat application January 4, 2016 and recommended approval as presented.

The Design Advisory Board reviewed this preliminary plat application January 12, 2016 and recommended approval subject to the following conditions:

1. Analysis of buildable area by a third party is recommended.

2. Address handicap accessibility.
3. Provide fixture cutsheets for the lighting fixtures in the photometric plan.
4. Provide detail drawing of dumpster enclosure.
5. Provide railing details.
6. Depict utility meter screening.

Revised project plans have been submitted to address some of the DAB's recommendations.

This preliminary plat application underwent review by the Technical Review Committee January 14, 2016.

Previous zoning actions for this property are noted below.

- 8/20/12, Appeal of preliminary plat expiration (withdrawn)
- 8/2/11, Preliminary plat approval for 9-unit planned unit development (expired)
- 5/10/04, Denial of preliminary plat application for 9-unit planned unit development
- 12/2/03, Denial of preliminary plat application for 9-unit planned unit development

Recommendation: Preliminary plat 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 (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 will be served by municipal water and sewer. Sufficient capacity is likely available; however, written confirmation from the Department of Public Works will be required. Any improvements to, or new lines to service, the development will have to be installed by the applicants at their cost. A state wastewater permit will also be needed prior to construction.
(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;*

This subject property is located near the end of Ethan Allen Parkway. It is a large undeveloped parcel of land (7+ acres) bordered by suburban development in the form of single family homes and duplexes. There is one triplex nearby. Ethan Allen Park abuts the property to the east. Rte. 127 borders the property to the north. The RL zone is intended primarily for low density residential development in the form of detached single family homes and duplexes. The proposed development consists of 3 separate triplex buildings and an associated driveway and parking. While triplexes are uncommon in the neighborhood, the development density is low, and size and

scale of the buildings relate reasonably well to existing homes in this residential neighborhood. **(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 will not have nuisance impacts from noise, odor, dust, heat, and vibrations greater than that generated by other residential neighborhoods in the area. **(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;*

Basic traffic information has been provided. Based on ITE, the proposed homes are expected to generate 8 AM peak hour trips (7 existing and 1 entering) and 8 PM peak hour trips (5 entering and 3 exiting). All traffic will enter and exit via Ethan Allen Parkway – a designated collector street. Trip generation numbers are insufficient to warrant a comprehensive traffic analysis. No appreciable impacts on area bikeways or sidewalks are anticipated. **(Affirmative finding)**

and,

5. *The utilization of renewable energy resources;*

As proposed, the homes will be constructed to be “solar ready” for rooftop solar. **(Affirmative finding)**

and,

6. *Any standards or factors set forth in existing City bylaws and city and state ordinances;*

The project has received a state wetlands permit and will require a state wastewater permit. Revised project plans have been submitted to reflect Technical Review Committee comments relative to access and fire safety. **(Affirmative finding as conditioned)**

(b) Major Impact Review Standards

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

No significant air or noise pollution is anticipated.

See Sec. 5.5.3 for stormwater management. **(Affirmative finding)**

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;

Little information has been provided with respect to the number of anticipated school-age children; however, the 9 townhouse dwelling units are unlikely to generate a substantial impact on the local school system. If the project receives final plat approval, impact fees would be paid to help offset impacts on the school system. **(Affirmative finding)**

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

Given that there are nine units proposed in an existing residential neighborhood, impacts on the city's ability to provide most municipal services appear to be minimal. The proposed public sidewalk is acceptable to Public Works with conditions for ADA accessibility. In addition, the proposed water lines, force main, and sewer pump station will require Public Works review and approval prior to final plat review. In addition, adequate emergency vehicular access must be assured by the Fire Marshal. If final plat application is approved, impact fees would be paid to help offset the costs of municipal services for this development. **(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 Sec. 6.2.2 for effects on significant natural areas.

There are no historic buildings onsite or close by. No known archaeological sites are located on the property. **(Affirmative finding)**

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 is relatively small and includes no public infrastructure except for a new sidewalk along Ethan Allen Parkway. It should have no undue adverse effect on the city's present or future growth patterns. **(Affirmative finding)**

10. Be in substantial conformance with the city's municipal development plan;

The project is in substantial conformance with the city's municipal development plan.

The proposed development constitutes infill development and brings additional housing units into Burlington, the historic core of the region (pg. I-30, Land Use Action Plan).

The project will leave significant open space intact (Sec I, Open Space Protection).

The project will comply with the city's current energy efficiency standards. The homes will be constructed to be "solar ready" (pg. VIII-1, City Policies).

The project will include affordable housing as required (Sec. IX, City Policies).

Construction will result in wetland impacts; however, impacts associated with this proposal are substantially less than originally proposed. As required, this application contains assessment of wetland impacts under the standards of the CDO (pg. II-1, City Policies).

The property is largely a wetland bordered by steep slopes. As required, this application contains calculations and depictions of buildable area. Third party verification is recommended. (Open Space Protection Plan, Sec. 5.1, Implementation Plan). **(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 proposed development entails 9 new residential units and should not adversely impact the present or projected housing needs of the city. An inclusionary unit must be provided as required. **(Affirmative finding as conditioned)**

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. Anticipated impacts are proportionately modest. If the final plat application is approved, park impact fees will be paid to help offset any related impact on park needs. **(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.

The proposed development will likely not generate offsite noise or glare substantial enough to require mitigation. **(Affirmative finding)**

2. Time limits for construction.

A 7-year construction schedule is requested with associated hours of construction 6:00 AM – 9:00 PM. In light of the project's relatively small scale and surrounding residences, both the 7-year time frame and 15-hour construction days are excessive. The 200+ unit development at 140 Grove Street included a 4-year time frame. Two or three years should be more than enough time to complete. Typical construction hours in residential areas are Monday – Friday from 7:00 AM – 5:00 PM. Saturday construction may be allowed upon request. No work on Sunday. A revised construction schedule and hours of construction will be required as part of final plat application.

No phasing schedule is proposed but is recommended. Breaking the project into distinct phases will allow occupancy of units as they are completed while construction of others is ongoing. If the applicant wishes to pursue phasing, a phasing schedule must be provided with the final plat application. **(Affirmative finding as conditioned)**

3. Hours of operation and/or construction to reduce the impacts on surrounding properties.

See criterion 2 above.

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.

See recommended 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. This zone is primarily intended for low density residential development in the form of single family homes and duplexes. This district is typically characterized by a compact and cohesive residential development pattern reflective of the respective neighborhood's development history. While triplexes are included in this proposal, the scale and intensity of development is reasonably consistent with that of the neighboring residential areas. **(Affirmative finding)**

(b) Dimensional Standards & Density

The entire property is 7.16 acres. Between wetlands and steep slopes, the total buildable area is cut about in half to 3.6 acres (see Sec. 5.2.4 below).

The RL zone affords a density of 7 units/acre. The proposed 9 units are acceptable on the 3.6 acres of buildable area. Note that the application includes reference to 5.55 acres of land "reserved" for future development. Nothing in this preliminary plat approval, if granted, permits or implies permission for future development on the property.

Lot coverage is limited to a maximum of 35%. Like density, lot coverage is based on buildable area. The plans note a lot coverage of 5.8%; however, it is not clear if the lot coverage is based on the buildable area or on the total area. Clarification is needed.

The front yard setback is based on the average of the two properties on either side of the subject property (i.e. the two neighboring properties to the north and the two to the south). The required setback is the average of these properties, plus or minus 5'. The preliminary plat plans appear to rely on the 1994 Zoning Ordinance standard of 15'. This standard no longer applies. While the proposed front yard setback appears to be acceptable relative to the neighboring homes, a new front yard setback calculation is needed. Side yard setbacks are 10% of the width, up to a 20' minimum. Side yard setbacks are compliant. The rear yard setback is 25% of the depth, up to a 75' minimum. The rear yard setback is compliant.

Maximum building height in the RL zone is limited to 35'. The proposed buildings are all 24' 6" tall, as measured half way up the pitch roofs on the front facades. **(Affirmative finding as conditioned)**

(c) Permitted & Conditional Uses

The proposed development, with its related wetland impacts, is subject to conditional use review under the Natural Resource Overlay criteria of Sec. 4.5.4. Conditional use criteria are addressed under Article 3 above. **(Affirmative finding)**

(d) District Specific Regulations

1. Setbacks

No setback encroachments are sought. **(Not applicable)**

2. Height

Not applicable in RL. **(Not applicable)**

3. Lot Coverage

No lot coverage exceptions are sought. **(Not applicable)**

4. Accessory Residential Structures and Uses

No accessory structures or uses are included in this proposal. **(Not applicable)**

5. Residential Density

The proposed residential units are subject to the functional family provisions of the Comprehensive Development Ordinance. **(Affirmative finding)**

6. Uses

(Not applicable)

7. Residential Development Bonuses

No development bonuses are being sought. **(Not applicable)**

Sec. 4.5.4, Natural Resource Protection Overlay (NR) District

(d) District Specific Regulations: Wetland Conservation Zone

(6) Criteria for Review

The property contains mapped wetlands. Much of the property is affected by the wetlands themselves or the associated 100' city buffer zones. As a result, review under this subsection is required. The wetlands have been found to be significant relative to the following functions and values:

- Water storage for floodwater and stormwater;
- Erosion and sediment control through binding and stabilizing the soil;
- Surface water and groundwater protection, including sediment and toxicant retention, nutrient retention and transformation, and groundwater discharge and recharge;
- Wildlife habitat;
- Recreational and economic benefits; and,
- Open space and aesthetics.

The project application addresses each of the wetland criteria and finds that impacts to pertinent functions and values will be de minimus. As noted previously, the Conservation Board reviewed this project and recommended approval. **(Affirmative finding)**

(f) District Specific Regulations: Special Flood Hazard Area

A portion of the property is affected by the SFHA; however, all proposed development remains out of the SFHA. **(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

As the subject property is greater than 2 acres in size and is located in the RL zone, this criterion applies. The buildable area is the entire project size (about 7 acres) minus the wetland and steep slope (>30% slope) acreage. Up to 50% of the maximum building density or lot coverage may be calculated on lands with a slope between 15% and 30% if the applicant can demonstrate that the additional density or lot coverage will be compatible with the existing scale and intensity of the surrounding neighborhood and not have an undue negative impact on sensitive natural areas. The application includes buildable area calculations and results in 3.65 acres of buildable area. Given the near total coverage of the site with wetlands and steep slopes, this figure seems overly optimistic. A third party analysis of buildable area (at the expense of the applicant) prior to final plat application is recommended. **(Affirmative finding as conditioned)**

Sec. 5.2.5, Setbacks

See Sec. 4.4.5 (b) above.

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.5 (d) above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 5.2.4 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

Exterior lighting is limited to front entries and garage doors. A photometric plan has been submitted and depicts acceptable lighting levels (average of 0.57 footcandle). As required by the DAB, a revised lighting cut sheet has been provided that depicts an acceptable lighting fixture that is consistent with the photometric plan. **(Affirmative finding)**

Sec. 5.5.3, Stormwater and Erosion Control

The project incorporates significant stormwater management measures. The driveway, parking areas, and walkways are proposed to be pervious materials. Maintenance of the pervious material must be assured in a written maintenance plan so that the ability for water to infiltrate is not compromised by clogging from sand and sediment. The Stormwater Administrator has been engaged in the development of the stormwater system. Review and approval by the Stormwater Administrator per Chapter 26, Wastewater, Stormwater, & Pollution Control will be required as part of final plat application.

Significant erosion is already present onsite. The project proposes to correct this erosion. An erosion prevention and sediment control plan has been submitted. It will be subject to review and

approval by the Stormwater Administrator per Chapter 26, Wastewater, Stormwater, & Pollution Control. **(Affirmative finding as conditioned)**

Article 6: Development Review Standards:

Part 1, Land Division Design Standards

Sec. 6.1.2, Review Standards

No subdivision proposed. **(Not applicable)**

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

(a) Protection of important natural features

Important natural features consist of several large trees and extensive wetlands. Sheet 2, Existing Conditions Site Plan, depicts specimen trees (>30" caliper or 100+ years old) and the wooded area generally. Clearing limits are depicted on sheet 4, Site and Utility Plan.

Much of the property contains mapped wetlands. A State of Vermont wetlands permit has been obtained for the proposed wetland and associated 50' state buffer impacts. Information has been provided to address the city's wetland review criteria per Sec. 4.5.4 (d). The Conservation Board reviewed this preliminary plat application and recommended approval as presented. **(Affirmative finding)**

(b) Topographical alterations

The property can be characterized as a wetland bordered by steep slopes. As a result, any development would involve some degree of fill and grading. The proposed development involves substantial fill and grading; however, it is concentrated at the western end of the site and will result in a final grade similar to that of neighboring properties along Ethan Allen Parkway. **(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

The site has no known archaeological resources. **(Affirmative finding)**

(e) Supporting the use of alternative energy

The residential units will be constructed to be "solar ready" for rooftop solar hot water. **(Affirmative finding)**

(f) Brownfield sites

The property is not included in the Vermont DEC's Hazardous Sites List. **(Affirmative finding)**

(g) Provide for nature's events

The project incorporates significant stormwater management measures. The driveway, parking areas, and walkways are proposed to be pervious materials. Maintenance of the pervious material must be assured in a written maintenance plan so that the ability for water to infiltrate is not compromised by clogging from sand and sediment. The Stormwater Administrator has been engaged in the development of the stormwater system. Review and approval by the Stormwater

Administrator per Chapter 26, Wastewater, Stormwater, & Pollution Control will be required prior to final plat approval.

Significant erosion is present onsite. The project proposes to correct this erosion. An erosion prevention and sediment control plan has been submitted. It will be subject to review and approval by the Stormwater Administrator per Chapter 26, Wastewater, Stormwater, & Pollution Control.

Sheltered doorways are provided for all of the dwelling units, and there is ample room for snow removal equipment. **(Affirmative finding)**

(h) Building location and orientation

Two of the three new buildings are located close to Ethan Allen Parkway and reflect the existing development pattern within the neighborhood. All three new buildings are oriented towards the Parkway with clearly identifiable front entries. **(Affirmative finding)**

(i) Vehicular access

A single driveway from Ethan Allen Parkway will serve the development. Driveway width is acceptable at 18' wide. Based on previous review of this project, the right turn sight triangle is sufficient at 425'; however, the left turn sight triangle is insufficient at only 110' (280' is required). Presumably, the applicant continues to propose removing the two locust trees blocking much of the left turn sight triangle. Doing so, along with the associated filling and grading, will increase sight distance to 415'. Sight distances will be subject to review and approval by the Department of Public Works. **(Affirmative finding as conditioned)**

(j) Pedestrian access

The six dwelling units in the two front buildings will have direct access to the public sidewalk by way of new front walkways. The units in the rear building are not afforded this direct access but will be served by a new walkway running parallel to the driveway. Pedestrians using this walkway may cross the driveway and access the walkway out to the street and public sidewalk. **(Affirmative finding)**

(k) Accessibility for the handicapped

Walkways will be accessible, but the dwellings will not be. Accessibility standards are administered by the city's building inspector. It is the applicants' responsibility to comply with all accessibility standards as may be required. **(Affirmative finding as conditioned)**

(l) Parking and circulation

Parking is provided behind and within the new townhouses. There is sufficient circulation room to maneuver vehicles so as to avoid backing out onto Ethan Allen Parkway. **(Affirmative finding)**

(m) Landscaping and fences

A landscaping plan has been provided and consists of fairly typical residential plantings. A variety of trees and shrubs are proposed and are used as foundation and accent plantings. Relatively dense plantings are proposed at either side of the development to provide screening for neighboring properties to the north and south. No new fencing is evident. **(Affirmative finding)**

(n) Public plazas and open space

(Not applicable)

(o) Outdoor lighting

See Sec. 5.5.2.

(p) Integrate infrastructure into the design

A dumpster pad and associated enclosure are depicted on the plans. They will be located at the northern end of the development, in a corner of the driveway. The enclosure will consist of 6' tall stockade fencing with a gate. A detail drawing has been provided as required by the DAB.

(Affirmative finding)

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(a) Relate development to its environment

1. Massing, Height, and Scale

The proposed buildings consist of three separate triplex townhouses. While this configuration of units is unusual for this neighborhood, the overall massing, scale, and height of the buildings is not out of character. The units themselves appear to be relatively small, particularly when viewed from the street, and the overall mass and scale are consistent with the array of home sizes in the immediate neighborhood. Perceived building height is substantially limited by the grade which slopes away from Ethan Allen Parkway. **(Affirmative finding)**

2. Roofs and Rooflines

The townhouses will have gable roofs with eave ends facing the street. Gable roofs are common in this residential neighborhood. **(Affirmative finding)**

3. Building Openings

Proposed windows are double-hung 6-over-1 units and are appropriately scaled for the homes. Door styles relate to the window styles. The overall fenestration pattern is typical and appropriate for these residential units. **(Affirmative finding)**

(b) Protection of important architectural resources

Neither the subject property nor neighboring properties contain historic resources. **(Affirmative finding)**

(c) Protection of important public views

There are no significant public views from or through the subject property. **(Affirmative finding)**

(d) Provide an active and inviting street edge

All of the new homes will face the street with prominent front entries. They will all include front porches and other architectural details to add visual interest. The units are slightly differentiated, particularly by way of their porches. Differing colors among the units are depicted. Building placement along Ethan Allen Parkway is consistent with the existing streetscape. **(Affirmative finding)**

(e) Quality of materials

The townhouses will be clad in fiber cement clapboards and trim. Asphalt shingles will be used on the roofs, and clad wooden window units will be installed. These materials are of acceptable

quality for this new construction. Railing details are not evident and must be noted. **(Affirmative finding as conditioned)**

(f) Reduce energy utilization

All of the new homes must comply with the current energy efficiency standards of the city and state. They will all have ample solar access and will be plumbed for installation of optional solar hot water panels. **(Affirmative finding)**

(g) Make advertising features complimentary to the site

No new signs are included in this proposal. **(Not applicable)**

(h) Integrate infrastructure into the building design

Utility meters are depicted on the building elevations. They must be screened. Mail boxes are depicted as well. Utility lines will be buried. **(Affirmative finding as conditioned)**

(i) Make spaces safe and secure

All of the new homes must comply with the city's current egress requirements. Consideration should be given to sprinkler the units. The fire marshal addressed emergency vehicle access at the Technical Review Committee meeting. Revised plans have been submitted to address those comments. **(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 one of the 9 dwelling units requires 2 parking spaces for a total of 18. The preliminary plat plan depicts sufficient parking, including garage and surface spaces, for each of the units. **(Affirmative finding)**

Sec. 8.2.5, Bicycle Parking Requirements

Two short term and two long term bike parking spaces are required. A bike rack has been added to the site plan (sheet 4) near the street intersection. Long term bike storage can be accommodated in each of the units' basements. **(Affirmative finding)**

Article 9: Inclusionary and Replacement Housing

Sec. 9.1.5, Applicability

As the proposed development includes 9 new dwelling units, it is subject to the inclusionary housing provisions of this Article. At least 1 of the new dwelling units must be affordable. The preliminary plat application notes only that 1 of the dwellings will indeed be affordable. Details must be worked out with the manager of the city's Housing Trust Fund prior to final plat application. **(Affirmative finding as conditioned)**

Article 11: Planned Unit Development

Sec. 11.1.5, Approval Requirements (as adopted by City Council 8.10.2015.)

(a) The minimum project size requirements of Sec. 11.1.3 shall be met;
The two acre minimum project size has been met. **(Affirmative finding)**

(b) The minimum setbacks required for the district have been met at the periphery of the project;
Setbacks appear to be acceptable. Verification of the front yard setback is needed as noted previously. **(Affirmative finding)**

(c) The project shall be subject to design review and site plan review of Article 3, Part 4;
Addressed in Articles 4 and 6 above.

(d) The project shall meet the requirements of Article 10 for subdivision review where applicable;
(Not applicable)

(e) Density, frontage, and lot coverage requirements of the underlying zoning district have been met as calculated across the entire project;
Density, lot coverage, and road frontage are acceptable. As noted previously, 3rd party analysis of buildable area is recommended. **(Affirmative finding as conditioned)**

(f) All other requirements of the underlying zoning district have been met as calculated across the entire project;
All other requirements of the underlying RL zoning district are addressed in these findings.

(g) Open space or common land shall be assured and maintained in accordance with the conditions as prescribed by the DRB;
Common space management is addressed in the draft HOA covenants submitted with the preliminary plat application. **(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;
No phasing plan has been provided. As noted previously, one is recommended. **(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;

Insofar as most of the parcel is zoned Residential Low Density, some degree of residential development may be viewed as appropriate. Preliminary plat approval for essentially the same project was granted under the 1994 Zoning Ordinance and 1974 Subdivision Regulations. This new application is subject to the current Comprehensive Development Ordinance which contains a number of new and more explicit standards, particularly as related to wetlands and buildable area. Wetlands have been addressed, and the Conservation Board has recommended approval. Buildable area has also been addressed, but as noted before, a 3rd party analysis is recommended prior to final plat application. **(Affirmative finding as conditioned)**

(b) Facilitate the adequate and economical provision of streets and utilities;

The proposal will provide adequate driveway access and utilities. The placement of the dwelling units close to the road results in an economical provision of utilities and associated infrastructure. **(Affirmative finding)**

(c) Preserve the natural and scenic qualities of open space;

Remaining open space will retain its natural and scenic qualities. **(Affirmative finding)**

(d) Provide for a variety of housing types;

There is no variety of housing types within the proposal; however, the triplexes will add to the diversity of housing in the area. **(Affirmative finding)**

(e) Provide a method of development for existing parcels which because of physical, topographical, or geological conditions could not otherwise be developed; and,

The subject property is undeveloped precisely due to its physical and topographical conditions. PUD regulations allow for flexibility in design to develop around such constraints. In order to be feasible, this project is dependent on the flexibility of the PUD process. **(Affirmative finding)**

(f) Achieve a high level of design qualities and amenities.

The proposed low impact design (i.e. pervious pavements) measures for stormwater management are a unique amenity and will result in improved water quality if installed and maintained properly. The development presently proposed has a street presence and will connect to, and extend, the city's public sidewalk network. The Design Advisory Board found the proposed buildings to be acceptable under the standards of the CDO. **(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 Sec. 11.1.6 below.

No accessory uses or facilities are proposed. **(Not applicable)**

II. Conditions of Approval

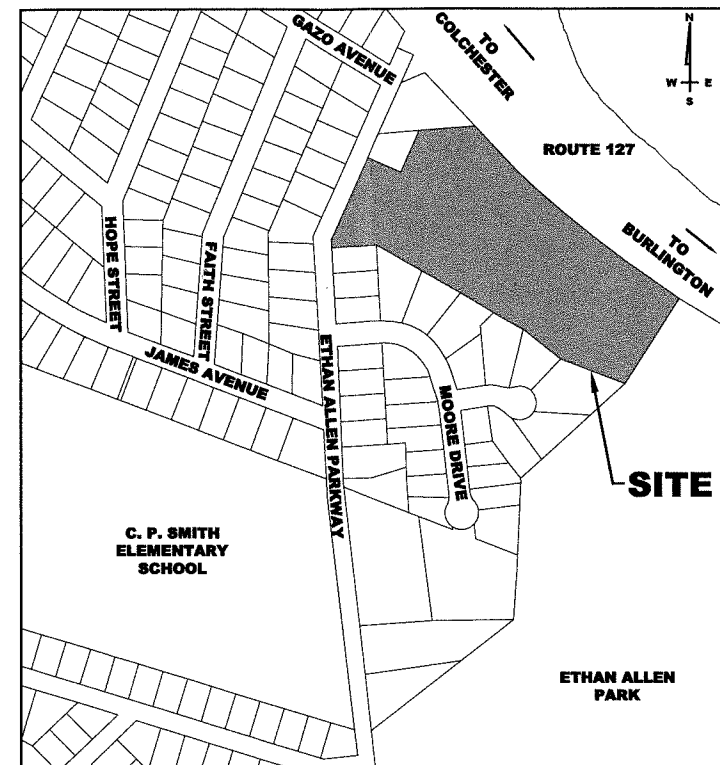
1. This preliminary plat approval in no way grants or implies final plat approval. Final plat application shall be filed in accordance with Section 10.1.9, *Final Plat Approval Process*, of the CDO and per these Conditions of Approval.
2. This preliminary plat approval in no way grants or implies approval of future development on the "reserved" 5.5 acres noted in the application.
3. Prior to final plat application, a third party expert analysis of the property's buildable area shall be obtained. Such analysis shall be paid for by the applicants. The selected expert shall be selected by mutual agreement between the applicants and the Dept. of Planning & Zoning.
4. Prior to final plat application, revised project plans depicting the following shall be submitted:
 - a. Porch railing details;
 - b. Utility meter screening;

- c. Lot coverage confirmation as based on buildable area; and,
 - d. Front yard setback calculations.
5. Prior to final plat application, written approval from the Dept. of Public Works shall be obtained for the following items:
 - a. Wastewater capacity to serve the development;
 - b. Proposed water lines, force main, and sewer pump station; and,
 - c. Proposed sight distances at the intersection with Ethan Allen Parkway.
 6. Prior to final plat application, written acceptance of the single access drive and its sufficiency for emergency service vehicles shall be obtained from the Fire Marshal.
 7. Prior to final plat application, a shortened construction timeline and more limited days/hours of construction shall be submitted.
 8. Prior to final plat application, submission of a project phasing schedule is recommended.
 9. Prior to final plat application, written approval of the inclusionary dwelling unit shall be obtained from the manager of the city's Housing Trust Fund.
 10. Prior to final plat approval, written approval of the project stormwater management system and erosion prevention and sediment control plan shall be obtained from the Conservation Board and the Stormwater Administrator.

LIAHONA WAY

A 9 UNIT NEIGHBORHOOD

ETHAN ALLEN PARKWAY
BURLINGTON, VERMONT



LOCATION PLAN

N.T.S.

SHEET INDEX

- 1 OVERALL SITE PLAN
- 2 EXISTING CONDITIONS SITE PLAN
- 3 WETLANDS PLAN
- 4 SITE AND UTILITY PLAN
- 5 LANDSCAPING AND GRADING PLAN
- 6 LIGHTING GRID PLAN
- 7 DRIVE PROFILE, TYPICALS & SPECIFICATIONS
- DETAILS AND SPECIFICATIONS
- 8 SANITARY AND STORM SEWER
- 9 LANDSCAPING AND EROSION
- 10 WATER
- 11 EROSION PREVENTION & SEDIMENT CONTROL PLAN

OWNERS/APPLICANTS:

TIMOTHY G. ALLES
2658 E. SNOW MOUNTAIN DR.
SANDY, UT 84093

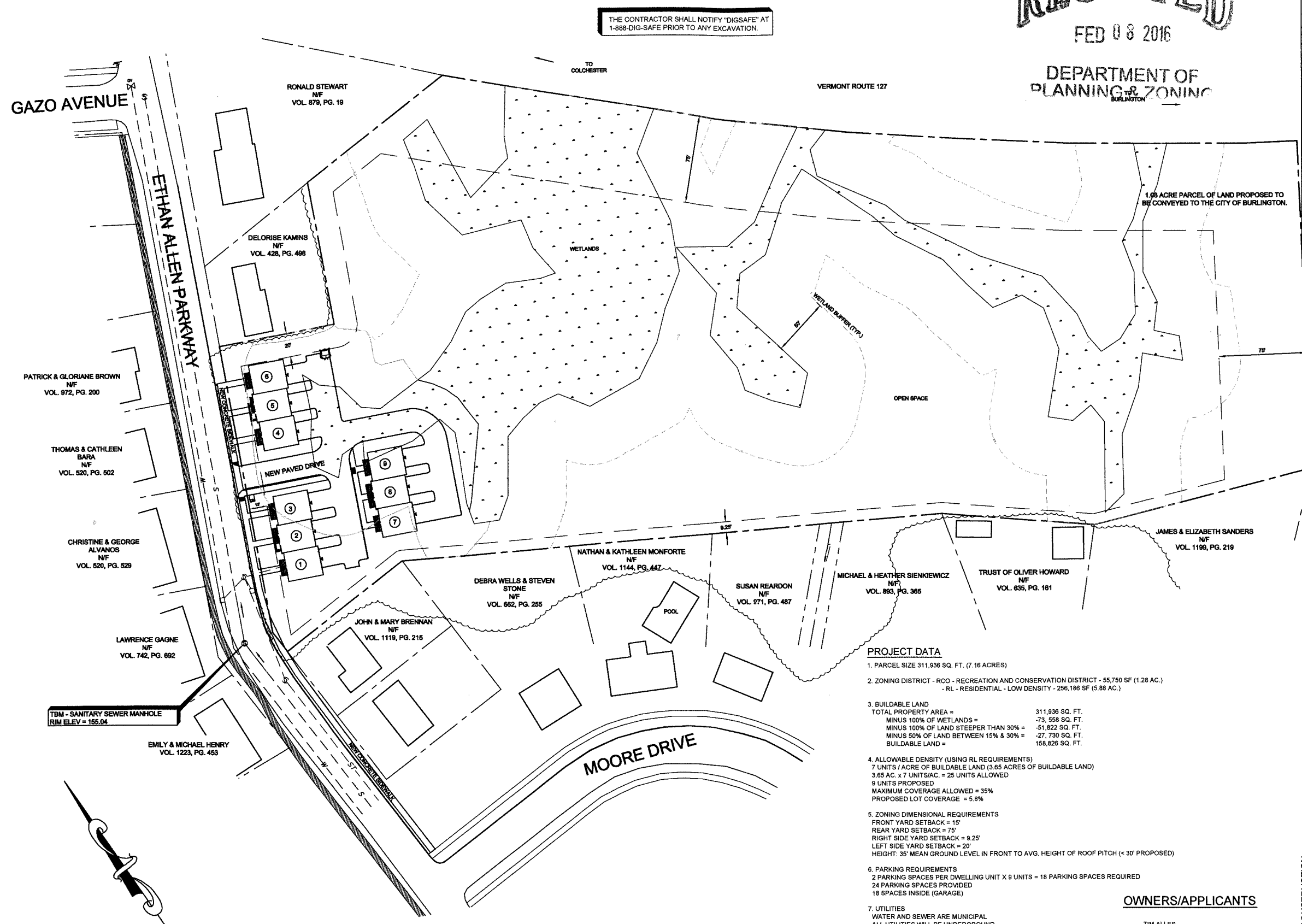
WILLIAM E. ELLIS
800 S. MAIN ST.
PLEASANT GROVE, UT 84062

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DEC 13 2015

DEPARTMENT OF
PLANNING & ZONING

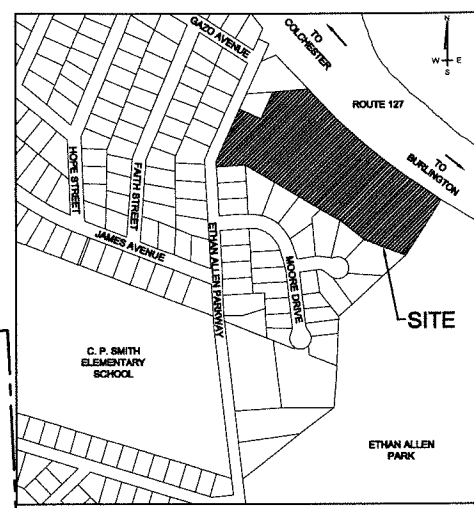
LD LAMOUREUX & DICKINSON
Consulting Engineers, Inc.
14 Morse Drive
Essex Junction, VT 05452
Tel: 802-878-4450



THE CONTRACTOR SHALL NOTIFY "DIGSAFE" AT 1-888-DIG-SAFE PRIOR TO ANY EXCAVATION.

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FEB 08 2016

DEPARTMENT OF
PLANNING & ZONING
BURLINGTON



LOCATION PLAN
N.T.S.

- ETHAN ALLEN PARK
- LEGEND
- PROJECT BOUNDARY
 - PROPERTY LINE
 - BUILDING SETBACK
 - N/F NOW OR FORMERLY
 - EXISTING GROUND CONTOUR
 - EXISTING WATER LINE, GATE VALVE & HYDRANT
 - EXISTING SANITARY SEWER LINE & MANHOLE
 - EXISTING STORM LINE AND CATCH BASIN
 - NEW TREE LINE
 - NEW BUILDING MOUNTED LIGHT
 - NEW WATER LINE, GATE VALVE AND HYDRANT
 - NEW SANITARY SEWER LINE AND MANHOLE
 - PROPOSED UNIT NUMBER
 - WETLAND

- NOTES
- THE BOUNDARY LINE BETWEEN THE RCO AND RL ZONING DISTRICTS IS APPROXIMATE ONLY AND IS BASED ON THE INFORMATION INDICATED AT THE CITY OF BURLINGTON WEB SITE AT THE FOLLOWING URL: WWW.CI.BURLINGTON.VT.US/PLANNING/ZONING/ZNMAP/Q92224.HTML
 - THE BOUNDARIES OF THE PARCEL AND THE TOPOGRAPHIC DATA ARE BASED ON A PLAN ENTITLED "PROPOSED THREE LOT SUBDIVISION FOR ALAN GIGUERE" BY VERMONT LAND SURVEYORS, DATED 2/10/98.
 - THE SOILS ON THIS PROPERTY ARE A COMBINATION OF ADAMS AND WINDSOR LOAMY SANDS AND DUANE & DEERFIELD SOILS.

1-25-16	REVISED PER TECHNICAL REVIEW NOTES	DLH
4-1-15	REVISED FOR PRELIMINARY RE-FILING TO CITY	DLH
5-24-11	ADD EASEMENT AND CONVEYANCE TO CITY	DLH
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10-5-07	REVISED LAYOUT	DLH
8-7-07	REVISED LAYOUT	DLH
Date	Revision	By

These plans shall only be used for the purpose shown below:

☐ Sketch/Concept	☐ Act 250 Review
☐ Preliminary	☐ Construction
☐ Final Local Review	☐ Record Drawing

NOT FOR CONSTRUCTION

Lands of
Tim Alles & Bill Ellis
Ethan Allen Parkway, Burlington, Vermont

A PLANNED RESIDENTIAL DEVELOPMENT

OVERALL SITE PLAN

proj. no. 07028
survey Others
design DLH
drawn SEA
checked DJG
date 04/09/07
scale 1" = 40'
sh. no. 1

LD LAMOUREUX & DICKINSON
Consulting Engineers, Inc.
14 Morse Drive
Essex Junction, VT 05452
Tel: 802-878-4450

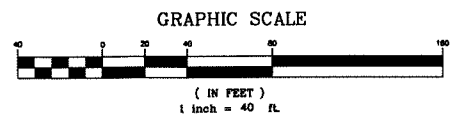
PROJECT DATA

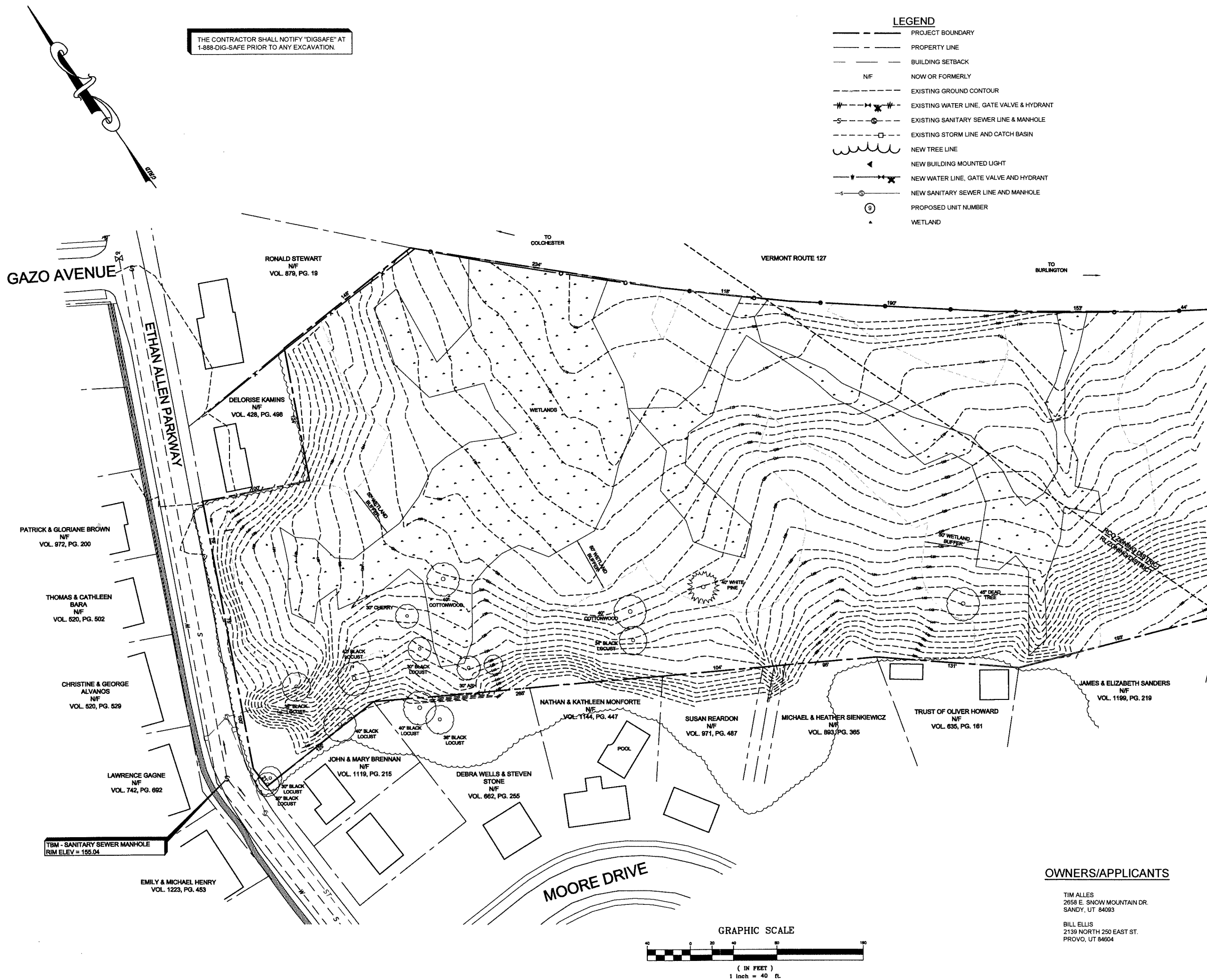
- PARCEL SIZE 311,936 SQ. FT. (7.16 ACRES)
- ZONING DISTRICT - RCO - RECREATION AND CONSERVATION DISTRICT - 55,750 SF (1.28 AC.)
- RL - RESIDENTIAL - LOW DENSITY - 256,186 SF (5.88 AC.)
- BUILDABLE LAND
TOTAL PROPERTY AREA = 311,936 SQ. FT.
MINUS 100% OF WETLANDS = -73,558 SQ. FT.
MINUS 100% OF LAND STEEPER THAN 30% = -51,822 SQ. FT.
MINUS 50% OF LAND BETWEEN 15% & 30% = -27,730 SQ. FT.
BUILDABLE LAND = 158,826 SQ. FT.
- ALLOWABLE DENSITY (USING RL REQUIREMENTS)
7 UNITS / ACRE OF BUILDABLE LAND (3.65 ACRES OF BUILDABLE LAND)
3.65 AC. x 7 UNITS/AC. = 25 UNITS ALLOWED
9 UNITS PROPOSED
MAXIMUM COVERAGE ALLOWED = 35%
PROPOSED LOT COVERAGE = 5.8%
- ZONING DIMENSIONAL REQUIREMENTS
FRONT YARD SETBACK = 15'
REAR YARD SETBACK = 75'
RIGHT SIDE YARD SETBACK = 9.25'
LEFT SIDE YARD SETBACK = 20'
HEIGHT: 35' MEAN GROUND LEVEL IN FRONT TO AVG. HEIGHT OF ROOF PITCH (< 30' PROPOSED)
- PARKING REQUIREMENTS
2 PARKING SPACES PER DWELLING UNIT X 9 UNITS = 18 PARKING SPACES REQUIRED
24 PARKING SPACES PROVIDED
18 SPACES INSIDE (GARAGE)
- UTILITIES
WATER AND SEWER ARE MUNICIPAL
ALL UTILITIES WILL BE UNDERGROUND
STORMWATER TO INCLUDE ON-SITE TREATMENT, DETENTION WITH OVERFLOW INTO ADJACENT WETLANDS

OWNERS/APPLICANTS

TIM ALLES
2658 E. SNOW MOUNTAIN DR.
SANDY, UT 84093

BILL ELLIS
2139 NORTH 250 EAST ST.
PROVO, UT 84604

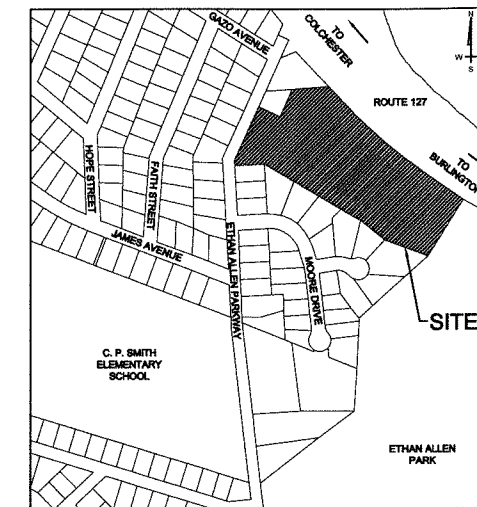




THE CONTRACTOR SHALL NOTIFY "DIGSAFE" AT 1-888-DIG-SAFE PRIOR TO ANY EXCAVATION.

LEGEND

- PROJECT BOUNDARY
- PROPERTY LINE
- BUILDING SETBACK
- N/F NOW OR FORMERLY
- EXISTING GROUND CONTOUR
- EXISTING WATER LINE, GATE VALVE & HYDRANT
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- PROPOSED UNIT NUMBER
- WETLAND



LOCATION PLAN

ETHAN ALLEN PARK

4-1-15	REVISED FOR PRELIMINARY RE-FILE TO CITY	DI
5-24-11	ADD EASEMENT AND CONVEYANCE TO CITY	DI
4-4-11	REVISE LAYOUT	DI
10-29-10	REVISE LAYOUT	DI
8-26-10	GENERAL REVISIONS PER COURT APPEAL	DI
9-11-09	REVISED PERVIOUS CONCRETE DETAILS	DI
7-13-09	REVISED LIGHTING AND LANDSCAPING	DI
1-9-08	REVISED DRIVEWAY LAYOUT	DI
10-5-07	REVISED LAYOUT	DI
8-7-07	REVISED LAYOUT	DI
Date	Revision	B

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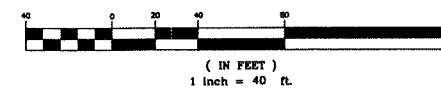
Land of
Tim Alles & Bill Ellis
Ethan Allen Parkway, Burlington, Vermont
A PLANNED RESIDENTIAL DEVELOPMENT
EXISTING CONDITIONS
SITE PLAN

L LAMOUREUX & DICKINSON
Consulting Engineers, Inc.
14 Morse Drive
Essex Junction, VT 05452
Tel: 802-878-4450

OWNERS/APPLICANTS

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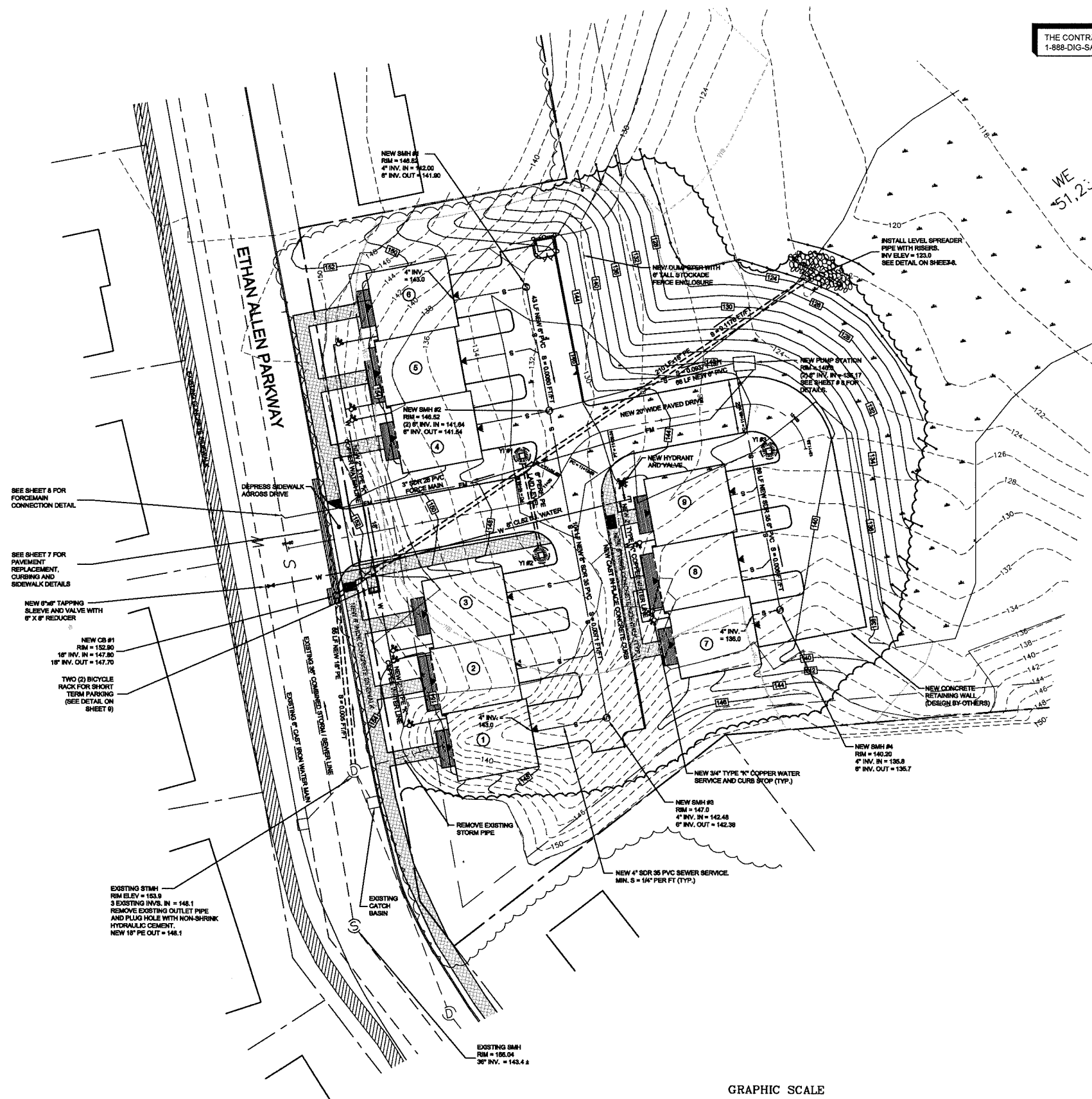
GRAPHIC SCALE



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PLANNING & ZONING

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1-888-DIG-SAFE PRIOR TO ANY EXCAVATION.



YARD INLET DATA

Y1 #1	RM ELEV = 144.7 INSTALLED ON DRYWELL 6" INV. OUT = 143.25
Y1 #2	RM ELEV = 144.7 INSTALLED ON DRYWELL 6" INV. OUT = 143.25
Y1 #3	RM ELEV = 136.7 INSTALLED ON DRYWELL

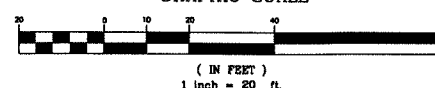
VTRANS SPECIFICATION 703.03

SIEVE DESIGNATION	PERCENTAGE BY WEIGHT PASSING SQUARE MESH SCREEN
2 INCH	100
1 1/2 INCH	90 TO 100
3/4 INCH	70 TO 100
NO. 4	80 TO 100
NO. 100	0 TO 20
NO. 200	0 TO 8

NOTES:

- THE DRIVE AND ALL SIDEWALKS ARE TO BE CONSTRUCTED OF PERVIOUS CONCRETE.
- THE FILL MATERIAL USED ON THE PROJECT SHALL BE NATIVE MATERIAL OR IMPORTED MATERIAL MEETING VTRANS COMMON FILL SPECIFICATION 703.03.

GRAPHIC SCALE



LEGEND

---	PROJECT BOUNDARY
---	PROPERTY LINE
---	BUILDING SETBACK
N/F	NOW OR FORMERLY
---	EXISTING GROUND CONTOUR
---+---+---	EXISTING WATER LINE, GATE VALVE & HYDRANT
---S---S---	EXISTING SANITARY SEWER LINE & MANHOLE
---	EXISTING STORM LINE AND CATCH BASIN
---	NEW TREE LINE
---	NEW BUILDING MOUNTED LIGHT
---+---+---	NEW WATER LINE, GATE VALVE AND HYDRANT
---S---S---	NEW SANITARY SEWER LINE AND MANHOLE
---	NEW STORM LINE AND DRY WELL
⑨	PROPOSED UNIT NUMBER

AB	BORING NUMBER
▽	AUGER BORING LOCATION
> 0	DEPTH (FT.) TO EVIDENCE OF HIGH GROUNDWATER

Date	Revision	By
1-25-16	REVISED PER TECHNICAL REVIEW NOTES	DLH
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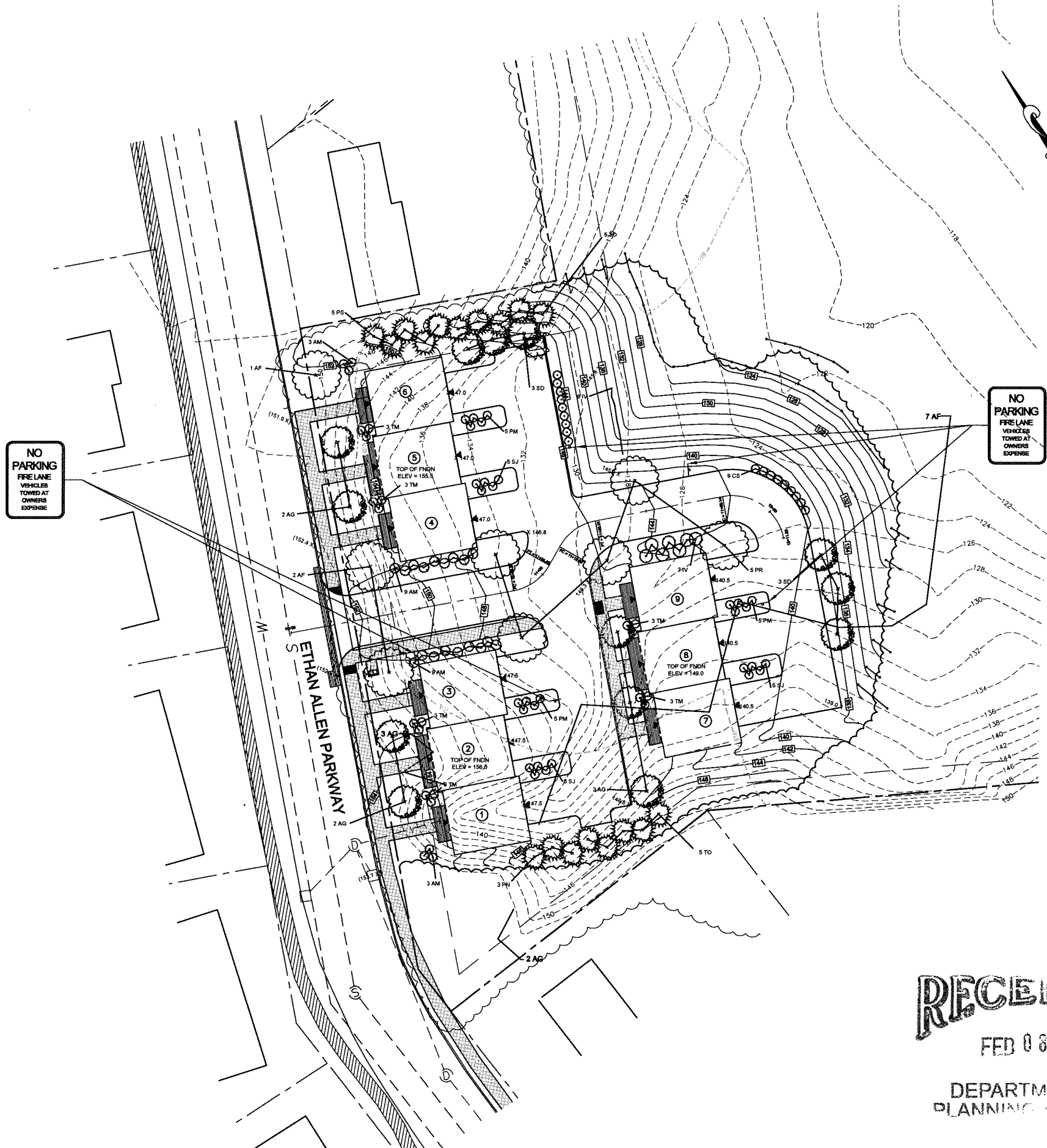
NOT FOR CONSTRUCTION

Lands of
Tim Alles & Bill Ellis
Ethan Allen Parkway, Burlington, Vermont

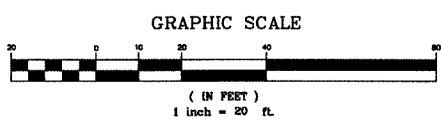
A PLANNED RESIDENTIAL DEVELOPMENT
**SITE & UTILITY
PLAN**

LD LAMOUREUX & DICKINSON
Consulting Engineers, Inc.
14 Morse Drive
Essex Junction, VT 05452
Tel: 802-878-4450

proj. no.
07028
survey
Others
design
DLH
drawn
SEA
checked
DJG
date
04/09/07
scale
1" = 20'
shl. no.
4



- LEGEND**
- PROJECT BOUNDARY
 - PROPERTY LINE
 - SIDELINE OF EASEMENT
 - BUILDING SETBACK
 - NF NOW OR FORMERLY
 - EXISTING GROUND CONTOUR
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 - NEW TREE LINE
 - NEW WATER LINE, GATE VALVE AND HYDRANT
 - NEW SANITARY SEWER LINE AND MANHOLE
 - NEW STORM LINE AND CATCH BASIN
 - PROPOSED UNIT NUMBER
 - GFE GARAGE FLOOR ELEVATION
 - PROPOSED FINISH GRADE CONTOUR
 - X 144.60 PROPOSED FINISH SPOT GRADE
 - (151.6 X) EXISTING SPOT GRADE



PLANTING SCHEDULE

Key	Botanical Name	Common Name	Size	Quantity	Remarks
Trees					
AF	<i>Acer x freemanii</i> 'Autumn Blaze'	Freeman Maple	2 1/2" to 3" Cal.	3	B&B, Minimum 6 foot branching height
AG	<i>Amelanchier x grandiflora</i>	Apple Serviceberry	1 3/4" to 2" Cal.	4	B&B, Minimum 6 foot branching height
PN	<i>Pinus nigra</i>	Austrian Pine	5' to 6' Height	3	B&B
PR	<i>Prunus Sargentii</i>	Sargent Cherry	2" to 2 1/2" Cal.	5	B&B
PS	<i>Pinus sylvestris</i>	Scots Pine	5' to 6' Height	5	B&B
SD	<i>Sorbus decora</i>	Shoney Mountainash	1 3/4" to 2" Cal.	6	B&B, Minimum 6 foot branching height
TO	<i>Thuja occidentalis</i>	Arborvitae	5' to 6' Height	5	B&B
Shrubs					
AM	<i>Arctostaphylos uva-ursi</i>	Black Chokeberry	24" to 30" Height	22	B&B or Container
CS	<i>Cornus sericea</i>	Red Osier Dogwood	24" to 30" Height	9	B&B or Container
IV	<i>Ilex verticillata</i>	Winterberry	24" to 30" Height	15	B&B or Container
PM	<i>Prunus maritima</i>	Beach Plum	24" to 30" Height	15	B&B or Container
SI	<i>Spiraea japonica</i>	Japanese Spirea	24" to 30" Height	15	B&B or Container
TM	<i>Taxus x media</i>	Yew	24" to 30" Height	18	B&B or Container

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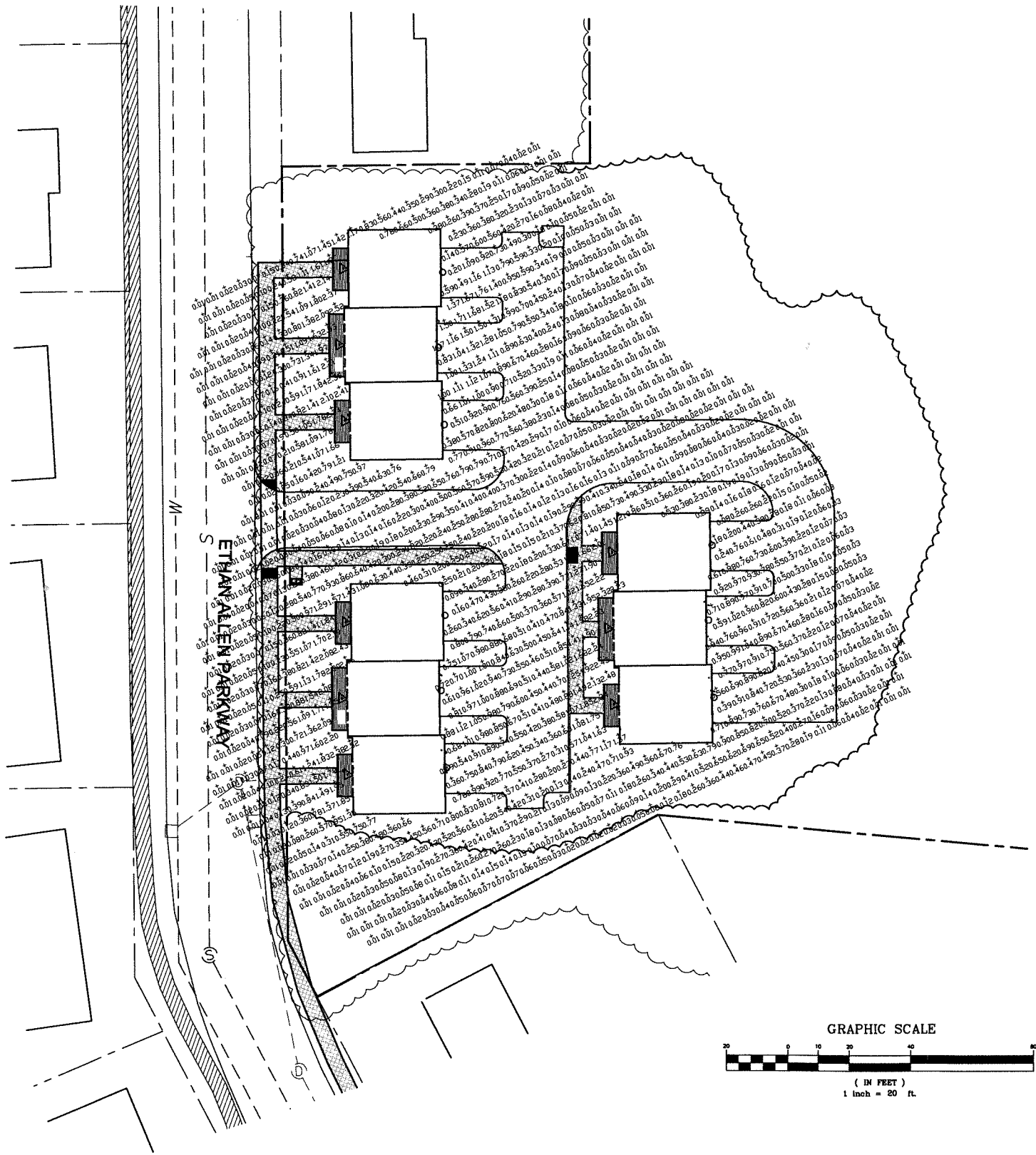
Lands of
Tim Alles & Bill Ellis
Ethan Allen Parkway, Burlington, Vermont

A PLANNED RESIDENTIAL DEVELOPMENT

LANDSCAPING & GRADING PLAN

proj. no. 07028
survey Others
design DLH
drawn SEA
checked DJG
date 04/09/07
scale 1" = 20'
sh. no. 5 of 11

LAMOUREUX & DICKINSON
Consulting Engineers, Inc.
14 Morse Drive
Essex Junction, VT 05452
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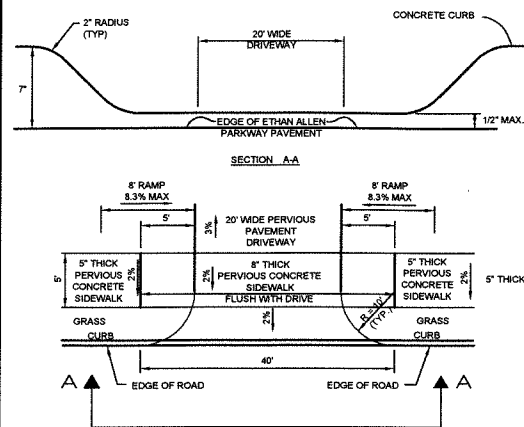


0.5 LIGHTING SPOT LEVEL (IN FOOT CANDLES)

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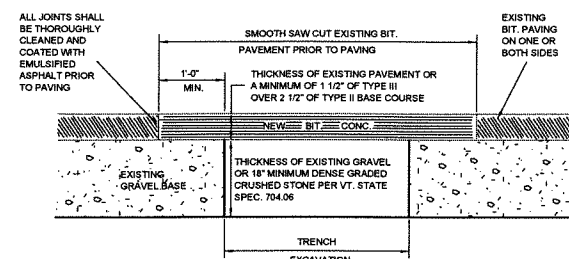
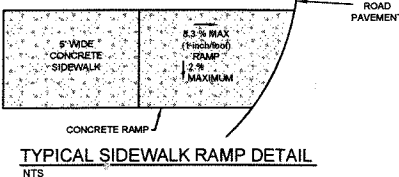
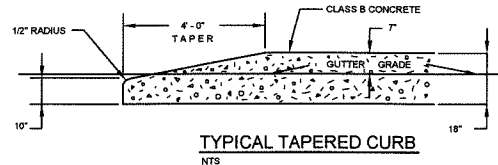
Lands of		proj. no.
Tim Alles & Bill Ellis		07028
Ethan Allen Parkway, Burlington, Vermont		survey
A PLANNED RESIDENTIAL DEVELOPMENT		Others
LIGHTING GRID PLAN		design
		DLH
		drawn
		SEA
		checked
		D.J.G
		date
		04/09/07
		scale
		1" = 20'
		shd. no.



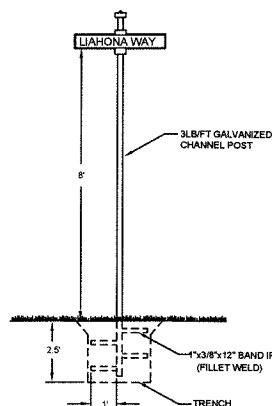
DRIVEWAY NOTES

1. THE NEW PERVIOUS PAVEMENT APRON SHALL BE CONSTRUCTED WITH THE SAME CROSS-SECTION AS THE REMAINDER OF THE DRIVEWAY.
2. 8" THICK SIDEWALK EXTENDS 5' BEYOND BOTH SIDES OF THE DRIVEWAY

DRIVEWAY APRON & CURB CUT WITH GRASS STRIP

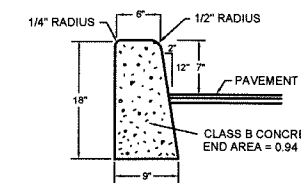


GRADATION REQUIREMENTS		
MATERIAL	SIEVE SIZE	PERCENT (%) PASSING
SAND BORROW AND CUSHION VT SPEC 703.03	2"	100 %
	1 1/2"	90-100 %
	12"	70-100 %
	#4	60-100 %
	#100	0-20 %
PEASTONE - VT SPEC 704.11	3/4"	100 %
	3/8"	90 TO 100 %
	#4	0-5 %
	#8	0-5 %
DRAINAGE AGGREGATE VT SPEC 704.16A FINE	1"	100 %
	3/4"	90-100 %
	3/8"	20-55 %
	#4	0-10 %
	#8	0-5 %
CRUSHED GRAVEL FOR SUBBASE VT SPEC 704.05A-FINE	2"	100 %
	1 1/2"	90-100 %
	#4	30-60 %
	#100	0-12 %
	#200	0-6 %
DENSE GRADED CRUSHED STONE VT SPEC 704.06	3 1/2"	100 %
	3" 2"	90-100 %
	1 1/2"	75-100 %
	#4	50-60 %
	#200	15-40 %



STREET NAME SIGN

NTS

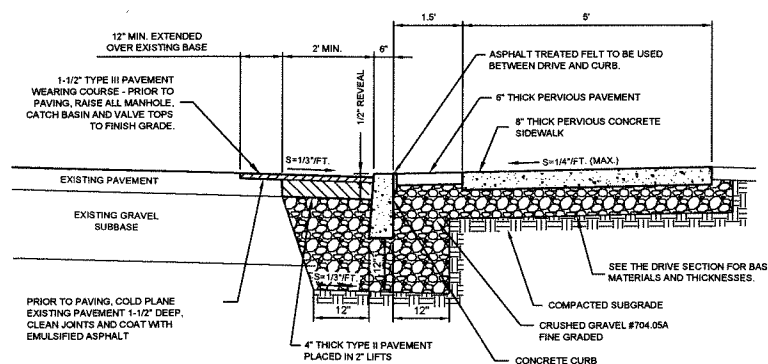


CONCRETE CURB

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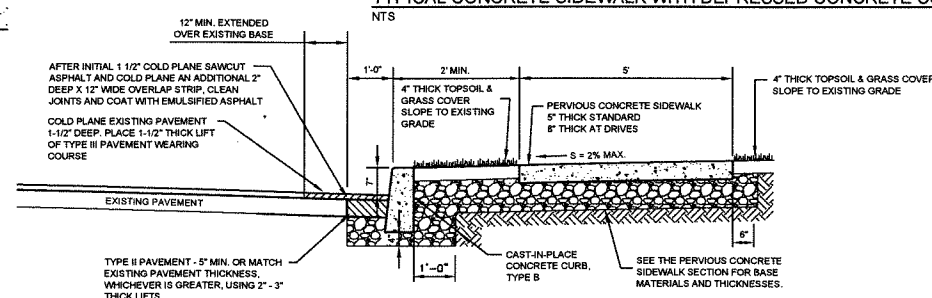
- NOTES:
- 1) CURBING SHALL BE CONSTRUCTED IN 10' SECTIONS WITH 1/8" JOINT BETWEEN SECTIONS.
 - 2) CURBING EXPANSION JOINTS SHALL BE CONSTRUCTED EVERY 20' AND SHALL BE CONSTRUCTED OF MATERIAL CONFORMING TO AASHTO DESIGNATION M-153 (1/2" SPONGE RUBBER OR CORK).
 - 3) ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3,000 PSI AT 28 DAYS, SHALL BE AIR ENTRAINED AT NOT LESS THAN 5% AND NOT MORE THAN 7% AND SHALL HAVE MINIMUM 20% FLY ASH CONTENT.

DATUM ELEV
124.00



TYPICAL CONCRETE SIDEWALK WITH DEPRESSED CONCRETE CURB SECTION

NTS

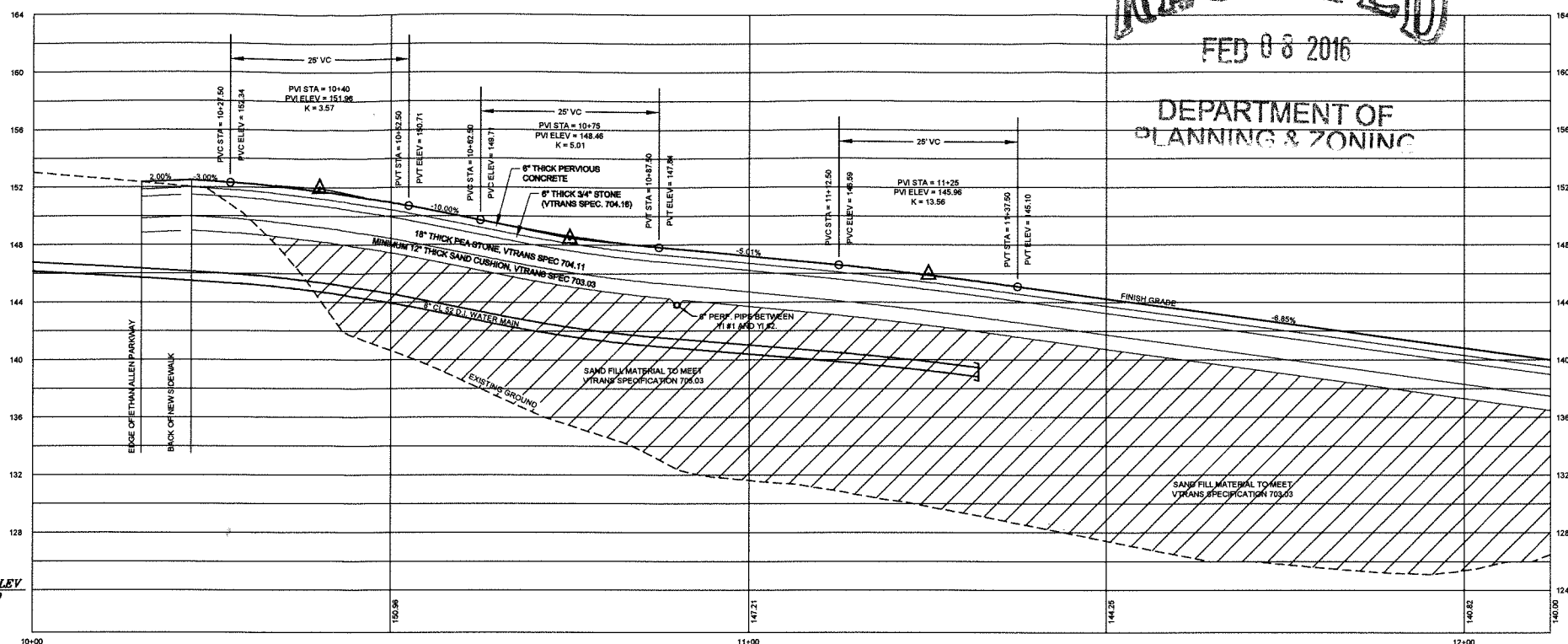


CONCRETE SIDEWALK SECTION ALONG ETHAN ALLEN PARKWAY

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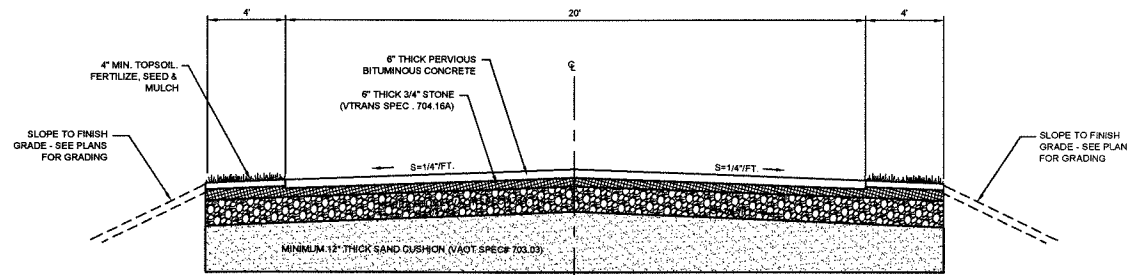
PAVING NOTES

1. THE CONTRACTOR SHALL APPLY EMULSION TO THE FULL WIDTH OF THE BASE COURSE/EXISTING PAVEMENT BEFORE INSTALLING THE TYPE III PAVEMENT OVERLAY.
2. A MINIMUM OF ONE (1) GRADATION TEST SHALL BE PERFORMED AT THE CONTRACTOR'S EXPENSE FOR A COMPACTION EVERY 100' SECTION OF SIDEWALK. TESTS SHALL ALSO BE PERFORMED AT THE CONTRACTOR'S EXPENSE EVERY 50' SECTION OF SIDEWALK OR MORE OFTEN IF THE TEST FAILS TO MEET THE COMPACTION REQUIREMENTS. THE TEST LOCATIONS SHALL BE SELECTED BY THE ENGINEER. ALL TESTS SHALL BE PERFORMED BY AN INDEPENDENT OUTSIDE FIRM.
3. EMULSION SHALL BE PLACED ON THE FACE OF THE CURB WHERE IT WILL BE IN CONTACT WITH THE PAVEMENT.
4. THE NEW APRON AT DRIVEWAYS SHALL BE 2" THICK TYPE III PAVEMENT OVER 8" THICK CRUSHED GRAVEL #704.05 FINE GRADED. MATCH INTO EXISTING PAVEMENT WITH SAW CUT JOINTS COATED WITH EMULSIFIED ASPHALT.
5. EMULSIFIED ASPHALT, TO BE APPLIED AT THE RATE OF 0.015 GAL/SQ YD
6. BITUMINOUS CONCRETE PAVEMENT TOLERANCE = +1/4" (FOR TOTAL THICKNESS OF BINDER AND/OR WEARING COURSE).
7. BITUMINOUS CONCRETE PAVEMENT SHALL BE 75 BLOW MARSHALL MIX AND PERFORMANCE GRADED BINDER SHALL BE PG 58-34.



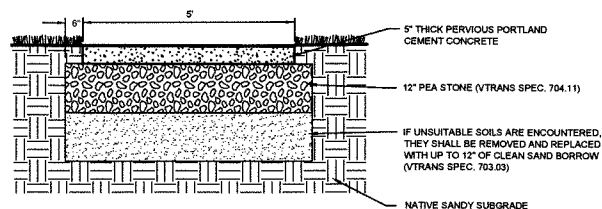
DRIVE PROFILE

SCALE: H: 1" = 10', V: 1" = 5'



TYPICAL DRIVE CROSS-SECTION

NTS



PERVIOUS CONCRETE SIDEWALK SECTION

NTS

- NOTES:
1. PRIOR TO PLACING THE SUBBASE, THE CONTRACTOR SHALL NOTIFY THE ENGINEER FOR INSPECTION OF THE SUBGRADE SOILS.
 2. AT BUILDING ENTRANCES, THE DEPTH OF SUBBASE SHALL BE INCREASED TO 24" AND THE DEPTH OF SAND BORROW SHALL BE INCREASED TO 24" AND TAPERED TO THE STANDARD DEPTH OVER A MINIMUM TRANSITION DISTANCE OF 10 FEET.
 3. THE CONCRETE MIX DESIGN SHALL BE SUBMITTED FOR REVIEW PRIOR TO CONSTRUCTION. THE PERVIOUS CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3,000 PSI, AND A MINIMUM PERMEABILITY OF 300 IN/HR.
 4. CONSTRUCTION JOINTS SHALL BE MADE WITH A ROLLING JOINT TOOL (NOT CUT) AT INTERVALS OF 10 FEET TO A DEPTH EQUAL TO 1/2 OF THE CONCRETE THICKNESS.
 5. CONCRETE SHALL BE CURED FOR A MINIMUM OF 7 DAYS AS REQUIRED BY THE WRITTEN TECHNICAL SPECIFICATIONS.

RECEIVED
FEB 08 2016

DEPARTMENT OF
PLANNING & ZONING

Date	Revision	By
1-25-16	REVISED PER TECHNICAL REVIEW NOTES	DLH
4-1-15	REVISED FOR PRELIMINARY RE-FILING TO CITY	DLH
5-24-11	ADD EASEMENT AND CONVEYANCE TO CITY	DLH
4-4-11	REVISE LAYOUT	DLH
10-29-10	REVISE LAYOUT	DLH
8-26-10	GENERAL REVISIONS PER COURT APPEAL	DLH
9-11-09	REVISED PERVIOUS CONCRETE DETAILS	DLH
7-13-09	REVISED LIGHTING AND LANDSCAPING	DLH
1-9-08	REVISED DRIVEWAY LAYOUT	DLH
10-5-07	REVISED LAYOUT	DLH
8-7-07	REVISED LAYOUT	DLH

These plans shall only be used for the purpose shown below:

☐ Sketch/Concept	☐ Act 250 Review
☐ Preliminary	☐ Construction
☐ Final Local Review	☐ Record Drawing

Lands of
Tim Alles & Bill Ellis
Ethan Allen Parkway, Burlington, Vermont
A PLANNED RESIDENTIAL DEVELOPMENT
DRIVE PROFILE, TYPICALS AND SPECIFICATIONS

LD LAMOUREUX & DICKINSON
Consulting Engineers, Inc.
14 Morse Drive
Essex Junction, VT 05452
Tel: 802-878-4450

NOT FOR CONSTRUCTION

proj. no.
07023
survey
Others
design
DLH
drawn
SEA
checked
DJG
date
04/09/07
scale
N.T.S.
sheet no.
7

LANDSCAPE SPECIFICATIONS

TREE AND SHRUB PLANTINGS

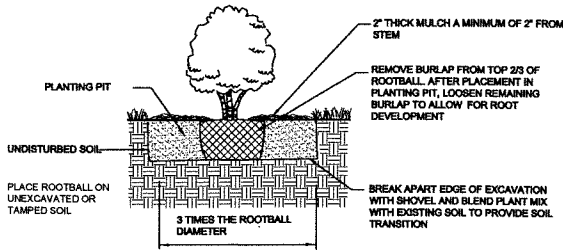
- ALL PLANT MATERIALS SHALL CONFORM TO THE INTERNATIONAL SOCIETY OF ARBORICULTURE PRINCIPALS AND PRACTICES OF PLANTING TREES AND SHRUBS, AND THE MOST RECENT VERSION OF THE AMERICAN STANDARD FOR NURSERY STOCK - ANSI Z60.1.
- CONTRACTOR SHALL STAKE ALL PLANT LOCATIONS AND THE ENGINEER SHALL APPROVE PRIOR TO INSTALLATION.
- CONTRACTOR SHALL PROTECT LANDSCAPE PLANTS AT ALL TIMES FROM SUN AND DRYING WINDS. PLANTS THAT ARE TO BE TEMPORARILY STORED ON SITE UNTIL READY FOR INSTALLATION SHALL BE KEPT SHADED AND PROTECTED WITH SOIL, BARK MULCH OR OTHER ACCEPTABLE MATERIAL AND REGULARLY WATERED.
- DURING INSTALLATION OF LANDSCAPE PLANTINGS, CONTRACTOR SHALL DETERMINE WHERE EXISTING UNDERGROUND UTILITIES ARE LOCATED TO AVOID INTERFERENCE.
- STREET TREES TO ARRIVE FROM NURSERY WITH 6 FEET/2 METERS BETWEEN THE FINISHED GRADE AND THE FIRST TREE BRANCH.
- DO NOT PRUNE THE TREES OR SHRUBS AT PLANTING. PRUNE ONLY DEAD OR CRUSHED ROOTS AND DEAD OR INJURED BRANCHES.
- TREES SHALL HAVE A MINIMUM 50% LIVE CROWN RATIO.
- EACH TREE AND SHRUB MUST BE PLANTED SUCH THAT THE ROOT FLARE AND MAIN ORDER ROOTS ARE VISIBLE AT THE TOP OF THE ROOT BALL. WHERE THE MAIN ORDER ROOTS ARE NOT VISIBLE, EXCESS SOIL SHALL BE REMOVED TO LOCATE THEM. PLANT TREES AND SHRUBS SO THAT THE MAIN ORDER ROOTS ARE AT FINISHED GRADE. DO NOT COVER THE TOP OF THE ROOT BALL WITH SOIL OR MULCH.
- EXAMINE ENTIRE TREE AND SHRUB AND REMOVE ALL NURSERY TAGS, TREE WRAP, ROPE, STRING AND SURVEYOR TAPE PRIOR TO PLANTING TO PREVENT GIRDLING.
- FOR ALL TREES AND SHRUBS:
CUT AND REMOVE WIRE MESH BASKET. CUT AND REMOVE ROPE AND BURLAP WRAP FROM TOP 2/3 OF ROOTBALL AFTER PLACEMENT IN PLANTING PIT. LOOSEN REMAINING BURLAP TO ALLOW FOR ROOT DEVELOPMENT. IF THE TREE OR SHRUB HAS SYNTHETIC OR TREATED BURLAP, REMOVE IT ENTIRELY AFTER PLACING ROOT BALL IN PLANTING PIT.
- BREAK APART EDGE OF EXCAVATION WITH SHOVEL AND BLEND PLANT MIX WITH EXISTING SOIL TO PROVIDE SOIL TRANSITION.
- TREE PIT AREA SHALL HAVE A MINIMUM DEPTH OF 36". SHRUB PLANTING PIT SHALL HAVE A 24" MINIMUM DEPTH. THE TREE PIT AREA SHALL HAVE THE PLANT MIX SPECIFIED BELOW.
- STAKING REQUIRED ONLY IN SITUATIONS WHERE TREES WILL BE SUBJECTED TO WINDY CONDITIONS AS DETERMINED BY THE ENGINEER. STAKES SHALL BE REMOVED BY THE CONTRACTOR AT THE END OF THE WARRANTY PERIOD.
- PLANT MIX SHALL CONSIST OF THE FOLLOWING RATIO: 1/3 PART COMPOST, 2/3 PARTS TOPSOIL. PLANT MIX TO BE TESTED AND APPROVED FOR QUALITY BY ENGINEER PRIOR TO INSTALLATION. THE CORRECT GRADE OF COMPOST IS AVAILABLE FROM, BUT NOT LIMITED TO, THE FOLLOWING MANUFACTURERS: INTERVALE COMPOST PRODUCTS, VERMONT NATURAL PRODUCTS AND VERMONT COMPOST COMPANY.
- FOLLOWING PLANTING, FERTILIZER AND MYCORRHIZAL FUNGI SHALL BE APPLIED TO TREES AND SHRUBS.
- ONCE ALL LANDSCAPE PLANTINGS HAVE BEEN INSTALLED, PLACE A LIGHT LAYER OF HEMLOCK OR PINE BARK MULCH, MAXIMUM OF 2" THICK, ON PLANTING BEDS. NO DYED MULCH WILL BE ACCEPTED.
- WATER ALL TREES AND SHRUBS THOROUGHLY ONCE PLANTED TO FULL SOILS AGAINST ROOT BALL AND SETTLE AIR POCKETS. ADDITIONAL SOIL MAY BE NEEDED; WATER AGAIN TO ENSURE COMPLETE COMPACTION. RE-SET SETTLED PLANTS TO PROPER GRADE AND POSITION. RESTORE ADJACENT MATERIAL AND REMOVE DEAD MATERIAL. THERE SHALL BE NO WATERING BERM INSTALLED AROUND PLANTS.
- CORRECT WORK AS SOON AS POSSIBLE AFTER DEFICIENCIES BECOME APPARENT AND WEATHER PERMITS.
- CONTRACTOR IS RESPONSIBLE FOR MAINTENANCE OF ALL LANDSCAPE PLANTINGS AND SHALL INCLUDE PRUNING, CULTIVATING, WEEDING, WATERING, AND APPLICATION OF APPROPRIATE INSECTICIDES AND FUNGICIDES NECESSARY TO MAINTAIN PLANTS FREE OF INSECTS AND DISEASE DURING CONSTRUCTION AND WARRANTY UNTIL ACCEPTANCE. CONTRACTOR SHALL WATER ALL PLANTINGS DAILY.
- ALL LANDSCAPE PLANTS SHALL BE GUARANTEED FOR A PERIOD OF TWO YEARS AFTER PLANTING.

TURF ESTABLISHMENT

ALL DISTURBED AREAS THAT DO NOT HAVE AN IMPERVIOUS SURFACE (PAVEMENT, SIDEWALKS, ROOFS) SHALL BE STABILIZED WITH SEEDING AND MULCHING PRIOR TO OCTOBER 1. ANY WORK PERFORMED AFTER SEPTEMBER 15 OF EACH YEAR SHALL BE STABILIZED WITH MULCH OR NETTING SUFFICIENT TO PREVENT EROSION AND SHALL BE IMMEDIATELY SEEDED AND REMULCHED AS SOON AS WEATHER PERMITS IN THE SPRING. PLACEMENT OF TOPSOIL, AND THE APPLICATION OF SEED, FERTILIZER, LIME (WHERE APPLICABLE), AND MULCH SHALL BE IN ACCORDANCE WITH THE FOLLOWING:

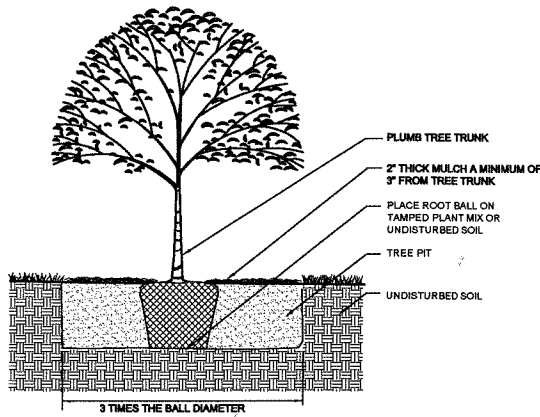
- A MINIMUM OF 4" OF APPROVED TOPSOIL SHALL BE PLACED IN ALL AREAS. PLACEMENT OF TOPSOIL SHALL NOT BE DONE WHEN THE GROUND OR TOPSOIL IS FROZEN, EXCESSIVELY WET, OR OTHERWISE IN A CONDITION DETRIMENTAL TO THE WORK. FOLLOWING PLACEMENT OF TOPSOIL, THE SURFACE SHALL BE RAKED. ALL STONES, LUMPS, ROOTS, OR OTHER OBJECTIONAL MATERIAL SHALL BE REMOVED.
- SEED MIXTURES SHALL CONFORM TO THE SEED MIX TABLES SHOWN ON THIS SHEET AND BE SPREAD UNIFORMLY IN ALL AREAS INDICATED ON THE PLANS AT THE SPECIFIED RATE. FOR SEEDING BETWEEN SEPTEMBER 1 AND OCTOBER 1, WINTER RYE SHALL BE OVERSEED AT AN APPLICATION RATE OF 100 POUNDS PER ACRE.
- FERTILIZER SHALL CONFORM TO THE STANDARDS OF THE ASSOCIATION OF OFFICIAL AGRICULTURAL CHEMISTS AND BE APPLIED ONLY AFTER PERFORMING A SOIL TEST AND BE APPLIED BASED UPON SOIL DEFICIENCIES. LIME SHALL ONLY BE APPLIED AS NEEDED BASED UPON A SOIL pH TEST.
- WITHIN 24 HOURS OF APPLICATION OF SEED, FERTILIZER AND LIME, THE SURFACE SHALL BE MULCHED WITH A HAY MULCH. MULCH SHALL BE SPREAD UNIFORMLY OVER THE AREA AT A MINIMUM RATE OF 2 TONS PER ACRE.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR A FULL GROWTH OF GRASS IN ALL DISTURBED AREAS TO BE RE-VEGETATED. VEGETATION GROWTH SHALL BE PERMANENT AND SUFFICIENT TO PREVENT EROSION OF THE UNDERLYING SOIL UNDER ALL CONDITIONS OF PRECIPITATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING AND CARING FOR SEEDED, MULCHED, AND AREAS OF ESTABLISHED VEGETATION UNTIL FINAL ACCEPTANCE OF THE WORK BY THE OWNER.

URBAN MIX GRASS SEED		
% BY WEIGHT	LBS. LIVE SEED PER ACRE	TYPE OF SEED
37.5	45	CREeping RED FESCUE
31.25	37.5	KENTUCKY BLUEGRASS
31.25	37.5	WINTER HARDY, PERENNIAL RYE
100	120 # LIVE SEED PER ACRE	



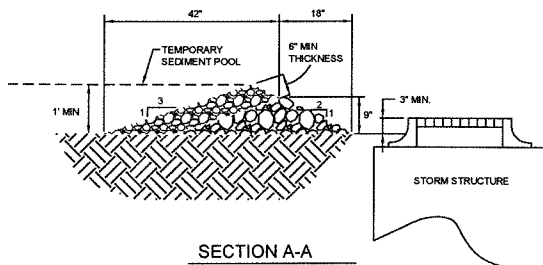
SHRUB PLANTING DETAIL

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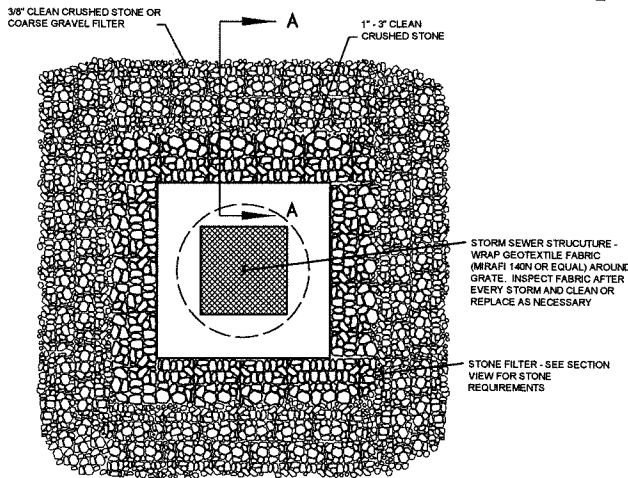


STREET TREE PLANTING DETAIL

NTS



SECTION A-A



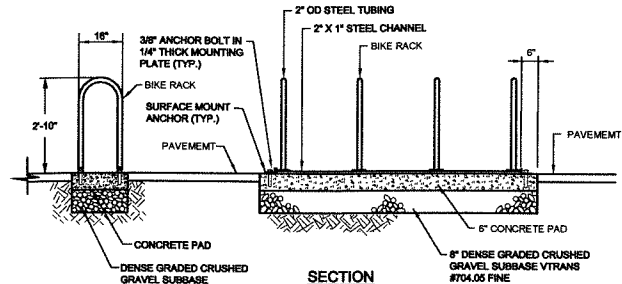
PLAN VIEW

NOTES:

- INLET PROTECTION TO BE PROVIDED AT ALL CATCH-BASINS OR YARD INLETS.
- THE STONE FILTER SHALL BE INSPECTED FOLLOWING EACH STORM. ACCUMULATED SEDIMENTS SHALL BE REMOVED AND THE STONE REPLACED AS NECESSARY.
- THE LIMITS OF THE STONE AROUND THE INLET MAY BE MODIFIED BY THE ENGINEER DEPENDING ON THE TOPOGRAPHY DIRECTING RUNOFF TO THE CATCH-BASIN.

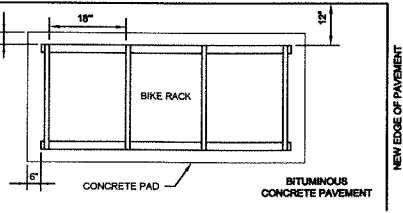
CATCH BASIN INLET PROTECTION

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SECTION

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PLAN

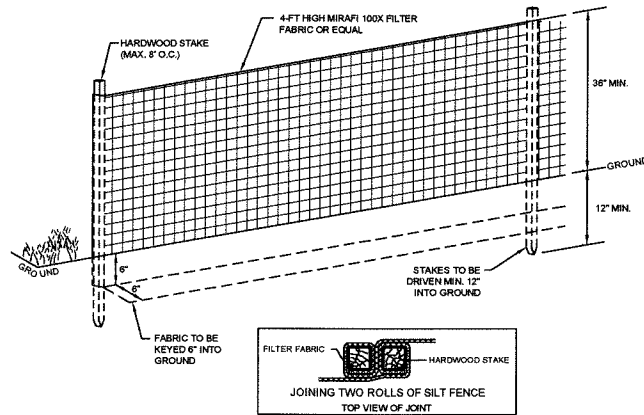
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NOTES:

- BIKE RACK SHALL BE POWDER COATED STAINLESS STEEL. INSTALL BIKE RACK ACCORDING TO MANUFACTURER'S SPECIFICATIONS.
- BIKE RACKS SHALL BE POWDER COATED BLACK AND INCLUDE 4 OR 6 RACKS, AS INDICATED ON PLANS.
- SEE PLAN FOR LOCATION AND LAYOUT.

BIKE RACK DETAIL

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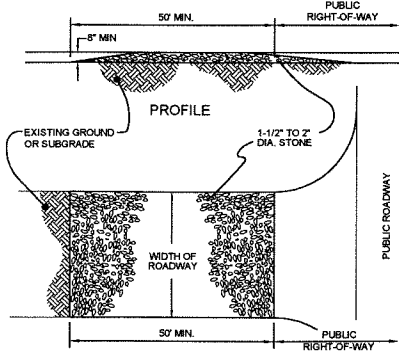


NOTES:

- USE ONLY MANUAL METHODS OF INSTALLATION AND CLEANING WITHIN WETLAND AND BUFFER ZONE.
- PRIOR TO BEGINNING OF CONSTRUCTION OR EARTH-MOVING, THE CONTRACTOR SHALL INSTALL A CONTINUOUS SILT FENCE AT THE LIMIT OF DISTURBANCE SHOWN ON THE SITE PLAN.
- FROZEN MATERIAL SHALL NOT BE USED TO KEY IN THE BOTTOM OF THE SILT FENCE. IF NECESSARY, GRANULAR BORROW SHALL BE USED BY THE CONTRACTOR TO KEY IN THE SILT FENCE RATHER THAN FROZEN NATIVE MATERIAL.
- THE CONTRACTOR SHALL INSTALL SILT FENCE AROUND THE PERIMETER OF TOPSOIL STOCKPILES AND AT OTHER LOCATIONS AS NEEDED.

TEMPORARY SILT FENCE

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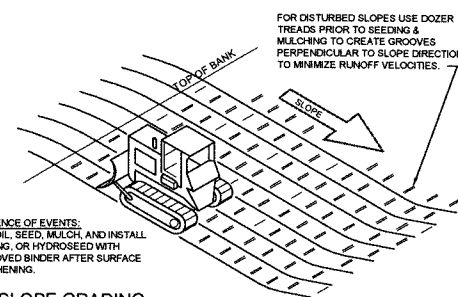


NOTES:

- THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT TRACKED, SPILLED, OR WASHED ONTO PUBLIC RIGHTS-OF-WAY SHALL BE REMOVED IMMEDIATELY BY THE CONTRACTOR.
- THE USE OF CALCIUM CHLORIDE OR WATER MAY BE NECESSARY TO CONTROL DUST DURING THE SUMMER.
- PROVIDE APPROPRIATE TRANSITION BETWEEN STABILIZED CONSTRUCTION ENTRANCE AND PUBLIC RIGHT-OF-WAY.

STABILIZED CONSTRUCTION EXIT

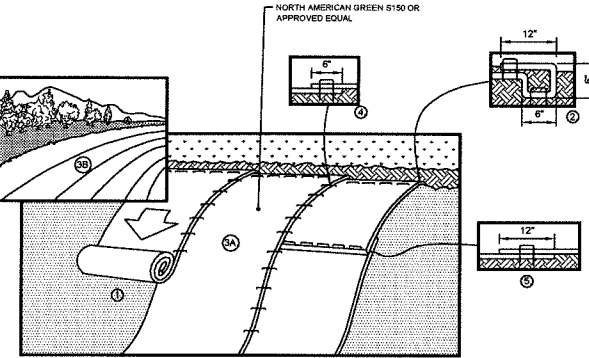
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SLOPE GRADING

NTS

SEQUENCE OF EVENTS:
TOPSOIL, SEED, MULCH AND INSTALL MATTING, OR HYDROSEED WITH APPROVED BINDER AFTER SURFACE ROUGHENING.



- EROSION MATTING WILL BE USED ON SLOPES STEEPER THAN 3H:1V OR AS SHOWN ON THE PLANS.
- PREPARE SOIL BEFORE INSTALLING MATTING, INCLUDING ANY NECESSARY APPLICATION OF LIME, FERTILIZER, AND SEED. SOIL SURFACE SHALL BE GRADED SMOOTH WITHOUT ROOTS, STONES OR OTHER PROTRUSIONS THAT WILL PREVENT THE MATTING FROM BEING APPLIED IN FULL CONTACT WITH THE SOIL SURFACE.
- BEGIN AT THE TOP OF THE SLOPE BY ANCHORING THE MATTING IN A 6" DEEP X 6" WIDE TRENCH WITH APPROXIMATELY 12" OF MATTING EXTENDED BEYOND THE UP-SLOPE PORTION OF THE TRENCH. ANCHOR THE MATTING WITH A ROW OF STAPLES/STAKES APPROXIMATELY 12" APART IN THE BOTTOM OF THE TRENCH. BACKFILL AND COMPACT THE TRENCH AFTER STAPLING. APPLY SEED TO COMPACTED SOIL AND FOLD REMAINING 12" PORTION OF MATTING BACK OVER SEED AND COMPACTED SOIL. SECURE MATTING OVER COMPACTED SOIL WITH A ROW OF STAPLES/STAKES SPACED APPROXIMATELY 12" PART ACROSS THE WIDTH OF THE MATTING.
- ROLL THE MATTING (A) DOWN OR (B) HORIZONTALLY ACROSS THE SLOPE. INSURE THAT THE APPROPRIATE SIDE OF THE MATTING IS AGAINST THE SOIL SURFACE. ALL MATTING MUST BE SECURELY FASTENED TO SOIL SURFACE BY PLACING STAPLES/STAKES IN APPROPRIATE LOCATIONS AS SHOWN IN THE MANUFACTURER'S STAPLE PATTERN GUIDE FOR THE PARTICULAR PRODUCT AND APPLICATION. IN LOOSE SOIL CONDITIONS, THE USE OF STAPLE OR STAKE LENGTHS GREATER THAN 6" MAY BE NECESSARY TO PROPERLY SECURE THE MATTING.
- THE EDGES OF PARALLEL MATTING MUST BE STAPLED WITH APPROXIMATELY 6" OVERLAP DEPENDING ON MATTING TYPE.
- CONSECUTIVE MATTING SPLICED DOWN THE SLOPE MUST BE PLACED END OVER END (SHINGLE STYLE - WITH THE UPPER MATTING PLACED OVER THE TOP OF THE LOWER MATTING) WITH AN APPROXIMATE 12" OVERLAP. STAPLE THROUGH OVERLAPPED AREA, APPROXIMATELY 12" APART ACROSS ENTIRE MATTING WIDTH.

EROSION MATTING FOR SLOPES

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4-1-15	REVISED FOR PRELIMINARY RE-FILING TO CITY	DLH
5-24-11	ADD EASEMENT AND CONVEYANCE TO CITY	DLH
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1-9-08	REVISED DRIVEWAY LAYOUT	DLH
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8-7-07	REVISED LAYOUT	DLH
Date	Revision	By

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Lands of
Tim Alles & Bill Ellis
Ethan Allen Parkway, Burlington, Vermont

A PLANNED RESIDENTIAL DEVELOPMENT
**LANDSCAPING & EROSION
DETAILS AND
SPECIFICATIONS**

LD LAMOREUX & DICKINSON
Consulting Engineers, Inc.
14 Morse Drive
Essex Junction, VT 05452
Tel: 802-878-4450

proj. no. 07028
survey Others
design DLH
drawn SEA
checked DJG
date 04/09/07
scale N.T.S.
sheet no. 9

WATER DISTRIBUTION SPECIFICATIONS

1.1 GENERAL:

This item shall consist of the labor, equipment, and material required for the complete construction of the watermain and services which shall include excavation, backfilling, pipe, valves, tees, hydrants, elbows, reducers, and all other appurtenances necessary for a complete watermain system as indicated on the accepted drawings. All materials and installations shall be approved by the local municipal water authority.

1.2 WATER MAIN PIPE MATERIALS:

DUCTILE IRON PIPE

Pipe shall be a minimum diameter of six inches (6") and conform to current AWWA C900 or ANSI Specification A21.51. Push-on joint pipe shall be minimum thickness Class 51.

Pipe shall be cement mortar-lined on the inside in accordance with AWWA C151.51 or ANSI Specification A21.4 except that the cement lining thickness shall not be less than three-sixteenths inch (3/16"). A plus tolerance of one-eighths inch (1/8") will be permitted.

1.3 FITTINGS:

Ductile iron fittings shall be cement-lined, have 350 pounds working pressure, and be in accordance with AWWA C-104, C-110, C-111, C-153 for compact fittings. Mechanical joint nuts and bolts shall be high strength, low alloy steel per ANSI A-21.11. Ductile iron fittings larger than twelve inches (12") shall have a standard body length equal to Class 250 cast iron fittings. Cast iron Class 250 fittings will be allowed in lieu of ductile iron fittings in sizes larger than twelve inches (12").

Mechanical joint glands or an approved equal shall be used on all vertical bends and as shown on the plans.

1.4 GATE VALVE RESILIENT SEAT:

Gate valves shall be AWWA C 509 Standard Gate Valves with mechanical joints of sizes as required on the plans. Valves 12" and smaller shall be bubble tight, zero leakage at 200 psi working pressure. All valves shall be of cast or ductile iron body, parallel brass seats, non-rising stem, inside screw, double disk construction with "O" Ring Stem Seals. All valves to be equipped with a valve box for a minimum of 5.5' of cover material. The gate valves shall open counter clockwise and be provided with a 2" square operating nut with arrow cast in metal to indicate direction of opening.

Each valve shall have maker's name, pressure rating, and year in which manufactured cast on the body. Prior to shipment from the factory, each valve shall be tested by hydrostatic pressure equal to twice the specified working pressure. Buried valves shall be installed with a valve box. All gate valves shall be Mueller or equal.

1.5 VALVE BOXES:

Valve boxes are to be installed on all buried valves. The boxes shall be cast iron with a minimum five and one quarter inch (5 1/4") diameter and long enough to extend from the valve to the finished grade. The boxes shall enclose the operating nut and the stuffing box of the valve. Valve boxes shall not transfer loads onto the valve. Covers shall be close fitting and tight with the top of the cover flush with the top of the rim box. Covers shall be marked "water" with an arrow indicating the direction of opening. Valve boxes shall be three piece, screw type manufactured by Kennedy figure 121 or equal.

1.6 FIRE HYDRANTS:

All hydrants are to be 3-way, 5" minimum diameter and limited to the following makes:

Mueller Centurian figure A-423 or Kennedy Guardian K-81KA, and shall conform with AWWA C502.

Main Valve Opening: 5 1/4 inches

Nozzle Arrangement: Two 1 1/2 inch hose nozzles NST threads.

One 4 1/2 inch pumper nozzle NST threads.

Inlet Connection: 6 inch mechanical joint, MEGA-LUG and thrust block

Operating Nut: Standard 1" pentagon

Direction of Opening: Counterclockwise

Color: Enamel hydrant red

Depth of Bury: Hydrant shall be installed to the manufacturer's instructions with nozzles about 18"-21" above finish grade.

1.7 HYDRANT BRANCHES:

Hydrant assemblies shall consist of a six inch (6") mechanical joint gate valve conforming to AWWA C-509; a length of six inch (6") Class 51 ductile iron pipe with a cement-lining; and the fire hydrant, MEGA-LUG retainer glands or approved equal shall be used.

1.8 WATER SERVICE CONNECTION:

A. GENERAL REQUIREMENTS

The Contractor shall install three-fourths inch to two inch (3/4") copper type K services as indicated on the Contract Drawings or as directed by the Engineer. Each service shall consist of a corporation, cutstop, copper tubing, and a curb box with service rod. Corporation shall be attached to the ductile iron pipe by means of a direct tap.

B. CORPORATIONS

Corporations shall be Waterworks Brass and manufactured in accordance with AWWA C800. Corporations shall have Mueller threads, adopted as AWWA Figure # 1, at the inlet and a compression-type fitting at the outlet. Both inlet and outlet shall be of the same size. Corporations shall be used for all taps larger than three-fourths inch (3/4") in diameter.

Corporations shall be directly tapped into ductile iron pipe larger than two inches (2") in diameter. In no other instance, except when a tapping sleeve and valve is used, shall a tap be made and a corporation installed without the use of a tapping saddle. Corporations shall be Mueller H-15200 or equal.

C. CURBSTOPS

Curbstops shall be a quarter-turn, plug-type valve with an "O" ring-type seal and shall be manufactured of Waterworks Brass in accordance with AWWA C800. The curbstop shall open left and have a positive stop. No curbstop shall have the ability to drain the service line. Both inlet and outlet of the curbstop shall have compression-type fittings. The tee head of the curb-stop shall have provision for the connection of a service rod. Curbstops shall be Mueller H-15200 or equal. (Mueller 300 Ball Valves are not acceptable.)

D. SERVICE LINES

Copper tubing shall be type "K", soft-temper, conforming to ASTM B88. The name or trademark of the manufacturer and type shall be stamped at regular intervals along the pipe.

All domestic services and domestic fire sprinkler systems that are connected to the public water system shall be protected according to their degree of hazard, with a backflow prevention assembly, and with an appropriate thermal expansion system.

E. CURB BOXES AND RODS

Curb boxes shall be of the sliding adjustable-type capable of adjusting from five feet to six feet (5' - 6'). The base of the box shall be arch-type so as to prevent the box from resting directly on the curbstop. The adjustable upper section shall be one inch (1") in diameter for use with three-fourths and one inch (3/4" and 1") curbstops. For larger curbstops, the upper section shall be one and one-fourths inches (1 1/4") in diameter.

Stationary rods affixed to the key of the curbstop shall be thirty inches (30") in length for three-fourths and one inch (3/4" and 1") curbstops and twenty-four inches (24") for larger curbstops. The cover of the box shall be by "Mueller" with the two-hole cover. The word "WATER" shall be inscribed on the cover of the box. Both the cover and the upper section of the box shall be able to be located with an aqua-type metal locator.

F. BUILDING SERVICE CONSTRUCTION METHODS

The Contractor shall make all necessary taps into the watermain and will install for each unit an approved brass corporation stop.

The Contractor shall also connect the type "K" copper service pipe to the flanged joint, which shall be connected to the brass type curbstop with inlet and outlet for the appropriate type "K" copper service pipe. Such curbstop shall be located not less than six feet (6') below the ground surface and shall be accessible from the surface through an approved valve box.

Unit Connections: The unit connections shall be made by installing three-fourths inch (3/4") type "K" copper pipe or approved equal on the end of the approved brass curbstop and proceeding through the cellar wall to an approved three-fourths inch (3/4") meter spacer with spuds furnished by the Municipality and installed by the Contractor in accordance with good plumbing practices.

1.9 CONSTRUCTION METHODS

A. INSPECTION AND TESTING

All pipe and fittings shall be inspected and tested in accordance with the manufacturer's specifications and the aforementioned AWWA Specifications. The Contractor shall furnish for approval certification from the pipe manufacturer that all tests have been performed with satisfactory results. Pipe shall not be installed without the Engineer's or Water Authority's approval.

B. INSTALLATION

Pipes, fittings, and accessories shall be carefully handled to avoid damage. Prior to the date of acceptance of the project work by the Owner, the Contractor shall replace any new pipe or accessory found to be defective at any time, including after installation, at no expense to the Owner. All installation and testing shall be done in accordance with AWWA Standard C-600 and ANSI Specification A21.11.

All pipes showing cracks shall be rejected. If cracks occur in the pipe, the Contractor may, at his own expense and with the approval of the Engineer, cut off the cracked portions at a point at least twelve inches (12") from the visible limits of the crack and use the sound portion of the pipe. All pipes and fittings shall be cleared of all foreign matter and debris prior to installation and shall be kept clean until the time of acceptance by the Owner.

At all times, when the pipe laying is not actually in progress, the open ends of the pipe shall be closed by temporary watertight plugs or by other approved means. If water is in the trench when work is resumed, the plug shall not be removed until all danger of water entering the pipe has passed. The pipe shall be installed in trenches and at the line and grade shown on the Contract Drawings.

Any deflection joints shall be within the limits specified by the manufacturer. All piping and appurtenances connected to the equipment shall be supported so that no strain will be imposed on the equipment. If the equipment manufacturer's specifications include that piping loads are not to be transferred, the Contractor shall submit certification of compliance.

Concrete thrust blocks shall be installed on all plugs, tees, and bends deflecting 11 1/4 degrees or more. Care shall be taken to ensure that concrete will not come in contact with flanges, joints, or bolts. The required area of thrust blocks are indicated on the plans or shall be as approved by the Engineer.

Whenever sewers cross under watermain, the watermain shall be laid at such an elevation that the bottom of the watermain is at least 18 inches above the top of the sewer. This vertical separation shall be maintained for that portion of the watermain located within ten feet (10') horizontally of any sewer crossings.

There shall be no physical connection between the distribution system and any pipes, pumps, hydrants, or tanks which are supplied or may be supplied with a water that is, or may be, contaminated. In instances where the use of different types of pipe require joining, the Contractor shall furnish and install all necessary adapters.

All trenching safety standards shall be in conformance with all applicable State and Federal Guidelines.

The Contractor shall, at all times, keep the trenches entirely free of water until all work is finished and ready for backfilling. After the various pipelines have been installed, the trenches and other areas to be filled shall be backfilled to subgrade with, whenever possible, material excavated from the trench. No backfill will be allowed until any concrete masonry has set sufficiently, as determined by the Engineer.

All material for backfilling shall be free of roots, stumps, and frost. Materials used for backfilling trenches shall be free of stones weighing over 30 pounds. No stones measuring over one and one-half inches (1 1/2") in the longest dimension shall be placed within one foot (1') of the pipeline being backfilled.

Backfill for all pipelines shall be placed in six inch (6") layers, each layer being thoroughly compacted to not less than 95 percent of maximum dry density as determined by the AASHTO-T-99 Standard Proctor. Particular precautions shall be taken in the placement and compaction of the backfill material in order not to damage the pipe or structure. The backfill shall be brought up evenly. All watermain shall be installed with a minimum cover depth of six (6').

Surplus excavated materials not used for backfill shall be disposed of in a manner satisfactory to the Engineer. All surplus material or spoil shall be removed promptly and disposed of so as not to be objectionable to adjacent or to the general public.

The contractor shall provide a stable, temporary PVC marker approved by the Engineer at all gate valves, curb stops, and at the end of waterlines to a point six inches (6") above finish grade. The marker shall be sealed securely into the ground.

C. FIELD TESTING

Except as otherwise directed, all pipelines shall be tested. Pipelines laid in excavation or bedded in concrete shall be tested prior to backfilling or the placing of concrete, and any exposed piping shall be tested prior to field painting. The Contractor shall furnish all gauges, testing plugs, caps, and all other necessary equipment and labor to perform leakage and pressure test in sections of an approved length. Each valued section or a maximum of one thousand feet (1,000') of the pipe shall be tested. All water required for testing shall be potable. All testing shall be conducted in the presence of the Engineer.

For the pressure test, the Contractor shall develop and maintain 200 pounds per square inch for two hours. Failure to hold the designated pressure for the two-hour period constitutes a failure of the section tested. The leakage test shall be performed concurrently with the pressure test. During the test, the Contractor shall measure the quantity of water required to maintain the test pressure. Leakage shall not exceed the quantity given by:

$$L = SD \text{ (Square root of } P) / 148,000$$

where: L = Leakage in gallons/hour

S = Length of pipeline tested

D = Diameter of pipe in inches

P = Average test pressure in psi

All testing shall be conducted in accordance with AWWA C-600 latest revision. Should any section of the pipe fail either the pressure or leakage tests, the Contractor shall do everything necessary to locate and repair or replace the defective pipe, fittings, or joints at no expense to the Owner.

D. DISINFECTION:

Chlorination of the watermain shall be conducted only after the main has been flushed and a clear stream is obtained as determined by the Engineer.

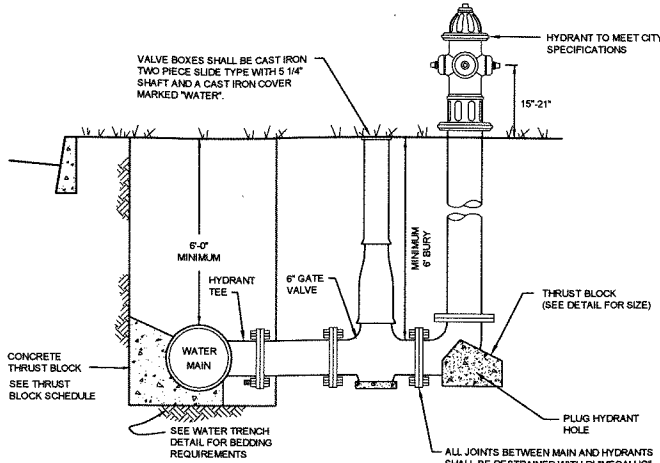
The Contractor shall furnish all labor, equipment, materials, and tools necessary to disinfect the pipe and appurtenances in accordance with the AWWA Standard for Disinfecting Watermain, C-651, with the exception of the tablet method.

The method of disinfection shall be by the continuous feed method unless otherwise approved by the Engineer. After filling, flushing, and the addition of chlorine solution, the free chlorine concentration within the pipe shall be at least 25 mg/l. The chlorinated water shall remain in the main for a period of at least 24 hours. At the end of this period, the treated water in all portions of the main shall not have a residual of less than 10 mg/l of free chlorine. All disinfection shall be performed under the supervision of the Engineer. The disinfection process shall be deemed acceptable only after (2) samples of water from the flushed, disinfected main taken by the Engineer and tested at an approved laboratory show no evidence of bacteriological contamination. Disinfection shall conform to the latest AWWA C-651 revision.

The pipeline and appurtenances shall be maintained in an uncontaminated condition until final acceptance. Disinfection shall be repeated when and where required at no expense to the Owner until final acceptance by the Owner.

E. FROST PROTECTION OF SHALLOW WATERLINES

Waterlines with less than six feet (6') of cover over the crown, or where indicated on the plans, shall be protected against freezing by installation of two inch (2") thick Styrofoam SM insulating sheets with a total width of four feet (4') or twice the pipe diameter, whichever is greater. The sheets shall be placed six inches (6") above the crown of the main after compaction of the six inch (6") lift immediately above the crown. Care shall be exercised by the Contractor during backfill and compaction over the styrofoam sheets to prevent damage to the sheets. Styrofoam SM sheets shall meet the compressive strength requirements of ASTM D1621-73 and shall be as manufactured by Dow Chemical Company, Midland, Michigan, or equivalent. In no case shall the waterlines have less than four feet (4') of cover over the top of the pipe.

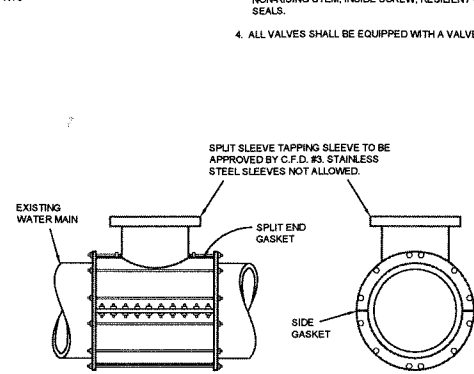


GATE VALVE NOTES

1. GATE VALVES SHALL CONFORM TO AWWA C500.
2. THE GATE VALVES SHALL OPEN LEFT AND BE DESIGNED FOR A WORKING PRESSURE OF 200 PSI
3. ALL GATE VALVES SHALL BE OF CAST OR DUCTILE IRON BODY, PARALLEL BRASS SEATS, NON-RISING STEM, INSIDE SCREW, RESILIENT WEDGE CONSTRUCTION WITH "O" RING STEM SEALS.
4. ALL VALVES SHALL BE EQUIPPED WITH A VALVE BOX FOR A MINIMUM OF 5' OF COVER MATERIAL.

HYDRANT DETAIL

NTS



TAPPING VALVE

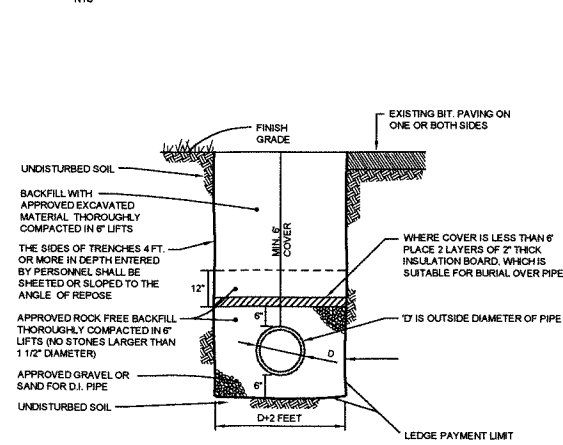
ALL EXTERIOR NUTS & BOLTS SHALL BE 18-8 STAINLESS STEEL.

NOTES:

1. TAPPING SLEEVES SHALL BE OF THE SPLIT SLEEVE DESIGN CONSTRUCTED WITH TWO SOLID HALF-SLEEVES BOLTED TOGETHER. SLEEVES SHALL BE CONSTRUCTED OF DUCTILE IRON, SHALL HAVE A WORKING PRESSURE OF AT LEAST 150 PSI, AND SHALL HAVE MECHANICAL JOINT ENDS AND SIDE GASKET SEALS.
2. ALL IRON BODY TAPPING SLEEVES SHALL BE PROVIDED WITH A 3/4" NPT TEST PLUG, OR OTHER PROVISIONS MUST BE MADE FOR AIR TESTING THE VALVE AND SLEEVE AT MAXIMUM WORKING PRESSURE, PRIOR TO TAPPING.
3. ALL BOLTS AND NUTS FOR FLANGED JOINTS OF TAPPING SLEEVES OR VALVES SHALL BE OF AISC TYPE 304 STAINLESS STEEL.
4. ALL EXTERIOR BOLTS AND NUTS FOR TAPPING SLEEVES OR VALVES SHALL BE STAINLESS STEEL.
5. ALL BOLTS AND NUTS SHALL BE SOUND, CLEAN, AND COATED WITH A RUST RESISTANT LUBRICANT; THEIR SURFACES SHALL BE FREE OF OBJECTABLE PROTRUSIONS THAT WOULD INTERFERE WITH THEIR FIT IN THE MADE-UP MECHANICAL OR FLANGED JOINT.
6. ALL EXTERIOR EXPOSED SURFACES SHALL BE FUSION BOND, EPOXY COATED TO A MINIMUM OF 10 MIL THICKNESS.
7. ALL BOLTS AND NUTS USED WITH ALL PIPE SLEEVES SHALL, UPON FINAL TIGHTENING AND TESTING, BE BRUSH COATED HEAVILY WITH BITUMASTIC COLD-APPLIED MATERIAL TO THOROUGHLY COVER ALL EXPOSED SURFACES OF THE BOLTS AND NUTS.

TAPPING VALVE and SLEEVE DETAIL

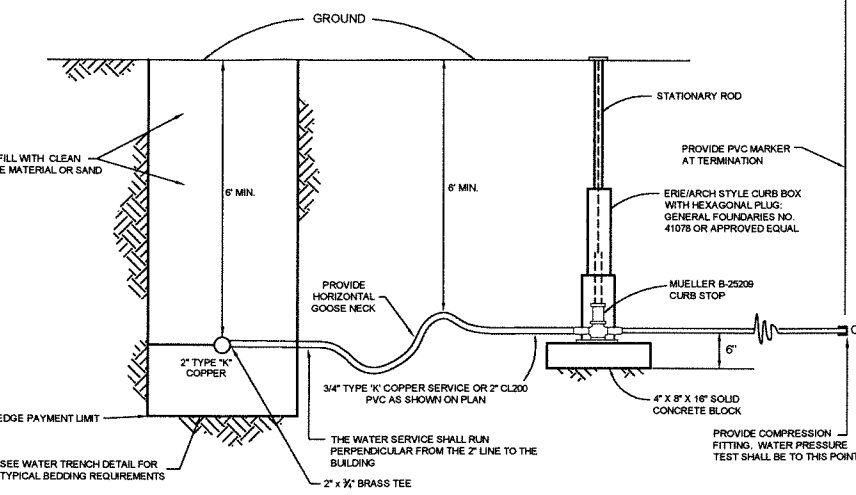
NTS



TYPICAL WATER TRENCH DETAIL

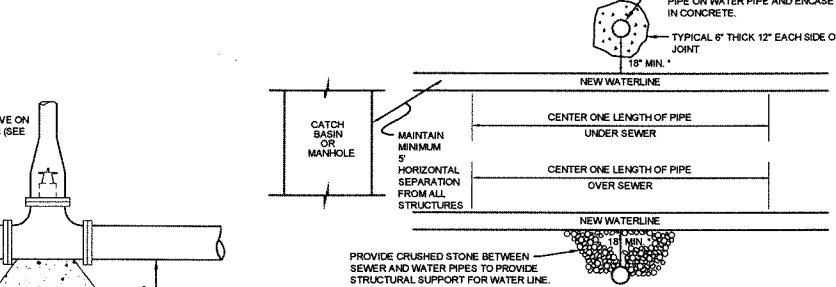
NTS

NOTE:
ALL DOMESTIC SERVICES AND DOMESTIC FIRE SPRINKLER SYSTEMS THAT ARE CONNECTED TO THE PUBLIC WATER SYSTEM SHALL BE PROTECTED ACCORDING TO THEIR DEGREE OF HAZARD, WITH A BACKFLOW PREVENTION ASSEMBLY, WITH AN APPROPRIATE THERMAL EXPANSION SYSTEM.



WATER SERVICE DETAIL

NTS



VERTICAL SEPARATION AT CROSSINGS:

SEWERS CROSSING WATER MAINS SHALL BE LAID BENEATH THE WATER MAIN WITH AT LEAST 18" VERTICAL CLEARANCE BETWEEN THE OUTSIDE OF THE SEWER AND THE OUTSIDE OF THE WATER MAIN. WHEN IT IS IMPOSSIBLE OR IMPRACTICAL TO MAINTAIN THE 18" VERTICAL SEPARATION OR WHERE THE SEWER MUST BE LAID ABOVE THE WATER MAIN, THE FOLLOWING CRITERIA APPLY:

(A) THE CROSSINGS SHALL BE ARRANGED SO THAT ONE FULL LENGTH OF SEWER IS CENTERED ABOVE OR BELOW THE WATER LINE WITH SEWER JOINTS AS FAR AS POSSIBLE FROM WATER JOINTS;

(B) THE SEWER PIPE MUST BE CONSTRUCTED TO WATER MAIN STANDARDS FOR A MINIMUM DISTANCE OF 20 FEET EITHER SIDE OF THE CROSSING OR A TOTAL OF THREE PIPE LENGTHS, WHICHEVER IS GREATER;

(C) THE SECTION CONSTRUCTED TO WATER MAIN STANDARDS MUST BE PRESSURE TESTED TO MAINTAIN 50 PSI FOR 15 MINUTES WITHOUT LEAKAGE PRIOR TO BACKFILLING BEYOND ONE FOOT ABOVE THE PIPE, TO ASSURE WATER TIGHTNESS;

(D) WHERE A WATER MAIN CROSSES UNDER A SEWER, ADEQUATE STRUCTURAL SUPPORT SHALL BE PROVIDED FOR THE SEWER TO PREVENT DAMAGE TO THE WATER MAIN.

SEWER / WATER SEPARATION DETAIL FOR CROSSINGS

NTS

4-1-15	REVISED FOR PRELIMINARY RE-FILING TO CITY	DL
5-24-11	ADD EASEMENT AND CONVEYANCE TO CITY	DL
4-4-11	REVISE LAYOUT	DL
10-29-10	REVISE LAYOUT	DL
8-26-10	GENERAL REVISIONS PER COURT APPEAL	DL
9-11-09	REVISED PERVIOUS CONCRETE DETAILS	DL
7-13-09	REVISED LIGHTING AND LANDSCAPING	DL
1-9-08	REVISED DRIVEWAY LAYOUT	DL
10-5-07	REVISED LAYOUT	DL
8-7-07	REVISED LAYOUT	DL
Date	Revision	By

These plans shall only be used for the purpose shown below:

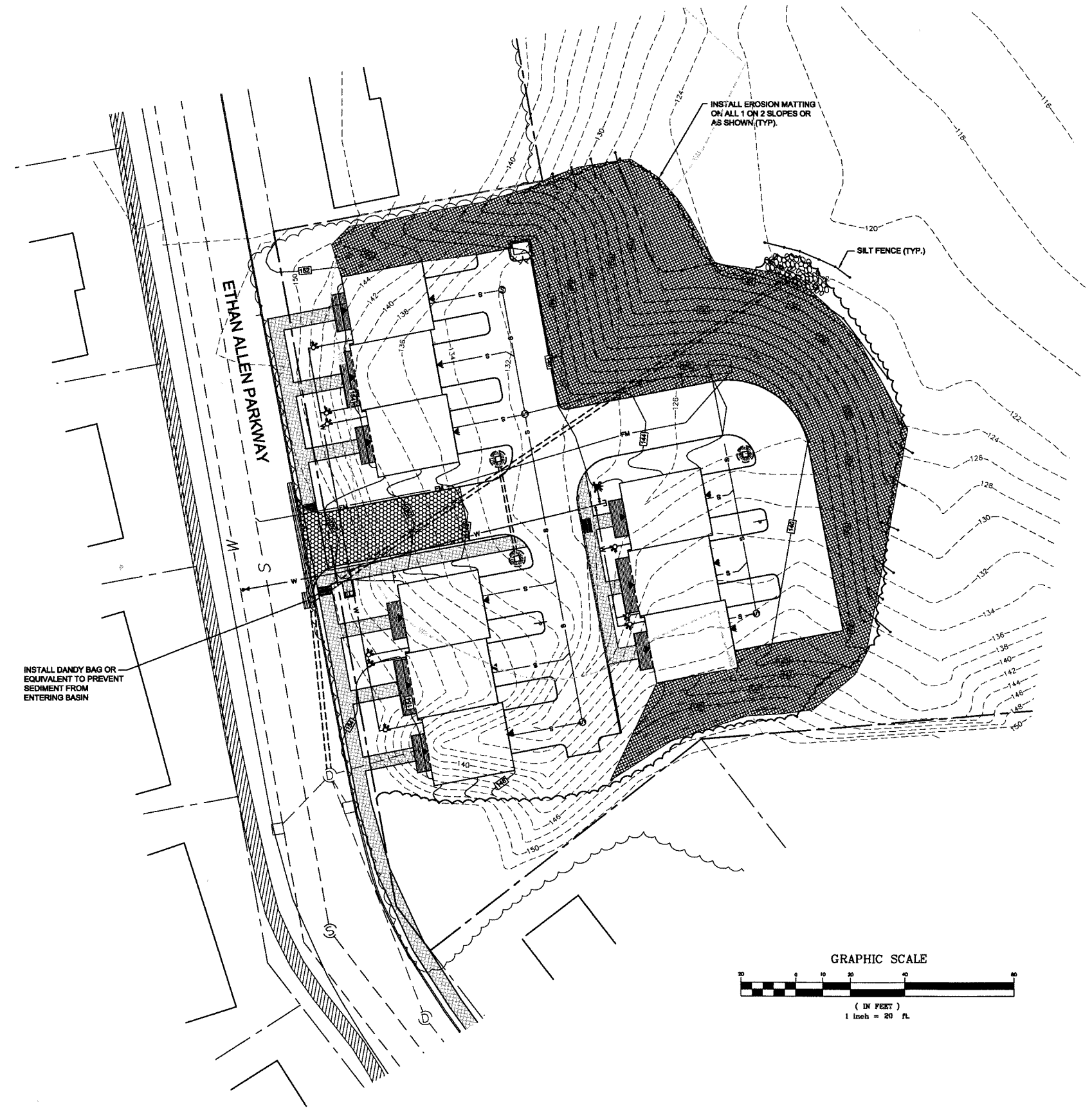
- | | |
|---|---|
| ☐ Sketch/Concept | ☐ Act 250 Review |
| ☐ Preliminary | ☐ Construction |
| ☐ Final Local Review | ☐ Record Drawing |

Lands of
Tim Alles & Bill Ellis
Ethan Allen Parkway, Burlington, Vermont

A PLANNED RESIDENTIAL DEVELOPMENT
WATER
DETAILS AND
SPECIFICATIONS

proj. no. 07028
survey
Others
design
DLH
drawn
SEA
checked
DUG
date
04/09/09
scale
N.T.S.
Sht. no.

LD LAMOUREUX & DICKINSON
Consulting Engineers, Inc.
14 Morse Drive
Essex Junction, VT 05432
Tel: 802-878-4450



- LEGEND**
- PROJECT BOUNDARY
 - PROPERTY LINE
 - SIDELINE OF EASEMENT
 - BUILDING SETBACK
 - N/F NOW OR FORMERLY
 - - - 110 - - - EXISTING GROUND CONTOUR
 - EXISTING WATER LINE, GATE VALVE & HYDRANT
 - EXISTING SANITARY SEWER LINE & MANHOLE
 - EXISTING STORM LINE AND CATCH BASIN
 - NEW TREE LINE
 - NEW STREET LIGHT
 - NEW WATER LINE, GATE VALVE AND HYDRANT
 - NEW SANITARY SEWER LINE AND MANHOLE
 - NEW STORM LINE AND CATCH BASIN
 - ⑨ PROPOSED UNIT NUMBER

- EPSC LEGEND**
- [Pattern] STABILIZED CONSTRUCTION EXIT
 - [Pattern] EROSION MATTING
 - [Pattern] SILT FENCE
 - [Pattern] STONE INLET PROTECTION

1-25-16	REVISED PER TECHNICAL REVIEW NOTES	DLH
5-24-11	ADD EASEMENT AND CONVEYANCE TO CITY	DLH
4-4-11	REVISE LAYOUT	DLH
10-29-10	REVISE LAYOUT	DLH
8-26-10	GENERAL REVISIONS PER COURT APPEAL	DLH
9-11-09	REVISED PERVIOUS CONCRETE DETAILS	DLH
7-13-09	REVISED LIGHTING AND LANDSCAPING	DLH
1-9-08	REVISED DRIVEWAY LAYOUT	DLH
10-5-07	REVISED LAYOUT	DLH
8-7-07	REVISED LAYOUT	DLH
Date	Revision	By

These plans shall only be used for the purpose shown below:			
☐ Sketch/Concept	☐ Act 250 Review		
☐ Preliminary	☐ Construction		
☐ Final Local Review	☐ Record Drawing		

NOT FOR CONSTRUCTION

Lands of
Tim Alles & Bill Ellis
Ethan Allen Parkway, Burlington, Vermont

A PLANNED RESIDENTIAL DEVELOPMENT

EROSION PREVENTION & SEDIMENT CONTROL PLAN

proj. no. 07028
survey Others
design DLH
drawn SEA
checked DJG
date 04/09/07
scale 1" = 20'
shd. no. 11 of 11

LAMOUREUX & DICKINSON
Consulting Engineers, Inc.
14 Morse Drive
Essex Junction, VT 05452
Tel: 802-878-4450

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PLANNING & ZONING



LAND STEEPER THAN 30%
TOTAL OF 51,822 SF ON PROJECT

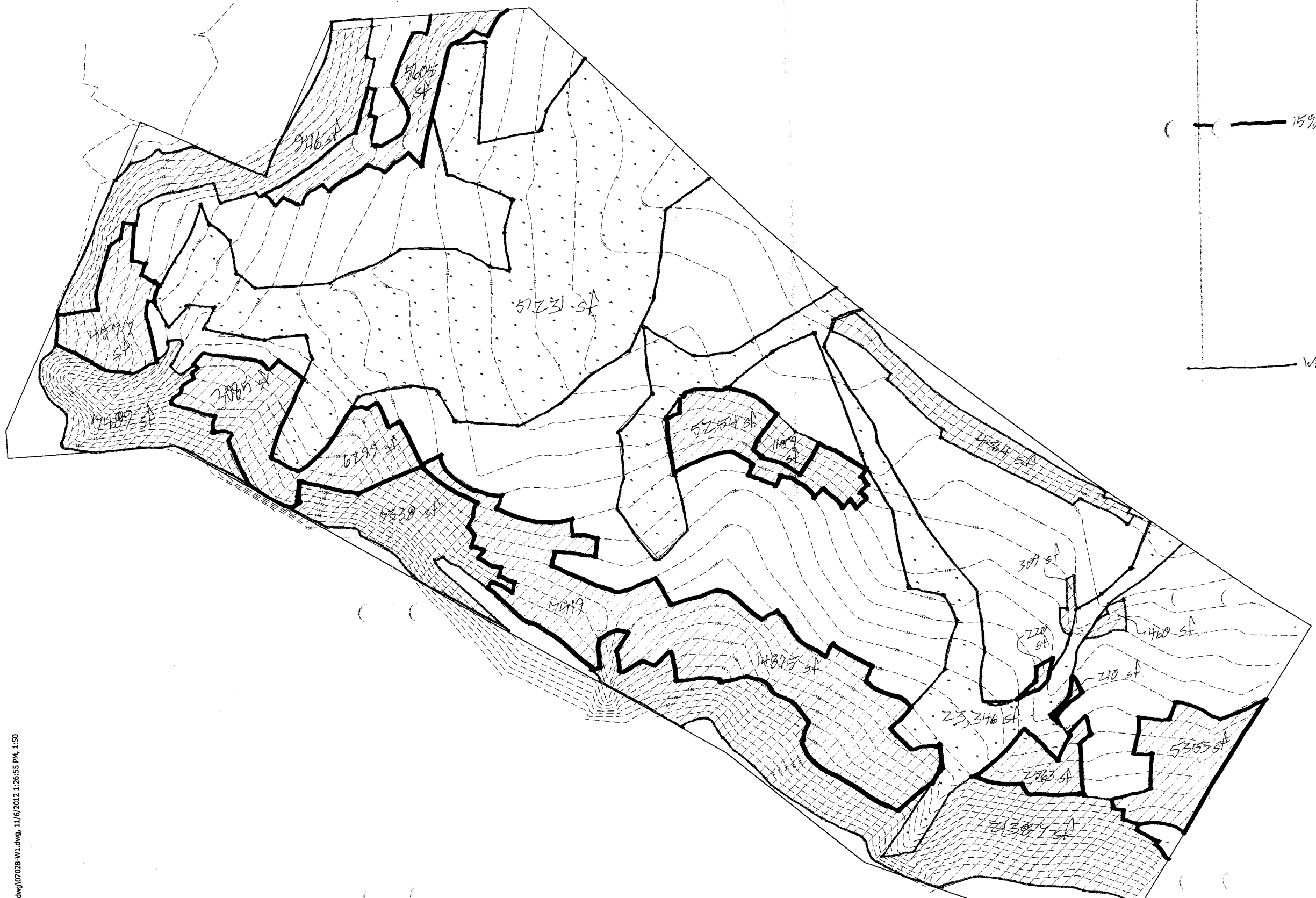
UNDEVELOPEABLE LANDS ON PROJECT
51,822 SF OF LAND STEEPER THAN 30% ON PROJECT
55,460 SF OF LAND BETWEEN 15% AND 30% ON PROJECT
74,577 SF OF WETLANDS ON PROJECT

UNDEVELOPEABLE LANDS ON PROJECT
100 % OF LAND STEEPER THAN 30% ON PROJECT
50 % OF LAND BETWEEN 15% AND 30% ON PROJECT
100 % OF WETLANDS ON PROJECT

LAND BETWEEN 15% AND 30%
TOTAL OF 55,460 SF ON PROJECT

UNDEVELOPEABLE LANDS ON PROJECT
51,822 SF OF LAND STEEPER THAN 30% ON PROJECT
27,730 SF OF LAND BETWEEN 15% AND 30% ON PROJECT
74,577 SF OF WETLANDS ON PROJECT
154,139 SF ON PROJECT
311,936 SF TOTAL PROJECT AREA
157,807 SF OF DEVELOPABLE LAND ON PROJECT.

WETLANDS
TOTAL OF 74,577 SF ON PROJECT



512004 sf
311,936

30% or greater 9116
4489
7338
1159 - 51822
4524 @ 100
21387
309
460

15% - 30% 4547
3085
6299
5605 55,446
7419 @ 50
14875 - 24,730
5254
220
210
2563
5353

Wetlands
51231 - 74544 sf
23346 @ 100%

157,804 sf
developable la
density calcs

Wetlands

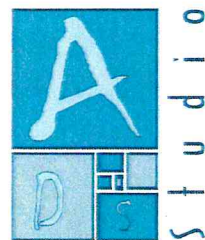
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JAN 11 2016

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JUN 17 2015
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① North
1/8" = 1'-0"



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www.ADS-Studio.com

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Tampa, FL 33647

ELLIS/ALLES
LIAHONA WAY

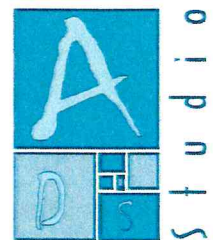
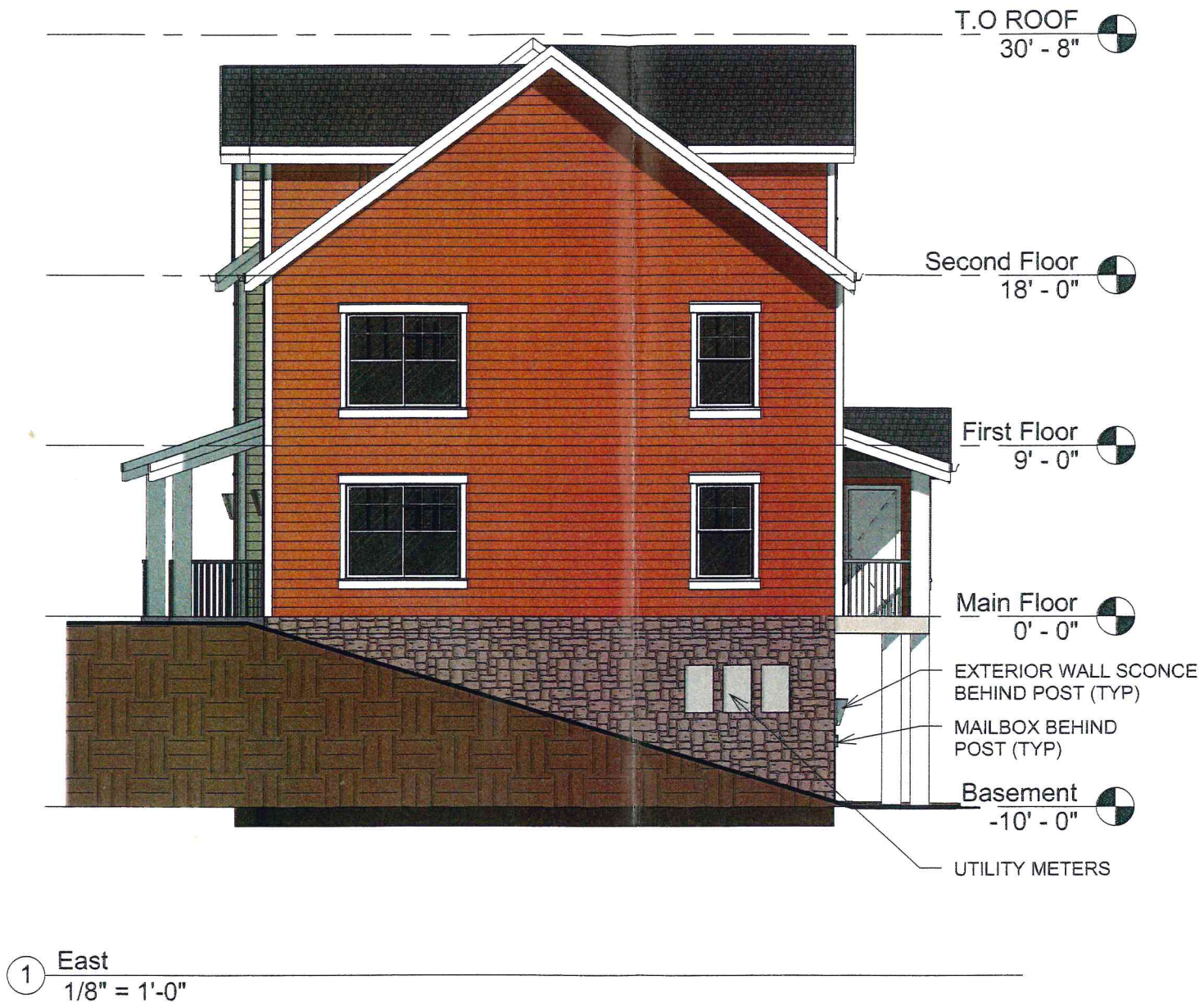
No.	Description	Date

NORTH ELEVATION

Project number		A2
Date	10/11/07	
Drawn by		
Checked by	Checker	
Scale 1/8" = 1'-0"		

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ELLIS/ALLES
LIAHONA WAY

No.	Description	Date

EAST ELEVATION

Project number
Date 10/11/07
Drawn by
Checked by

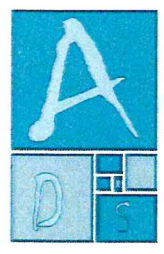
A3

Scale 1/8" = 1'-0"

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1 South
1/8" = 1'-0"



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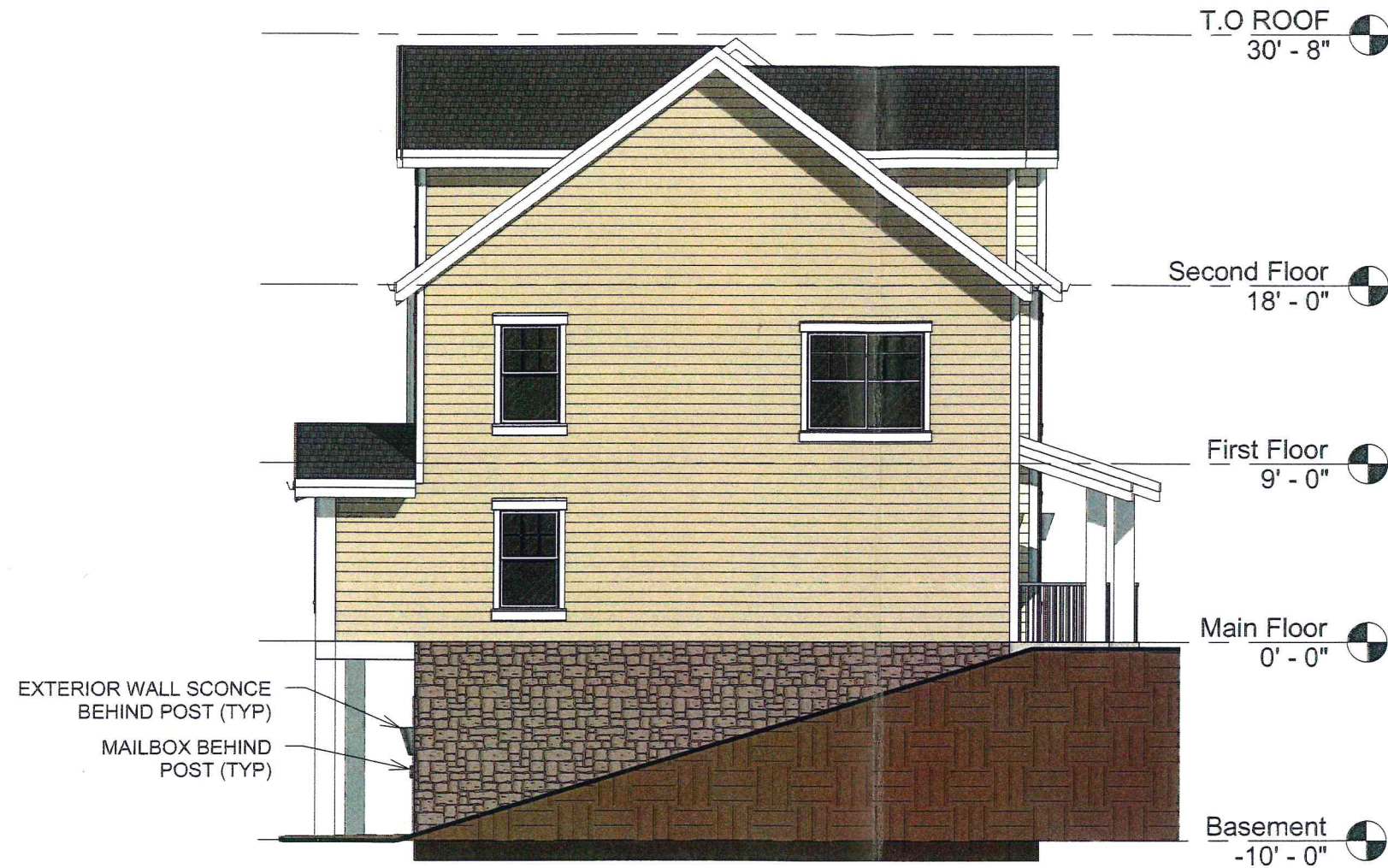
ELLIS/ALLES
LIAHONA WAY

No.	Description	Date

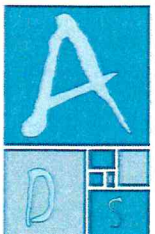
SOUTH ELEVATION		
Project number	A4	
Date		
Drawn by		
Checked by		
Author	Scale 1/8" = 1'-0"	
Checker		

RECEIVED
JUN 17 2015

DEPARTMENT OF
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① West
1/8" = 1'-0"



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Tampa, FL 33647

ELLIS/ALLES
LIAHONA WAY

No.	Description	Date

WEST ELEVATION		
Project number	A5	
Date		
Drawn by		
Checked by		
10/11/07		Scale 1/8" = 1'-0"

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JAN 11 2016

Created: 11/18/2014

WBLED18/PCS

18 Watt LED wall sconce. Die-cast aluminum wall bracket with five 1/2" conduit openings with plugs.

DEPARTMENT OF
PLANNING & ZONING

Color: Bronze

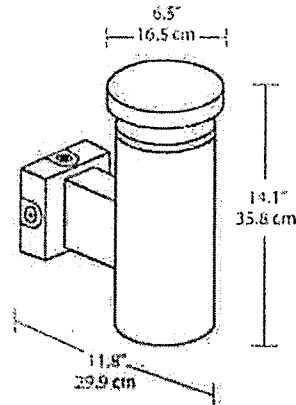
Weight: 13.1 lbs

LED Info

Watts: 18W
Color Temp: 5100K (Cool)
Color Accuracy: 71
L70 Lifespan: 100000
LM79 Lumens: 1242
Efficacy: 55 LPW

Driver Info

Type: Constant Current
120V: 0.24A
208V: N/A
240V: N/A
277V: N/A
Input Watts: 23W
Efficiency: 80%



Technical Specifications

WBLED18 with Photocell:

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

UL Listing:

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

LEDs:

6W multi-chip, long-life LEDs

Lifespan:

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

Driver:

Constant Current, Class 2, 100-277V, 50/60 Hz, 6kV Surge Protection, 700mA, 100-277VAC 0.04 A.

THD:

16.1% at 120V

Ambient Temperature:

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

Cold Weather Starting:

Minimum starting temperature is -40°F/-40°C

Thermal Management:

Cast aluminum Thermal Management system for optimal heat sinking. The BLED is designed for cool operation, maximum efficiency and long life by minimizing LED junction temperature.

Housing:

Die-cast aluminum with extruded aluminum bollard shaft

Lens:

Clear, vandal-resistant polycarbonate

Reflector:

Specular polycarbonate

Gaskets:

High-temperature silicone gaskets seal out moisture

Mounting:

Die-cast aluminum wall bracket with five (5) 1/2" conduit openings with plugs

Color Consistency:

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

Color Stability:

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

Color Uniformity:

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

Finish:

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

Green Technology:

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

California Title 24:

WBLED18/PCS complies with 2013 California Title 24 building and electrical codes as a commercial outdoor non-pole-mounted fixture < 30 Watts.

RAB
LIGHTING

Tech Help Line: 888 RAB-1000
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Email: sales@rabweb.com

Note: Specifications are subject to change without notice

On the web at: www.rabweb.com

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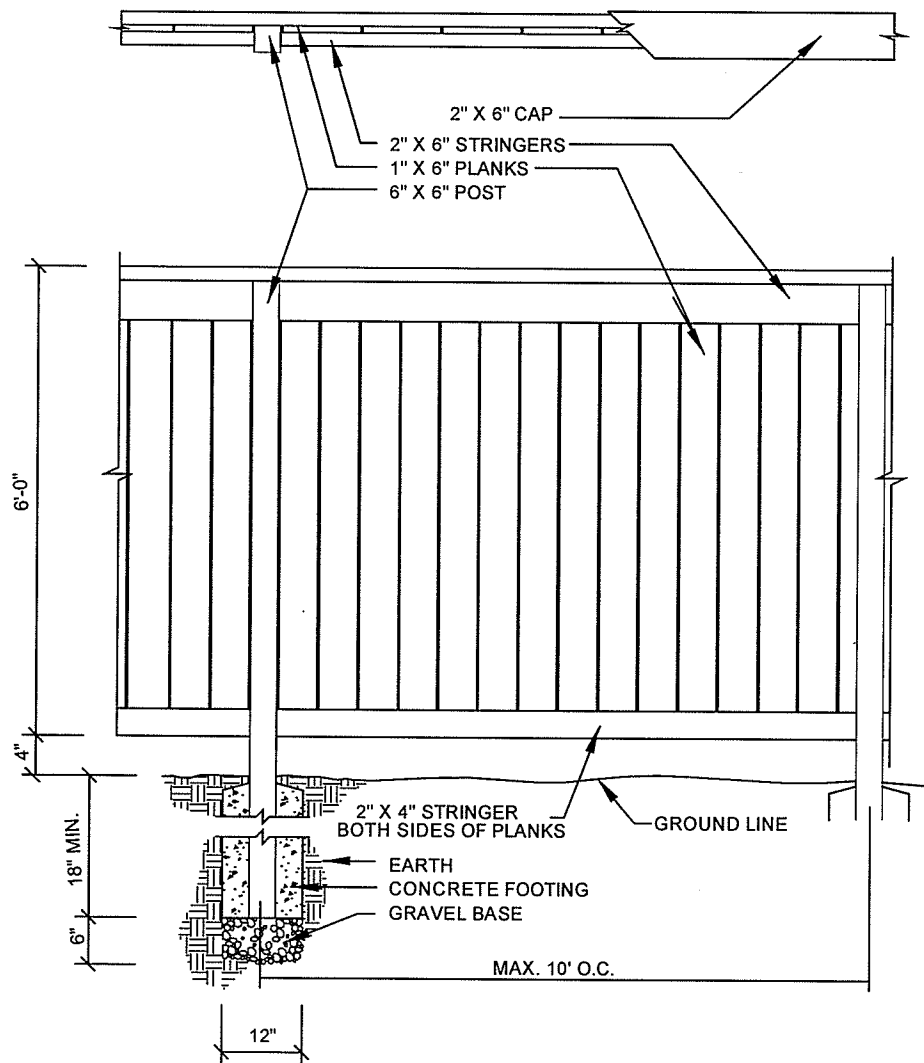
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JAN 21 2016
DEPARTMENT OF
PLANNING & ZONING

NOTES:

ALL NAILS AND BOLTS SHALL BE LOW TO MEDIUM CARBON STEEL, GALVANIZED AND COMMERCIAL QUALITY.

ALL LUMBER SHALL BE PRESSURE TREATED WITH A MINIMUM OF 0.6 PCF TREATMENT IN ACCORDANCE WITH AASHTO M133.

PROVIDE SWINGING WOODEN GATES ALONG FRONT OF ENCLOSURE CONSISTENT WITH FENCE CONSTRUCTION DETAILS.



WOOD SCREENING FENCE FOR DUMPSTERS

N.T.S.

RECEIVED
DEC 17 2015

PROJECT COMMENTARY

DEPARTMENT OF
PLANNING & ZONING

Applicants seek approval for a nine-unit planned residential development in three buildings on a 7.16-acre parcel of land (the "Parcel") located between 437 and 463 Ethan Allen Parkway in the Residential Low ("RL") density zoning district. The Applicants are Tim Alles and Bill Ellis ("Tim and Bill").

Tim and Bill bought the Parcel when they worked as beginning engineers at IBM. They originally intended to occupy as their principle residences two of the units they propose. Tim and Bill were downsized, forcing them to relocate to their current homes and jobs in Utah. Given the development costs and delays, Tim and Bill have brought their fathers into the project as investors. None of the applicant group is well heeled or a slick developer. Tim and Bill simply seek to realize a fair return on their investment in their land, as well as their development costs.

Use Regulations:

Tim and Bill's project complies with the proposed nine units of low density residential development in a district designated for that very purpose.

Conditional Use Review Standards

Article 3: Applications and Reviews

Part 5, Conditional Use & Major Impact Review:

Sec. 3.5.6, Review Criteria

(a) Conditional Use Review Standards

1. The capacity of existing or planned community facilities;

The proposed development will be served by municipal water and sewer. Sufficient capacity is likely available; however, written confirmation from the Department of Public Works will be obtained for final approval. Any improvements to, or new lines to service, the development will be installed by the applicants at their cost. A state wastewater permit will also be obtained prior to construction.

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 in the RL zone. This zone is primarily intended for low density residential development in the form of single family homes and duplexes. This district is typically characterized by a compact and cohesive residential development pattern reflective of the respective neighborhood's development history. While triplexes are included in this proposal, the scale and intensity of development is reasonably consistent with that of the neighboring residential areas. The project complies with all specifically stated policies of the municipal development plan.

3. Traffic on roads and highways in the vicinity evaluated in terms of increased demand for parking, travel during peak commuter hours, safety, contributing to congestion, as opposed to complementing the flow of traffic and/or parking needs; if not in a commercial district, the impact of customer traffic and deliveries must be evaluated;

The project will generate little traffic during peak hours. Based on the ITE Trip Generation Manual, 9th Edition, the project is anticipated to generate 7 exit trips and 1 entering trip during the a.m. peak hour and 5 entering trips and 3 exiting trip during the p.m. peak hour. All parking needed for the normal operation of the project is located on site. Additional public parking is located nearby. The project meets all sight distance requirements and parking circulation is safe.

4. Any standards or factors set forth in existing City bylaws and city and state ordinances;

The project complies with applicable bylaws as shown herein. The project complies with all City ordinances and all State laws.

5. The utilization of renewable energy resources;

The proposed dwelling units will be solar ready. Plumbing will be installed to allow for rooftop solar water heating.

In addition to the General Standards specified above, the DRB;

6. shall consider the cumulative impact of the proposed use. For purposes of residential construction, if an area is zoned for housing and a lot can accommodate the density, the cumulative impact of housing shall be considered negligible;

The cumulative impacts are negligible as defined by the Ordinance. Density requirements are satisfied.

7. in considering a request relating to a greater number of unrelated individuals residing in a dwelling unit within the RL, RL-W, RM and RM-W districts than is allowed as a permitted use, in addition to the criteria set forth in Subsection (a) hereof, no conditional use permit may be granted unless all facilities within the dwelling unit, including bathroom and kitchen facilities are accessible to the occupants without passing through any bedroom. Additionally, each room proposed to be occupied as a bedroom must contain at least one hundred twenty (120) square feet. There must also be a parking area located on the premises at a location other than the front yard containing a minimum of one hundred eighty (180) square feet for each proposed adult of the dwelling unit in excess of the number of occupants allowed as a permitted use. All other green space standards must be observed.

Occupancy of all of the dwelling units in this development will be subject to the functional family provisions. An exception is not requested.

8. may control the location and number of vehicular access points to the property, including the erection of parking barriers

See Sec. 6.2.2 (i). A single curb cut is proposed to reduce congestion and improve traffic flow and safety along major streets. A secondary access point is not possible due to topography and the presence of wetlands at the site. The proposed access complies with applicable design standards.

9. may limit the number, location and size of signs.

No signage is included in this proposal. Signs will require separate zoning permits.

10. may require suitable mitigation measures, including 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 will likely not generate offsite noise or glare substantial enough to require mitigation.

11. may specify a time limit for construction, alteration or enlargement of a structure to house a conditional use.

Approval is requested for the following construction schedule: 7 years to complete construction. In light of the surrounding residential properties, hours of construction must be specified and may be limited by the Development Review Board. Except in unusual circumstances, and with permission of the DRB, construction will not commence before 6:00 a.m. and will not extend past 9:00 p.m.

12. may specify hours of operation and/or construction to reduce the impact on surrounding properties.

Hours of operation need not be specified for this residential development.

13. may require that any future enlargement or alteration of the use return for review to the DRB to permit the specifying of new conditions.

In the event of future enlargement or alteration, permits would be required and reviewed under the regulations then in effect.

14. may consider performance standards, should the proposed use merit such review.

Performance standards relating to outdoor lighting and erosion control are addressed under Article 5 of these findings.

15. may attach such additional reasonable conditions and safeguards, as it may deem necessary to implement the purposes of this chapter and the zoning regulations.

Reasonable conditions and safeguards are acceptable.

(b) Major Impact Review Standards

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

No significant air or noise pollution is anticipated.

See Sec. 5.5.3 for stormwater management.

The project does not require a State of Vermont 3-9020 Permit for Stormwater Discharges Associated with Construction Activities nor does it require a State of Vermont 3-9015 Permit for Stormwater Discharges from New Development and Redevelopment. The project complies with the City of Burlington stormwater regulations.

2. Have sufficient water available for its needs;

See Sec. 3.5.6 (a) 1.

It is anticipated that the City has sufficient water to meet the needs of this project, but a letter will not be issued by the water department until a Final Approval application has been submitted.

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

See Sec. 3.5.6 (a) 1.

The project should not unreasonably burden the water supply or distribution system.

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.

The erosion prevention and sediment control measures specified on the plans are in accordance with standard practices.

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) 3.

The construction of the new sidewalk extension proposed for the easterly side of Ethan Allen Parkway should decrease any congestion and unsafe conditions currently caused by pedestrians walking in the roadway.

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

The nine townhouse dwelling units are unlikely to generate a substantial impact on the local school system. If the project is approved, impact fees would be paid to help offset impacts on the school system.

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

Given that there are nine units proposed in an existing residential neighborhood, impacts on the city's ability to provide most municipal services appear to be minimal. The proposed public sidewalk is acceptable to Public Works with conditions for ADA accessibility. In addition, the proposed water lines, force main, and sewer pump station will require Public Works review and approval prior to final plat review. In addition, adequate emergency vehicular access must be assured by the Fire Marshal. If approved, impact fees would be paid to help offset the costs of some municipal services for this development.

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 Sec. 6.2.2 for effects on significant natural areas.

The project does not have an undue impact on such areas.

There are no historic buildings onsite or close by. No known archaeological sites are located on the property.

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 is relatively small and includes no public infrastructure except for a new sidewalk.

10. Be in substantial conformance with the city's municipal development plan;

The project is in substantial conformance with the MDP.

The proposed development constitutes infill development and brings additional housing units into Burlington, the historic core of the region (pg. I-30, Land Use Action Plan).

The project will leave significant open space intact (Sec I, Open Space Protection).

The project will comply with the city's current energy efficiency standards (pg. VIII-1, City Policies).

The project will include affordable housing (Sec. IX, City Policies).

Wetland impacts have been minimized.

The property is largely a wetland bordered by steep slopes.

Under Article 5 of the City of Burlington Development Ordinance, Buildable area is computed by subtracting all wetland area, all land steeper than 30% and half of the land between 15% and 30%. For this property, that computation is as follows; total property area of 311,936 s.f. minus 73,558 s.f. of wetland, minus 51,822 s.f. of land steeper than 30% minus 27,730 s.f. (half of the land between 15% and 30%). The resulting area of buildable land is 158,826 s.f. (3.64 acres).

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 proposed development entails nine new residential units and should not adversely impact the present or projected housing needs of the city. An inclusionary unit will be provided as required.

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. Anticipated impacts are proportionately modest. If approved, park impact fees will be paid to help offset any related impact on park needs.

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. This zone is primarily intended for low density residential development in the form of single family homes and duplexes. This district is typically characterized by a compact and cohesive residential development pattern reflective of the respective neighborhood's development history. While triplexes are included in this proposal, the scale and intensity of development is reasonably consistent with that of the neighboring residential areas.

(b) Dimensional Standards & Density

Lot coverage is limited to a maximum of 35%. The buildable area of the property is about 158,826 square feet resulting in a coverage ratio of about 5.8% excluding front porch areas which do not exceed the additional 10% allowance.

Tim and Bill propose to reserve 5.55 acres of land for future development. The buildable area of the unreserved project land is calculated as follows: total property area of unreserved project land of approximately 70,100 s.f. minus approximately 16,620 s.f. of the unreserved project land steeper than 30% minus approximately 2,600 s.f. (half of the unreserved project land between 15% and 30%). The resulting area of project land is approximately 34,180 s.f. The coverage ratio of the unreserved project land is about 27% excluding front porch areas.

The front yard setback is based on the average of the two properties on either side of the subject property (i.e. the two neighboring properties to the north and the two to the south). The required setback is the average of these properties, plus or minus 5'. The average front setback of the two adjacent buildings is 21.5 feet. The proposed setback varies between 20.8 feet and 22.9 feet which is within ± 5 feet of the average. Side yard setbacks are 10% of the width, up to a 20' minimum. Side yard setbacks are compliant. The rear yard setback is 25% of the depth, up to a 75' minimum. The rear yard setback is compliant.

Maximum building height in the RL zone is limited to 35'. The proposed buildings are all 24' 6" tall, as measured half way up the pitch roofs on the front facades.

See Sec. 5.2.4 for residential density.

(c) Permitted & Conditional Uses

The major PUD is subject to conditional use review in the RL zone.

(d) District Specific Regulations

1. Setbacks

No setback encroachments are sought.

2. Height

Not applicable in RL.

3. Lot Coverage

No lot coverage exceptions are sought.

4. Accessory Residential Structures and Uses

No accessory structures are proposed.

5. Residential Density

The proposed residential units are subject to the functional family provisions of the Comprehensive Development Ordinance.

6. Uses

Not applicable.

7. Residential Development Bonuses

No development bonuses are being sought.

Sec. 4.5.4, Natural Resource Protection Overlay (NR) District

(d) District Specific Regulations: Wetland Conservation Zone

(6) Criteria for Review

The property contains mapped wetlands and their associated city buffer zones. As a result, review under this subsection is required. While a State of Vermont wetlands permit has been obtained. The wetlands boundaries have been determined. A complete stormwater management plan has been submitted. None of the proposed uses are prohibited. All proposed wetlands disturbances are conditionally permissible. The proposed project has no adverse impact on any of the values listed in *Sec. 4.5.4(d)(6)*. All disturbances are insignificant. See Attachment 2.

(f) District Specific Regulations: Special Flood Hazard Area

A portion of the property is affected by the SFHA; however, all proposed development remains out of the SFHA.

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

See above.

Sec. 5.2.5, Setbacks

See Sec. 4.4.5 (b) above.

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.5 (d) above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 5.2.4 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

Exterior lighting is limited to front entries and garage doors.

A lighting plan has been provided, with eighteen building mounted lights. All of the lights will be RAB Lighting WBLED18 wall sconces, with one at each of the unit front doors mounted 8' high and one at each of the garage doors mounted 10' high new street lamps, being Kim Lighting ERA Heritage Style with Type III full cut-off luminaires, to provide safety for pedestrians and motorists and to eliminate glare by shielding light from shining skyward. As shown on the revised lighting plan, the maximum illumination level is calculated to be 2.76 footcandles.

Sec. 5.5.3, Stormwater and Erosion Control

The project incorporates significant stormwater management measures. The driveway, parking areas, and walkways are proposed to be pervious materials. Maintenance of the pervious material must be assured in a written maintenance plan so that the ability for water to infiltrate is not compromised by clogging from sand and sediment. The Stormwater Administrator has been engaged in the development of the stormwater system. Review and approval by the Stormwater Administrator per Chapter 26, Wastewater, Stormwater, & Pollution Control will be required.

Significant erosion is already present onsite. The project proposes to correct this erosion. An erosion prevention and sediment control plan has been submitted. It will be subject to review and approval by the Stormwater Administrator per Chapter 26, Wastewater, Stormwater, & Pollution Control. **Understood.**

Article 6: Development Review Standards:

Part 1, Land Division Design Standards

Sec. 6.1.2, Review Standards

(a) Protection of important natural features

The project is designed to minimize its impact on important natural features including the wetlands.

(b) Block size and arrangement

Not applicable.

(c) Arrangement of Lots

Not applicable.

(d) Connectivity of streets within the city street grid

Not applicable.

(e) Connectivity of sidewalks, trails, and natural systems

The public sidewalk along Ethan Allen Parkway will be extended to serve the new residential units.

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

(a) Protection of important natural features

Important natural features consist of several large trees and extensive wetlands have been identified.

Much of the property contains mapped wetlands. As noted previously, State of Vermont wetlands permit 2011-182 has been issued for the proposed wetland and associated 50' buffer impacts. This permit issued because the project will have no significant impact on wetlands functions as follows:

- A. Water storage for floodwater and stormwater;
The project does not affect this function. All water now going to the wetlands will still go there to be stored.
- B. Erosion and sedimentation control through binding and stabilizing the soil or shoreline;
The wetlands are not being disturbed. Sedimentation control will be accomplished by the new stormwater system.
- C. Surface water and groundwater protection, including sediment and toxicant retention, nutrient retention and transformation, and groundwater discharge and recharge;
The wetlands are not being disturbed. The project has no impact on their ability to retain sediment and treat sediment and toxicants.
- D. Fisheries habitat;
No impact.
- E. Wildlife habitat;
The wildlife habitat will be improved by addressing previous erosion and with plantings.
- F. Examples of natural community types that are exemplary, rare, or make an important contribution to the natural heritage of Burlington and Vermont;
No impact. This wetland is not significant for this purpose.
- G. Habitat for are, threatened and endangered species;
No impact. This wetland is not significant for this purpose.
- H. Education and research in natural sciences;
No impact. This wetland is not significant for this purpose.

- I. Recreational and economic benefits; and
If anything, the project will improve such benefits. The wetland buffer area will be cleaned up and the wetlands and open space will be available for residents to enjoy.
- J. Open space and aesthetics.
If anything, the project will improve such benefits. The wetland buffer area will be cleaned up, previous erosion will be addressed and the wetlands and open space will be available for residents to enjoy.

(b) Topographical alterations

The property can be characterized as a wetland bordered by steep slopes. As a result, any development would involve some degree of fill and grading. The proposed development involves substantial fill and grading; however, it is concentrated at the western end of the site and will result in a final grade similar to that of neighboring properties along Ethan Allen Parkway. The applicant previously proposed a retaining wall, the massive footings for which required increased wetlands disturbance. This wall has been deleted.

(c) Protection of important public views

There are no important public views from or through the property.

(d) Protection of important cultural resources

The site has no known archaeological resources.

(e) Supporting the use of alternative energy

As noted previously, the residential units will be constructed to be “solar ready” for rooftop solar hot water.

(f) Brownfield sites

Not applicable.

(g) Provide for nature’s events

See Sec. 5.5.3 for stormwater management.

Sheltered doorways are provided for all of the dwelling units, and there is ample room for snow removal equipment.

(h) Building location and orientation

Two of the three new buildings are located close to Ethan Allen Parkway and reflect the existing development pattern within the neighborhood. All three new buildings are oriented towards the Parkway with clearly identifiable front entries.

(i) Vehicular access

A single driveway from Ethan Allen Parkway will serve the development. Driveway width is unacceptable at 20’; it cannot exceed 18’ wide. Based on previous review of this

project, the right turn sight triangle is sufficient at 425'. The applicant proposes to remove the two locust trees blocking much of the left turn sight triangle. Doing so, along with the associated filling and grading, will increase sight distance to 415' (280' is required). Sight distances will be subject to review and approval by the Department of Public Works.

(j) Pedestrian access

The six dwelling units in the two front buildings will have direct access to the public sidewalk by way of new front walkways. The units in the rear building are not afforded this direct access and need to be. A sidewalk is proposed along the southerly side of the access drive and along the front of the rear building providing all of the resident's direct, unimpeded access to the public sidewalk.

(k) Accessibility for the handicapped

The sidewalks are designed to be accessible, with ramps at both sides of the driveway. Given that this project will be constructed using private funding, and there are less than 4 units per building the Vermont Access Rules do not require units to have an accessible entrance. Nevertheless, unit owners could make their units accessible as necessary by incorporating a ramp into the front porches.

(l) Parking and circulation

Parking is provided behind and within the new townhouses. There is sufficient circulation room to maneuver vehicles so as to avoid backing out onto Ethan Allen Parkway.

(m) Landscaping and fences

A landscaping plan has been provided and consists of fairly typical residential plantings. A variety of trees and shrubs are proposed and are used as foundation and accent plantings. Relatively dense plantings are proposed at either side of the development to provide screening for neighboring properties to the north and south. No new fencing is proposed, but may be required if retaining walls are reincorporated into the project plan.

(n) Public plazas and open space

Not applicable.

(o) Outdoor lighting

See Sec. 5.5.2.

(p) Integrate infrastructure into the design

A dumpster pad and associated enclosure are depicted on the plans. They will be located at the northern end of the development, in a corner of the driveway. The enclosure will consist of 6' tall stockade fencing with a gate.

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(a) Relate development to its environment

1. Massing, Height, and Scale

The proposed buildings consist of three separate triplex townhouses. While this configuration of units is unusual for this neighborhood, the overall massing, scale, and height of the buildings is not out of character. The units themselves appear to be relatively small, particularly when viewed from the street, and the overall mass and scale are consistent with the array of home sizes in the immediate neighborhood. Perceived building height is substantially limited by the grade which slopes away from Ethan Allen Parkway.

2. Roofs and Rooflines

The townhouses will have gable roofs with eve ends facing the street. Gable roofs are common in this residential neighborhood.

3. Building Openings

Proposed windows are double-hung 6-over-1 units and are appropriately scaled for the homes. Door styles relate to the window styles. The overall fenestration pattern is typical and appropriate for these residential units.

(b) Protection of important architectural resources

Neither the subject property nor neighboring properties contain architectural resources.

(c) Protection of important public views

There are no significant public views from or through the subject property.

(d) Provide an active and inviting street edge

All of the new homes will face the street with prominent front entries. They will all include front porches and other architectural details to add visual interest. The units are slightly differentiated, particularly by way of their porches. Differing colors among the units are depicted. Building placement along Ethan Allen Parkway is consistent with the existing streetscape.

(e) Quality of materials

The townhouses will be clad in fiber cement clapboards and trim. Asphalt shingles will be used on the roofs, and clad wooden window units will be installed. These materials are of acceptable quality for this new construction. Railing details are not evident and must be noted.

(f) Reduce energy utilization

All of the new homes must comply with the city's energy efficiency standards. They will all have ample solar access and will be plumbed for installation of optional solar hot water panels.

(g) Make advertising features complimentary to the site

No new signs are included in this proposal.

(h) Integrate infrastructure into the building design

Utility meters are depicted on the building elevations. They must be screened. Mail boxes are depicted as well. Utility lines will be buried.

(i) Make spaces safe and secure

All of the new homes must comply with the city's current egress requirements. Consideration should be given to sprinkler the units. Confirmation of adequate emergency vehicle access must be confirmed by the Fire Marshal.

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 one of the 9 dwelling units requires 2 parking spaces for a total of 18. The plan depicts sufficient parking, including garage and surface spaces, for each of the units.

Sec. 8.2.5, Bicycle Parking Requirements

Two short term and two long term bike parking spaces are required. No bike parking details are evident on the sketch plans.

Section 8-2-5 of the Zoning Regulations requires 1 short-term bicycle space per 10 units (1 space required), plus an additional 1 long term space per 4 units (3 spaces required). A two bicycle rack has been added to Sheet 4 near the intersection of the access drive with Ethan Allen Parkway. Long-term parking is available in the cellars of each unit.

Article 9: Inclusionary and Replacement Housing

Sec. 9.1.5, Applicability

As the proposed development includes 9 new dwelling units, it is subject to the inclusionary housing provisions of this Article. At least 1 of the new dwelling units will be affordable.

Article 10: Subdivision

The formal filing of the preliminary plats complies with subdivision regulations.

Article 11: Planned Unit Development

Sec. 11.1.6, Approval Requirements

(a) Lot coverage requirements of the district shall be met

Lot coverage is compliant.

(b) The minimum setbacks required for the district shall be met

According to Table 4.4.5-3 of the City of Burlington Comprehensive Development Ordinance, the front yard setback in the Residential – Low Density Zoning District is the average of the 2 adjacent lots +/- 5'. The dwelling to the south of the project is approximately 20' from the sideline of Ethan Allen Parkway, while the dwelling to the north is approximately 20' from the sideline of Ethan Allen Parkway. The units for this project are proposed to be approximately 15 feet from the sideline of Ethan Allen Parkway. The side yard setback is 10% of the lot width, or the average of the two adjacent lot widths on both sides, but in no case greater than 20'. For

the right setback requirement, on the south, the setback of the first lot is approximately 9', and the setback of the second lot is approximately 11'. On the north, the first lot is approximately 4' and the second lot is approximately 14', thereby creating a right side yard setback of 9.25'. Unit 7, at approximately 23' from the southerly project property line is well in excess of the minimum requirement. For the left setback requirement, on the south, the setback of the first lot is approximately 17', and the setback of the second lot is approximately 9'. On the north, the first lot is approximately 17' and the second lot is approximately 61', thereby creating a left side yard setback of 26' (reduced to the 20' minimum). Unit 6, at approximately 21' from the northerly project property line meets of the minimum requirement. The rear yard setback is 25% of the lot depth but no less than 20' and no more than 75'. Unit 7 is approximately 770' from the project's rear line.

(c) The minimum parcel size shall be met if the project is located in a RL or RL-W district
The 10,000 s.f. minimum lot size requirement has been met.

(d) The project shall be subject to design review and site plan review of Article 3, Part 4
See Article 3 above.

(e) The project shall meet the requirements of Article 10 for subdivision review
See Article 10 above.

(f) All other dimensional, density, and use requirements of the underlying zoning district shall be met as calculated across the entire property

The sketch plans are lacking a number of items regarding dimensions (front yard setback) and density (based on buildable area). Triplexes insofar as the RL zone is concerned may be acceptable as part of a PUD; however, an assessment per the Natural Resource Protection Overlay (i.e. wetlands) is needed. This assessment would be better put together by Sheila.

(g) Open space or common land shall be assured and maintained in accordance with the conditions as prescribed by the DRB

A draft common space maintenance agreement is included with the application.

(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.

A build-out/phasing schedule is proposed. See above.

(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 project does so as outlined herein.

(b) Facilitate the adequate and economical provision of streets and utilities;

The proposal will provide adequate driveway access and utilities. The placement of the dwelling units close to the road results in an economical provision of utilities and associated infrastructure.

(c) Preserve the natural and scenic qualities of open space;

Remaining open space will retain its natural and scenic qualities.

(d) Provide for a variety of housing types;

The proposed triplexes will add to the diversity of housing in the area.

(e) Provide a method of development for existing parcels which because of physical, topographical, or geological conditions could not otherwise be developed; and,

The subject property is undeveloped precisely due to its physical and topographical conditions. PUD regulations allow for flexibility in design to develop around such constraints. In order to be feasible, this project is dependent on the flexibility of the PUD process.

(f) Achieve a high level of design qualities and amenities.

The proposed low impact design (i.e. pervious pavements) measures for stormwater management are a unique amenity and will result in improved water quality if installed and maintained properly. The development as most recently proposed has a street presence and will connect to, and extend, the city's public sidewalk network. The Design Advisory Board found the proposed buildings to be acceptable under previous review. The buildings remain unchanged but continue to be acceptable under the standards of the CDO.

(j) The proposed development shall be consistent with the Municipal Development Plan

See Sec. 3.5.6 (b) 10. The project complies as outlined herein.

*Subchapter 3. Child-care facilities***§ 2851. Foster family homes and child care institutions**

(a) A person shall not place any child in foster care or receive board or keep any child in foster care for more than fifteen consecutive days unless the person has a license from the department to do so.

(b) This section shall not restrict the right of a court, parent, guardian or relative to place a child, nor the right of a person not in the business of providing foster care or child care to receive, board and keep a child when a valuable consideration is not demanded or received for the child's care and maintenance.

§ 2852. Day care facilities

(a) Unless exempted under subsection (b), a person shall not operate a day care facility unless he has a license from the department to do so.

(b) The following persons are exempted from the provisions of subsection (a):

- (1) A person providing care for children of not more than two families other than that of the person providing the care.
- (2) A hospital or establishment holding a license issued by the department of health, or a person operating a program primarily for recreational or therapeutic purposes, unless the hospital, establishment or person provides services for the care, protection and supervision of children not incidental to its primary purpose in which case subsection (a) shall apply to those non-incidental additional services.

(3) Day care facilities operated by religious organizations for the care and supervision of children during or in connection with religious services or church sponsored activities.

(4) Preschool establishments attended by children between the ages of three and six years, where the primary purpose is educational.

(c) Regulations pertaining to day care facilities shall be designed to insure that children in day care facilities are provided with wholesome growth and educational experiences, and are not subjected to neglect, mistreatment or immoral surroundings. The commissioner in issuing these regulations may request and shall receive the assistance of the commissioner of education as to educational

Sec. 6. Chapter 36 is added to 33 V.S.A. to read:*Chapter 36. Medical Assistance***§ 2901. Administration of program**

The commissioner shall take appropriate action, including making of regulations, required to administer a medical assistance program under Title XIX of the Social Security Act.

§ 2902. Qualification for medical assistance

In determining whether a person is medically indigent, the commissioner shall prescribe and use the minimum income standard or requirement for eligibility which will permit the receipt of federal matching funds under Title XIX of the Social Security Act.

§ 2903. Contract authorized

(a) The commissioner may contract with a private organization to operate, under his control and supervision, parts of the medical assistance program.

(b) The contract shall provide that either party may cancel it upon reasonable notice to the other party.

(c) In furtherance of the purposes of the contract, the commissioner may requisition funds for the purposes of this chapter, with the approval of the governor, and the finance director shall issue his warrant in favor of the contracting party to permit the contracting party to make payments to vendors under the contract. The commissioner shall quarterly, and at other times as the finance director requires, render an account in such form as the finance director prescribes of the expenditures of moneys so advanced.

Sec. 7. Chapter 38 is added to 33 V.S.A. to read:*Chapter 38. General Assistance**Subchapter 1. General Provisions***§ 3001. Definitions**

Unless otherwise expressly provided the words and phrases in this chapter mean:

- (1) Family: persons whom the recipient of general assistance is required by law to support

town so that the person may continue in the town pension system or plan. The commissioner may expend moneys necessary to do so from the funds of the department of social welfare. The employee may elect to transfer to the state employees' retirement system as though the employees of the town were transferring to the state employees' retirement system under subchapters 2 and 3 of chapter 15 of 3 V.S.A. All provisions of law, whether by special charter or otherwise, may be suspended with reference to the town or the person, for the purpose of effectuating the aims of this section, which is to preserve pension rights or benefits accrued or to be accrued by the person, as if he had continued in the employ of the town.

Sec. 50. Reimbursement of other state departments

From October 1, 1968 until July 1, 1969, the department of social welfare shall reimburse other departments of state government for expenses incurred in connection with the burial of persons dying in state institutions when the expenses would, under laws in force before October 1, 1968, be the responsibility of a town.

Sec. 51. Laws

(a) This act shall not be construed or held to repeal a law whether the law is expressly repealed in this act or not, as to any offense committed against the former law or as to any act done, any penalty, forfeiture or punishment so incurred, or any right accrued or claim arising under the former law before the new laws take effect under this act, save only that the proceedings thereafter shall conform to the law in force at the time of the proceeding, so far as practicable. Nothing in this section shall be construed as abating any action now pending under or by virtue of any law herein repealed; or as discontinuing, abating, modifying or altering any penalty accrued or to accrue; or as affecting the liability of any person, firm or corporation, or as waiving any right of the state under any law or provision thereof in force at the time of the passage of this act.

(b) When the substance of any law in force before the enactment of this act is substantially re-enacted herein, whether by amendment or repeal and enactment as a different section, it shall be considered to have remained in effect as a continuing law.

Sec. 52. Appropriations

\$1,700,000.00 is appropriated from the funds on hand June 30, 1967 to the department of social welfare for fiscal year 1968 plus

\$291,000.00 additional for the fiscal year 1968, and \$3,090,000.00 for fiscal year 1969 for the purposes of this act.

Sec. 53. Repeals

(a) 33 V.S.A. §§ 1-164, 301-436, 451-505, 601, 615, 623-625, and 1301; and 15 V.S.A. § 433 are repealed.

(b) 14 V.S.A. §§ 2306(b) (4), 2688; 16 V.S.A. § 1125; 18 V.S.A. §§ 1049, 1050, 2541-2547, 2668-2670, 2670a and 2904; 23 V.S.A. § 673; 24 V.S.A. §§ 711(6), 873, 1236(6) and 1651; 33 V.S.A. §§ 437, 438, 701-706, 741-747, 781-783, 821-827, 851-853, 891-893, 931-933, 961-963, 992, 1031-1036, 1102, 1104, 1106-1118, 1201-1203 are repealed effective October 1, 1968.

(c) Before October 1, 1968, the commissioner of social welfare may take such action as may be necessary to provide general assistance beginning October 1, 1968.

Sec. 54. (a) Sections 1-6, § 3002 of section 7, 12, 14, 24, 25, 27, 38-42 and 48-54 of this act shall take effect July 1, 1967.

(b) All sections of this act not mentioned in subsection (a) shall take effect October 1, 1968.

(c) Notwithstanding subsection (a) of this section 33 V.S.A. § 2701(1) (c) (iii) contained in section 4 of this bill, shall not take effect until July 1, 1968.

Approved: April 15, 1967.

NO. 148. AN ACT TO AMEND 29 V.S.A. § 956 RELATING TO PURCHASING OF STATIONERY AND OFFICE SUPPLIES AND TO REPEAL 32 V.S.A. § 1262.

(H. 280)

It is hereby enacted by the General Assembly of the State of Vermont:

Section 1. 29 V.S.A. § 956 is amended to read:

§ 956. Stationery and office supplies

(a) The purchasing director shall maintain a central stores section in which to keep office supplies, equipment, stationery, record books, and forms purchased by the state. He shall disburse them upon requisition to all state departments, institutions and within

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the Burlington Planning Office

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BURLINGTON
PLANNING DEPT.



ZONING CODE

CITY OF BURLINGTON, VERMONT
PLANNING & ZONING
CITY HALL, ROOM 31
658-5300

group quarters such as dormitories, sororities, fraternities, convents, and communes.

Family day care: A permitted accessory use in a residential structure. If the following stipulations are met, a zoning permit shall be issued:

- (a) If the facility is located on an arterial or collector street as specified in the municipal development plan, and adequate parking and turnaround space is available;
- (b) No playground equipment is located within the front yard;
- (c) Off-street parking and drop-off space are available; and
- (d) The facility is licensed or registered by the State of Vermont.

If the above stipulations are not met, such accessory use shall obtain conditional use approval as a home occupation from the zoning board of adjustment.

Notwithstanding the above stipulations, a state-registered or licensed day care facility serving six (6) or fewer children shall be considered by right to constitute a permitted single-family residential use.

State law reference—24 V.S.A. § 4409(f).

Floor area ratio: The ratio of gross floor area to gross site area.

Frontage: That portion of the lot which abuts on a public street or way, the width of which shall be measured along the front building line across the width of the lot.

Gross floor area: The sum of the areas of the several floors of a building, including areas used for human occupancy in basements, attics and penthouses as measured from the exterior faces of the walls. It does not include cellars, unenclosed porches, or attics not used for human occupancy, or any floor space in accessory buildings or in the main building intended and designed for the parking of motor vehicles in order to meet the parking requirements of the ordinance. It shall include the horizontal area at each floor level devoted to stairwells and elevator shafts.

Garage: A building or structure or a portion thereof in which motor vehicles or equipment are housed.

Yellow
August 1992



ZONING CODE

CITY OF BURLINGTON, VERMONT
PLANNING & ZONING
135 CHURCH STREET
658-9300 EXT. 155

Maximum Net Dwelling
Units Per Acre Net*

Planned residential development	4.4 acre**
Medium density	20—25 acre**
High density	40/acre**

*Exclusive of streets

**Inclusive of new streets but exclusive of existing streets.

In calculating the number of residential units permitted, fractional units of less than five-tenths (0.5) shall be rounded down to the nearest whole number and fractional units of five-tenths (0.5) or greater shall be rounded up to the nearest whole number. For purposes of density calculations, each one thousand five hundred (1,500) square feet of gross floor area not contained within a dwelling unit or within hallways, stairwells and elevator shafts serving said dwelling units shall be counted as one (1) dwelling unit.

Day care center:

- (a) *Family day care home:* A state-registered or licensed day care facility serving up to six (6) pre-school plus four (4) school-aged children. A family day care shall be considered by right to constitute a permitted accessory single-family residential use.
- (b) *Small day care center:* A residential use conditionally permitted with site plan review. In addition to the conditional use criteria and site plan review standards, the following findings must be made:
 - (1) No playground equipment is located within the front yard.
 - (2) No more than twenty (20) full-time equivalent children are served.
 - (3) The site plan review shall insure adequate and safe dropoff/pickup space [is] are provided and that traffic problems are not created.

CITY OF BURLINGTON

In the Year One Thousand Nine Hundred ~~Ninety-three~~

An Ordinance in Relation to

APPENDIX A - ZONING #93-02
COMPREHENSIVE REWRITE

ORDINANCE

First reading: 7/19/93
Referred to: Ordinance Co
Rules suspended and placed in all
stages of passage:
Second reading: 12/13/93
Action: Adopted 12/13/93
Date: 12/13/93
Signed by Mayor: 12/14/93
Published: 3/18/94
Effective: 4/8/94

It is hereby Ordained by the City Council of the City of Burlington, as follows:
That the Code of Ordinances of the City of Burlington be and hereby
is amended by deleting the existing Appendix A in its entirety and
replacing it as set forth in the attached Zoning Ordinance revision
document dated April 22, 1993, subject to the attached list of
corrections.

lb\kas\ORD\APP93-02
12/8/93

AN ORDINANCE
IN RELATION TO

APPENDIX A - ZONING #93-02
COMPREHENSIVE REWRITE

Introduced by

Committee

Read in City Council first time

July 19, 1993

Attest

Ruth S. Stokes, Clerk.

Rules suspended, and ordinance placed in all
stages of passage.

1993

Attest

Ruth S. Stokes, Clerk.

Read in City Council second time

December 13, 1993

Attest

Ruth S. Stokes, Clerk.

Passed in City Council at meeting held

December 13, 1993

Attest

Ruth S. Stokes, Clerk.

Approved December 14, 1993

Ruth S. Stokes, Mayor.

I, Ruth S. Stokes, City Clerk of the City of Burlington and
Clerk of the City Council of said City, do hereby certify that the within written Ordinance has been duly
published according to Law and the Charter of the City, and in compliance with said Charter this
certificate is hereto attached.

And the within Ordinance was ordered published for one day, namely the

18th day of March, 1994

Adopted 12/13/93; Published 3/18/94; Effective 4/8/94

Ruth S. Stokes, City Clerk

**LIST OF CORRECTIONS TO ZONING ORDINANCE REVISION:
April 22, 1993 (Zoning Amendment 93-02)**

p. 2-1 **Sec. 2.1.6**, second line, substitute "for" for "or".

p. 2.8 **Footnote 12** should be Footnote 11.
Footnote 13 should be Footnote 12.

p. 3-3 **Footnote 5** and 6 should be switched.

p. 3-8 **Footnote 5** and 6 texts should be switched.

p. 4-5 **Footnote 5** and 6 should be switched.
Footnote 5 and 6 texts should be switched.

p.4-5 **ADD** the following omitted Sections:

Sec. 4.2.11 Posting of Property. Any applicant requesting a zoning permit, a certificate of appropriateness, or a conditional use or variance shall display on the subject premises a notice sign provided by the department of planning and zoning. The notice, which shall be clearly visible from a public way, shall be displayed at the time of application and shall not be removed until after the appeals expiration date.

Sec. 4.2.12 Mailing of Notice. Prior to action by the planning commission on any certificate of appropriateness exceeding fifteen thousand dollars (\$15,000) and prior to zoning board of adjustment action on any conditional use or variance, a copy of the applicable meeting agenda or public hearing notice shall be sent by first class mail to all owners of land abutting the proposed project. In the case of condominium ownership, a notice to the condominium association shall satisfy the notice requirement.

Sec. 4.2.13 Defect in Notice. An error or defect in the notice provisions specified in Sections 4.2.11 or 4.2.12 shall not invalidate an action of the planning commission or zoning board of adjustment unless such error was the result of a deliberate or intentional act.

(and adjust table of contents accordingly)

p. 5-12 **Use Table:** Dormitory; add footnote 24 next to NO in RM/WRM and RH districts.

p. 5-12 **Table 5-A Permitted Public/Institutional Uses by Zoning District**

4th Line: Change "*Administrative/Facility Offices*" to "*Administrative/Faculty Offices*":

5th Line: **Add new use** following "*Administrative/Faculty Offices*":

"Athletic Facility/Other Accessory Uses" with the following use designations by district inserted in Table 5-A:

YES18 for RCO, WRC districts

YES for C, WFC-N, CBD, E districts

NO for RL, WRL, RM, WRM, RH, GC, WFC-W, WFC-E, WFC-T districts

ZBA for NC, UC, CBD-T, WFE districts.

p. 5-14

Footnotes:

Add the following wording at end of footnote 11: *"Repair garage is permitted as an accessory use for rail and other transportation facilities within the WFE district."*

Add footnote 24: *"An existing fraternity, sorority or other institutional use may be converted to dormitory use subject to conditional use approval by the zoning board of adjustment".*

Add footnote 25: *"All conditional uses in the WFE district are subject to the following findings by the zoning board of adjustment".*

- (1) All operations must be conducted and all materials and products stored within the building of the plant, or concealed from public view as approved by design review.
- (2) No process shall emit noxious odor detectable beyond the lot line. When odors are produced, the burden of successful elimination of the odors shall rest on the occupant of the premises.
- (3) No operations creating undue noise, vibration, dust or fumes which are in any way a nuisance to persons beyond the lot line.
- (4) Operations creating glare shall be so shielded that the glare cannot be seen from the lot line.
- (5) Off-street loading areas for handling all materials and products must be provided in areas treated to prevent dust. Travel ways and parking areas shall be stabilized or paved.

p. 5-18

Section 5.3.4 Exceptions to Lot Coverage. Add new subsection (c):

- (c) Maximum allowable coverage may be increased to ten (10) per cent in the RCO district for agricultural structures subject to approval of the zoning board of adjustment".

p. 5-19

Change Coverage in UC District from 10% to 40% (typo)

p. 5-20

Sec. 5.3.6 Exceptions to Yard Setback Requirements:

Add the phrase "and subsection (k);" to subsection (a) following the phrase "subsection (b)".

p. 5-22

Section 5.3.6 Exceptions to Yard Setback Requirements:

Add new subsection (k):

"(k) Where a parcel lot line in a WFC-E district abuts an adjoining residential district, the side yard requirement for that lot line shall meet the provisions of Sec. 5.3.5(b).

- p. 5-25 **Section 5.3.14(3)(C):** Add the phrase **"whichever is less;"** following the word **"located"** in the last sentence.
- p. 12-2 **Section 12.1.8(a):** Add the phrase **"or modification"** following the word **"revocation"** in the last sentence.
- p. 14-1 **Section 14.1.4** Add footnote **"6"** after **"Compliance"**.
- p. 14-2 **Table 14-A; Column 1:** **"household earnings:"** should be changed to **"households earning:"**
- p. 14-2 **Table 14-A; Column 1:** change **"81%"** to **"80%"** in third row
- p. 14-8 **Footnotes:** **"Article 2"** should be changed to **"Article 30"**.
- p. 15-4 **Footnotes:** **"Article 2"** should be changed to **"Article 30"**.
- p. 17-2 **Section 17.1.5(c)** Add the phrase **"and conditions imposed by the zoning board of adjustment"** following the phrase **"plans and applications, as approved"** and substitute the phrase **"plans, applications and conditions"** for the phrase **"plans and applications"** in the last sentence.
- p. 18-2 **Section 18.1.10** Change heading to read **"Decision Within 45 or 60 Days"** rather than **"Decision Within 45 Days"**. Add the phrase **"for a variance and sixty(60) days for a conditional use"** following the phrase **"within forty-five(45) days"**.
- p. 21-4 **Section 21.1.11;** Add **"FW and"** between **"the"** and **"FH"**; change **"is"** to **"are"**.
- p. 21-5 **Section 21.1.12;** Add **"FW and"** between **"the"** and **"FH"**; change **"is"** to **"are"**.
Section 21.1.13; Add **"Within FW and FH overlay districts"** before **"as"**.
- p. 30-8 **Definitions; (l) low-income household:** Substitute **"an income between fifty and seventy-nine per cent (50-79%) of median income"** for **"an income not exceeding eighty per cent (80%)"** in first and second lines.
- p. 30-9 **Definitions; (p) Moderate-income household:** Substitute **"an income between eighty and ninety-nine per cent (80-99%)"** for **"an income not exceeding one hundred ten per cent (110%)"**.
- p. 30-14 **Article 30: Definitions:** Delete the last sentence of the definition for **"Structure"** beginning with **"not withstanding ..."**

EDITORIAL NOTE: The Commentary, included at the end of each Chapter, will not be published in the final Zoning Ordinance but is included in the draft to provide additional explanatory and background information pertaining to changes incorporated in the Comprehensive Rewrite.

(d) Minimum distances (lot line to lot line) between community houses:

Total number of occupants (beds) for largest of the Community Houses	Maximum Radial Distance in Feet
6 or less	0
7-12	500
13-20	1,000
21+	1,500

Conditions: Those conditions required in this article which must be met prior to the issuance of a zoning permit or certificate of occupancy.

Convalescent home: A health center or home where patients or boarders are given custodial or chronic medical, psychiatric or psychological care and may include patients receiving counseling from public and semipublic agencies but shall exclude acute care on a continuing basis.

Conversion to a nonresidential use or conversion: See Low or moderate-income housing.

Day care center:

Conversion

(a) **Family day care home:** A state-registered or licensed daycare facility serving up to six (6) pre-school plus four (4) school-aged children. A family day care shall be considered by right to constitute a permitted accessory use to single detached dwellings.

(b) **Small day care center:** A residential use conditionally permitted with site plan review. In addition to the conditional use criteria and site plan review standards, the following findings must be made:

- (1) No playground equipment is located within the front yard.
- (2) No more than twenty (20) full-time children are served.
- (3) The site plan review shall insure adequate and safe drop-off-pickup space is provided and that traffic problems are not created.
- (4) Any additions, signage or site improvements shall be residential in character.
- (5) The facility is licensed or registered by the State of Vermont.
- (6) The use, as a small day care center, shall constitute a residential use and any conversion to change to a non-residential use shall be considered as such and shall be required to meet the requirements of Article 15, Housing Replacement.
- (7) No more than one residential unit may be converted for any single small day care center.

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Zoning Amendments

Articles/Section Index

93-02: Comprehensive Zoning Rewrite

First Planning Commission Public Hearing: April 8, 1993
Adopted by Planning Commission: April 22, 1993
First City Council Public Hearing: July 19, 1993
Adopted by City Council: December 13, 1993
Effective Date: April 8, 1994

Articles 2 through 30 adopted

94-01: Sec. 3.2.7; Core Campus Overlay (CCO)

First Planning Commission Public Hearing: March 24, 1994
Adopted by Planning Commission: April 14, 1994
First City Council Public Hearing: May 23, 1994
Adopted by City Council: September 19, 1994
Effective Date: October 19, 1994

Article 3: Zoning Districts and Zoning Map
Add Sec. 3.2.7

Article 5: Use, Density and Dimensional
Requirements
Add footnote #6 to Table 5-C

95-01A: Sec. 3.2.8; Institutional Core Overlay

First Planning Commission Public Hearing: January 14, 1999
Adopted by Planning Commission: January 28, 1999
First City Council Public Hearing: September 13, 1999
Adopted by City Council: September 13, 1999
Effective Date: October 13, 1999

Article 3: Zoning Districts and Zoning Map
Amend Sec. 3.2.8

95-01B: Sec. 3.2.8; Institutional Core Overlay

First Planning Commission Public Hearing: January 14, 1999
Adopted by Planning Commission: January 28, 1999
First City Council Public Hearing: October 4, 1999
Adopted by City Council: December 6, 1999
Effective Date: December 15, 1999

Article 3: Zoning Districts and Zoning Map
Amend Sec. 3.2.8

95-02: Sec. 4.3.1; Temporary Structures

First Planning Commission Public Hearing: August 24, 1995
Adopted by Planning Commission: September 14, 1995
First City Council Public Hearing: November 13, 1995
Adopted by City Council: January 8, 1996
Effective Date: February 7, 1996

Article 4: Zoning Permits
Add Part 3, Sec. 4.3.1

95-03A: Intervale Enterprise / Agricultural District (IEA)

First Planning Commission Public Hearing: August 24, 2000
Adopted by Planning Commission: August 24, 2000
First City Council Public Hearing: October 30, 2000
Adopted by City Council: April 9, 2001
Effective Date: June 20, 2001

Article 3: Zoning District and Zoning Map
Amend Sec. 3.2.6

Article 9: Public Trust District
Add Sec. 9.2.1 through Sec. 9.2.7

95-04: Sec. 30, Definitions; Satellite Dish Antenna

First Planning Commission Public Hearing: August 24, 1995
Adopted by Planning Commission: September 14, 1995
First City Council Public Hearing: November 13, 1995
Adopted by City Council: January 8, 1996
Effective Date: February 7, 1996

Article 30: Definitions
Add definition to Sec. 30.1.2

95-05: Sec. 2.2.5; Powers and Duties of Planning Commission

First Planning Commission Public Hearing: August 24, 1995
Adopted by Planning Commission: September 14, 1995
First City Council Public Hearing: November 13, 1995

Article 2: Administrative Mechanisms
Add Sec. 2.2.5 (d)

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Adopted by City Council: January 8, 1996
Effective Date: February 7, 1996

95-06: Sec. 19.1.9; Remedies (violations)

First Planning Commission Public Hearing: August 24, 1995

Adopted by Planning Commission: September 14, 1995

First City Council Public Hearing: November 13, 1995

Adopted by City Council: January 8, 1996

Effective Date: February 7, 1996

Article 19: Enforcement

Add wording to Sec. 19.1.9

95-07: Sec. 5.2.6; Exception to Maximum Density

First Planning Commission Public Hearing: January 11, 1996

Adopted by Planning Commission: January 25, 1996

First City Council Public Hearing: February 20, 1996

Adopted by City Council: May 20, 1996

Effective Date: June 19, 1996

Article 5: Use, Density and Dimensional Requirements

Add Sec. 5.2.6 (e)

96-01: Sec. 5.3.14; Height Limits/Central Business District

First Planning Commission Public Hearing: January 11, 1996

Adopted by Planning Commission: January 25, 1996

First City Council Public Hearing: February 20, 1996

Adopted by City Council: June 10, 1996

Effective Date: July 10, 1996

Article 5: Use, Density and Dimensional Requirements

Amend Sec. 5.3.14 (b)(2)(B)

96-02: Table 5A; Historic Inn

First Planning Commission Public Hearing: February 8, 1996

Adopted by Planning Commission: February 22, 1996

First City Council Public Hearing: May 6, 1996

Adopted by City Council: August 12, 1996

Effective Date: September 11, 1996

Article 5: Use, Density and Dimensional Requirements

Add "Historic Inn" to Table 5A for Permitted Non-Residential Uses

Article 30: Definitions

Add definition to Sec. 30.1.2

98-01: Table 5A; Add Post Office as Permitted Use in a Commercial District

First Planning Commission Public Hearing: January 8, 1998

Adopted by Planning Commission: January 22, 1998

First City Council Public Hearing: September 28, 1998

Adopted by City Council: October 7, 1998

Effective Date: October 28, 1998

Article 5: Use, Density and Dimensional Requirements

Table 5A, add Post Office as Permitted Use in a Commercial District

98-02: Sec. 4.1.14, 5.3.9; Fences and Non-Design Control Exemptions

First Planning Commission Public Hearing: June 25, 1998

Adopted by Planning Commission: July 23, 1998

First City Council Public Hearing: September 28, 1998

Adopted by City Council: October 7, 1998

Effective Date: October 28, 1998

Article 4: Zoning Permits

Add Sec. 4.1.14(a, 1-3)

Article 5: Use, Density and Dimensional Requirements

Add Sec. 5.3.9(b)

98-03: Sec. 12.1.3; Administrative Approval of Home Occupations

First Planning Commission Public Hearing: June 25, 1998

Adopted by Planning Commission: July 9, 1998

First City Council Public Hearing: September 28, 1998

Adopted by City Council: October 7, 1998

Effective Date: October 28, 1998

Article 12: Home Occupations

Amend Sec. 12.1.3

98-04: Sec. 9.1.5; Publicly Accessible Restrooms on Public Trust Lands

First Planning Commission Public Hearing: June 25, 1998

Adopted by Planning Commission: July 9, 1998

First City Council Public Hearing: September 28, 1998

Adopted by City Council: December 23, 1998

Effective Date: January 13, 1999

Article 9: Public Trust District

Amend Sec. 9.1.5

99-002: Sec. 13.1.3; Major Impact Developments - Applicability

First Planning Commission Public Hearing: June 24,

Article 13: Major Impact

Amend Sec. 13.1.3

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1999

Adopted by Planning Commission: June 24, 1999
First City Council Public Hearing: September 13, 1999
Adopted by City Council: December 6, 1999
Effective Date: January 12, 2000

99-03A: Permitted Signs in Commercial District
First Planning Commission Public Hearing: June 24, 1999
Adopted by Planning Commission: June 24, 1999
First City Council Public Hearing: October 30, 2000
Adopted by City Council: February 5, 2001
Effective Date: March 21, 2001

Article 16: Signs
Amend Sec. 16.2.5

99-005: Article 5, Use Table Footnotes; Clarification of Use Table 5-A
First Planning Commission Public Hearing: June 24, 1999
Adopted by Planning Commission: June 24, 1999
First City Council Public Hearing: September 13, 1999
Adopted by City Council: December 6, 1999
Effective Date: January 12, 2000

Article 5: Use, Density and Dimensional Requirements - Table 5-A
Amend Use Table Footnote #27

99-007: Article 20, Noncomplying Signs
First Planning Commission Public Hearing: March 23, 2000
Adopted by Planning Commission: May 11, 2000
First City Council Public Hearing: July 17, 2000
Adopted by City Council: August 14, 2000
Effective Date: September 13, 2000

Article 20: Nonconformity
Add Sec. 20.1.9 (a)(b)(c)

Article 30: Definitions
Add definition to Sign Sec. 30.1.2 (k)

99-009: Article 5, Exceptions to Waterfront Setback
First Planning Commission Public Hearing: September 16, 1999
Adopted by Planning Commission: October 14, 1999
First City Council Public Hearing: November 15, 1999
Adopted by City Council: August 14, 2000
Effective Date: September 13, 2000

Article 5: Use, Density and Dimensional Requirements
Amend and add to Sec. 5.3.8 (a), (c)(1), (2) (a) through (f)

00-01: Quality of Life - Zoning Approach
First Planning Commission Public Hearing: August 17, 2000
Adopted by Planning Commission: August 24, 2000
First City Council Public Hearing: August 9, 1999
Adopted by City Council: October 16, 2000
Effective Date: November 22, 2000

Article 3: Zoning Districts and Zoning Map
Amend Sec. 3.1.4 (a)(b)

Article 30: Definitions
Add definition to Sec. 30.1.2 (1) through (5), and (1)(a) (b), (2)

Article 17: Conditional Use
Add Sec. 17.1.5 (d)

Article 5: Use, Density and Dimensional Requirements
Amend Table 5-A for Permitted Residential Uses

00-03: Neighborhood Activity Center
First Planning Commission Public Hearing: March 23, 2000
Adopted by Planning Commission: May 11, 2000
First City Council Public Hearing: August 14, 2000
Adopted by City Council: November 27, 2000
Effective Date: March 21, 2001

Article 5: Use, Density and Dimensional Requirements
Amend Sec.5.3.16

00-06: Planned Residential Development, Accessory Facilities
First Planning Commission Public Hearing: August 24, 2000
Adopted by Planning Commission: August 24, 2000
First City Council Public Hearing: October 30, 2000
Adopted by City Council: February 5, 2001
Effective Date: March 21, 2001

Article 11: Planned Residential Development
Amend Sec.11.1.6(b)

01-02: Revisions to Provide for Development Review Board
First Planning Commission Public Hearing: September 14, 2000

Articles 2 through 30 amended

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Adopted by Planning Commission: September 14, 2000
First City Council Public Hearing: August 14, 2000
Adopted by City Council: October 16, 2000
Effective Date: March 28, 2001

01-03: Convenience Stores in the Enterprise District
First Planning Commission Public Hearing: October 26, 2000

Adopted by Planning Commission: October 26, 2000
First City Council Public Hearing: February 5, 2001
Adopted by City Council: June 25, 2001
Effective Date: July 19, 2001

Article 5: Use, Density and Dimensional Requirements

Amend Table 5-A for Permitted Non-Residential Uses

01-04: Definition of Convenience Store

First Planning Commission Public Hearing: October 26, 2000

Adopted by Planning Commission: October 26, 2000
First City Council Public Hearing: April 23, 2000
Adopted by City Council: July 16, 2001
Effective Date: August 22, 2001

Article 30: Definitions

Add definition to Sec. 30.1.2

01-06: Residential High Density Bonus

First Planning Commission Public Hearing: January 25, 2001

Adopted by Planning Commission: February 22, 2001
First City Council Public Hearing: April 4, 2001
Adopted by City Council: January 24, 2002
Effective Date: February 20, 2002

Article 5: Use, Density and Dimensional Requirements

Add Sec. 5.2.6 (4)

01-07: Reservoir Standing Spaces for Gas Pump Islands

First Planning Commission Public Hearing: January 25, 2001

Adopted by Planning Commission: January 25, 2001
First City Council Public Hearing: April 9, 2001
Adopted by City Council: June 25, 2001
Effective Date: July 19, 2001

Article 10: Parking Regulations

Amend Table 10-A

01-08: Heights in CBD-T District

First Planning Commission Public Hearing: February 22, 2001

Adopted by Planning Commission: February 22, 2001
First City Council Public Hearing: April 9, 2001
Adopted by City Council: May 21, 2001
Effective Date: June 20, 2001

Article 5: Use, Density and Dimensional Requirements

Amend Sec. 5.3.16

01-09: Schools in Commercial and General Commercial Zones

First Planning Commission Public Hearing: February 22, 2001

Adopted by Planning Commission: February 22, 2001
First City Council Public Hearing: April 9, 2001
Adopted by City Council: April 9, 2001
Effective Date: June 20, 2001

Article 5: Use, Density and Dimensional Requirements

Amend Table 5-A for Permitted Public/Institutional Uses

02-01: Trinity Campus Overlay

First Planning Commission Public Hearing: January 10, 2002

Adopted by Planning Commission: January 10, 2002
First City Council Public Hearing: January 22, 2002
Adopted by City Council: February 19, 2002
Effective Date: March 27, 2002

Article 3: Zoning Districts and Zoning Map

Add Sec. 3.2.9

02-04: Offenses, Penalties

First Planning Commission Public Hearing:
Adopted by Planning Commission:
First City Council Public Hearing: October 7, 2002
Adopted by City Council: October 7, 2002
Effective Date: November 6, 2002

Article 19: Enforcement

Amend Sec. 19.1.2 and Sec. 19.1.7

Article 30: Definitions

Add definition to Sec. 30.1.2

03-02: Design Advisory Board - Alternates

First Planning Commission Public Hearing: June 24, 2003

Adopted by Planning Commission: June 24, 2003

Article 2: Administrative Mechanisms

Amend Sec. 2.3.1, Sec. 2.3.2, Sec. 2.3.4, Sec. 2.3.6
Add Sec. 2.3.7

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First City Council Public Hearing: September 22, 2003
Adopted by City Council: September 22, 2003
Effective Date: October 22, 2003

03-03: Enforcement Processing Fees

First Planning Commission Public Hearing: June 24, 2003
Adopted by Planning Commission: June 24, 2003
First City Council Public Hearing: September 2, 2003
Second City Council Public Hearing: February 17, 2004
Adopted by City Council: February 17, 2004
Effective Date: April 7, 2004

Article 19: Enforcement
Amend Sec. 19.1.8

04-01: Exceptions to Maximum Density - RM Adaptive Reuse

First Planning Commission Public Hearing: August 26, 2003
Adopted by Planning Commission: September 9, 2003
First City Council Public Hearing: November 17, 2003
Adopted by City Council: May 24, 2004
Effective Date: June 23, 2004

Article 5: Use, Density, and Dimensional Requirements
Amend Sec. 5.2.6

04-02: Height Measurement for Three Street Frontages

First Planning Commission Public Hearing: April 20, 2004
Adopted by Planning Commission: April 20, 2004
First City Council Public Hearing: May 10, 2004
Second City Council Public Hearing: June 7, 2004
Adopted by City Council: June 7, 2004
Effective Date: July 7, 2004

Article 5: Use, Density, and Dimensional Requirements
Amend Sec. 5.3.19

Article 30: Definitions
Add definition to Sec. 30.1.2

05-01: Accessory Units

First Planning Commission Public Hearing: February 8, 2005
Adopted by Planning Commission: August 9, 2005
First City Council Public Hearing: December 19, 2005
Second City Council Public Hearing: June 26, 2006
Adopted by City Council: June 26, 2006
Effective Date: July 26, 2006

Article 5: Use, Density, and Dimensional Requirements
Amend Sec. 5.1.9 and Sec. 5.1.11

05-02: Sign Master Plans

First Planning Commission Public Hearing: July 12, 2005
Adopted by Planning Commission: July 12, 2005
First City Council Public Hearing: July 21, 2005
Second City Council Public Hearing: September 12, 2005
Adopted by City Council: March 13, 2006
Effective Date: April 19, 2006

Article 16: Signs
Add Part 4 (Sec 16.4.1 - 4)

06-01: Tree Cutting

First Planning Commission Public Hearing: January 17, 2006
Adopted by Planning Commission: February 21, 2006
First City Council Public Hearing: April 10, 2006
Second City Council Public Hearing: December 11, 2006
Adopted by City Council: December 11, 2006
Effective Date: January 10, 2007

Article 4: Zoning Permits
Amend Sec. 4.1.3

Article 7: Site Plan Review
Amend Sec. 7.1.3 and add Sec. 7.1.11 through Sec. 7.1.14

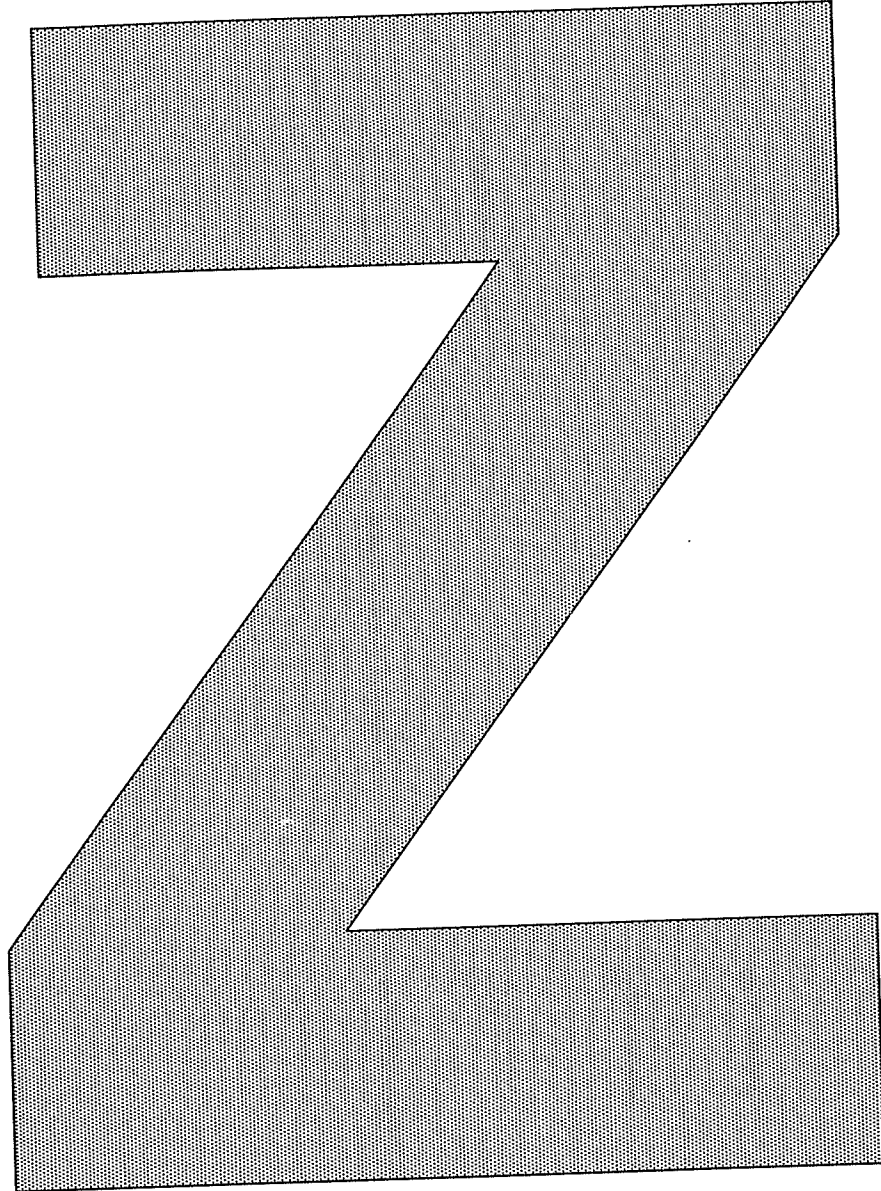
06-02: Measuring Front Yard Setbacks

First Planning Commission Public Hearing: January 17, 2006
Adopted by Planning Commission: January 17, 2006
First City Council Public Hearing: April 10, 2006
Second City Council Public Hearing: May 22, 2006
Adopted by City Council: May 22, 2006
Effective Date: June 21, 2006

Article 5: Use, Density, and Dimensional Requirements
Amend Sec. 5.3.5(a)

City of Burlington, VT

Comprehensive Development Ordinance



Originally Adopted: 7 January 2008
As Most Recently Amended Effective: 21 October 2008

City of Burlington
Dept. of Planning & Zoning

149 Church Street, City Hall
Burlington, VT 05401
802/865-7188
www.ci.burlington.vt.us/planning



Article 13: Definitions

Convenience Store: A retail store no larger than 5,000 gross square feet that is open extended hours and that typically sells limited lines of groceries, household items, snacks and may include the sale of gasoline or other motor fuel where permitted, and is intended for the convenience of the surrounding neighborhood.

Convention Center: A facility designed to be used for conventions, conferences, seminars, product displays, trade shows, special events, recreational activities, and entertainment functions, along with accessory functions including temporary outdoor displays, and food and beverage preparation and service for on-premise consumption, excluding the provision of rooms for rent. (See Conference Center)

Conversion to a Nonresidential Use: A change in use of any housing unit, whether occupied or vacant, from a residential to a nonresidential use.

Correctional Facility: Any building, enclosure, space or structure of or supported by the Vermont Department of Corrections and used for the confinement of person committed to the custody of the Commissioner of the Vermont Department of Corrections, or for any other matter related to such confinement. See 28 V.S.A. §1 et seq.

Courthouse: A building housing judicial courts and associated administrative offices.

Crisis Counseling Center: An establishment containing offices and facilities for providing direct services and support resources to victims of domestic abuse or sexual assault by certified crisis workers as defined under Vermont statute (12 V.S.A. §1614).

Crematory: A building containing a properly installed, certified apparatus, typically a furnace, intended for use in the act of cremation (burning a cadaver to ashes).

Day Care Center: (See Article 5 for specific provisions.)

(a) **Family Day Care Home:** A state-registered or licensed daycare facility serving up to six (6) pre-school plus four (4) school-aged children. A family day care shall be considered by right to constitute a permitted accessory use to single detached dwellings.

(b) **Small Day Care Center:** A state-registered or licensed daycare facility serving no more than twenty (20) full-time children in total.

<u>Original Adoption:</u> Planning Commission Public Hearings: 29 & 30 January 2007 Planning Commission Referral: 31 January 2007 City Council Public Hearing Warning: 17 December 2007 City Council Public Hearing: 7 January 2008 City Council Adoption: 7 January 2008 Effective Date: 30 January 2008	
<u>Amendments</u>	<u>Articles/Sections</u>
<u>ZA-08-01 re: Institutional Zoning Districts:</u> Planning Commission Public Hearing: 12 February 2008 Planning Commission Referral: 12 February 2008 City Council Public Hearing Warning: 29 March 2008 City Council Public Hearing: 14 April 2008 City Council Adoption: 5 May 2008 Effective Date: 4 June 2008	<u>Article 4, Sec. 4.4.4 Institutional Zoning District</u> Table 4.4.4 -1 Dimensional Standards and Density. <u>Article 4, Sec. 4.5.2 Institutional Core Campus Overlay Districts</u> Sec. 4.5.2(c) District Specific Regulations: Fletcher Allen Health Care Campus (ICC-FAHC) and UVM Main Campus (ICC-UVM). Sec. 4.5.2(d) District Specific Regulations: Champlain College (ICC -CC). <u>Appendix B - Dimensional Standards – All Zoning Districts</u>
<u>ZA-08-02 re: Trinity Core Campus Overlay:</u> Planning Commission Public Hearing: 6 May 2008 Planning Commission Referral: 3 June 2008 City Council Public Hearing Warning: 30 Aug 2008 City Council Public Hearing: 15 Sept. 2008 City Council Adoption: 22 Sept. 2008 Effective Date: 21 October 2008	<u>Article 4, Sec. 4.5.2 Institutional Core Campus Overlay Districts</u> (b) Areas Covered. (d) District Specific Regulations: UVM Trinity Campus (ICC -UVMT) <u>Appendix B - Dimensional Standards – All Zoning Districts</u>
<u>ZA-08-03 re: Misc. Amendments and Corrections:</u> Planning Commission Public Hearing: 10 June 2008 Planning Commission Referral: 10 June 2008 City Council Public Hearing Warning: 30 Aug. 2008 City Council Public Hearing: 15 Sept. 2008 City Council Adoption: 22 Sept. 2008 Effective Date: 21 October 2008	<u>Article 4 Zoning Districts</u> Zoning district boundaries for the Urban Reserve and Downtown Waterfront – Public Trust districts (Maps 4.2.2-1, 4.3.1-1, 4.4.1-1, 4.4.7-1 and Sec. 4.5.4 (b)1A) and the RCO-Recreation/Greenspace and Institutional districts (Maps 4.3.1-1, 4.4.4-1, 4.4.6-1); Sec. 4.5.4 Natural Resource Protection Overlay District (b) Areas Covered. (f) District Specific Regulations: Special Flood Hazard Area; <u>Article 5 Citywide General Standards</u> renumbering Sec. 5.4.8 (b); Sec. 5.2.3, Sec. 5.2.5, Sec. 5.2.7 re: calculating density and lot coverage on parcels split between zoning districts. <u>Article 8 Parking</u> Sec 8.1.12 - Front Yard Parking <u>Appendix A - Use Table, Article 13 – Definitions</u> add “Composting” as a Conditional Use in the RCO-Ag Zoning District.

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<u>ZA-09-01 re: Electronic Message Display:</u> Planning Commission Public Hearing: 26 August 2008 Planning Commission Referral: 9 September 2008 City Council Public Hearing Warning: 11 October 2008 City Council Public Hearing: 27 October 2008 City Council Adoption: 27 October 2008 Effective Date: 3 December 2008	<u>Article 7 Signs</u> Section 7.1.3 Exemptions Section 7.1.12 Electronic Message Display <u>Article 13 – Definitions</u> Add “Electronic Message Display”
<u>ZA-09-02 re: Mental Health Crisis Center:</u> Planning Commission Public Hearing: 21 October 2008 Planning Commission Referral: 21 October 2008 City Council Public Hearing Warning: 13 November 2008 City Council Public Hearing: 1 Dec. 2008 and 5 Jan. 2009 City Council Adoption: 5 January 2009 Effective Date: 4 February 2009	<u>Article 5 Citywide General Standards</u> Add Sec. 5.4.11 Mental Health Crisis Center <u>Article 13 – Definitions</u> Add “Mental Health Crisis Center”
<u>ZA-09-03 Urban Reserve Temporary Uses:</u> Planning Commission Public Hearing: 21 October 2008 Planning Commission Referral: 9 December 2008 City Council Public Hearing Warning: 15 March 2009 City Council Public Hearing: 30 March 2009 City Council Adoption: 30 March 2009 Effective Date: 5 May 2009	<u>Article 2 Administrative Mechanisms</u> Sec. 2.5.5(b) Conservation Board Powers and Duties <u>Article 4 Maps and Districts</u> Sec. 4.4.7(b), (c) and (d) Urban Reserve <u>Appendix A - Use Table</u> add reference to Sec. 4.4.7(c)
<u>ZA-09-04 DT District Building Height:</u> Planning Commission Public Hearing: 9 December 2008 Planning Commission Referral: 9 December 2008 City Council Public Hearing Warning: 15 March 2009 City Council Public Hearing: 30 March 2009 City Council Adoption: 30 March 2009 Effective Date: 28 April 2009	<u>Article 4 Maps and Districts</u> Modify Sec. 4.4.1(a)2. Downtown Transition District (DT) Modify Map 4.4.1-1 Add Sec. 4.4.1(d) 4.C King Street Building Height
<u>ZA-09-05 Projecting Signs Allowable Size:</u> Planning Commission Public Hearing: 13 January 2009 Planning Commission Referral: 13 January 2009 City Council Public Hearing Warning: 15 March 2009 City Council Public Hearing: 30 March 2009 City Council Adoption: 30 March 2009 Effective Date: 5 May 2009	<u>Article 7 Signs</u> Modify Table 7.2.1-1
<u>ZA-09-06 Exceptions to Lot Size & Density for RL & WRL:</u> Planning Commission Public Hearing: 13 January 2009 Planning Commission Referral: 13 January 2009 City Council Public Hearing Warning: 15 March 2009 City Council Public Hearing: 30 March 2009 City Council Adoption: 30 March 2009 Effective Date: 5 May 2009	<u>Article 4 Maps and Districts</u> Modify Table 4.4.5-1
<u>ZA-09-07 Minimum Side Setback Clarification:</u> Planning Commission Public Hearing: 13 January 2009 Planning Commission Referral: 13 January 2009 City Council Public Hearing Warning: 15 March 2009 City Council Public Hearing: 30 March 2009 City Council Adoption: 30 March 2009 Effective Date: 5 May 2009	<u>Article 4 Maps and Districts</u> Modify Table 4.4.5-3

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<u>ZA-09-08 Parking Lot Shading Requirement:</u> Planning Commission Public Hearing: 13 January 2009 Planning Commission Referral: 9 June 2009 City Council Public Hearing Warning: 7 October 2009 City Council Public Hearing: 26 October 2009 City Council Adoption: 26 October 2009 Effective Date: 25 November 2009	<u>Article 6 Development Review Standards</u> Modify Sec. 6.2.2 (l)
<u>ZA-09-10 Existing Small Lots Definition:</u> Planning Commission Public Hearing: 13 January 2009 Planning Commission Referral: 13 January 2009 City Council Public Hearing Warning: 15 March 2009 City Council Public Hearing: 30 March 2009 City Council Adoption: 30 March 2009 Effective Date: 28 April 2009	<u>Article 5 Citywide General Standards</u> Modify Sec. 5.2.1
<u>ZA-09-12: FAHC Core Campus Height Overlay</u> Planning Commission Public Hearing: 10 February 2009 Planning Commission Referral: 10 February 2009 City Council Public Hearing Warning: 15 March 2009 City Council Public Hearing: 30 March 2009 City Council Adoption: 30 March 2009 Effective Date: 28 April 2009	<u>Article 4 Maps and Districts</u> Modify Sec. 4.5.2 Add Map 4.5.2-2 Modify Sec.4.5.2-3
<u>ZA-09-13: UVM Core Campus and Height Overlay</u> Planning Commission Public Hearing: 10 February 2009 Planning Commission Referral: 10 February 2009 City Council Public Hearing Warning: 15 March 2009 City Council Public Hearing: 30 March 2009 City Council Adoption: 30 March 2009 Effective Date: 28 April 2009	<u>Article 4 Maps and Districts</u> Modify Sec. 4.3.2, Modify Sec. 4.4.4 Modify Sec. 4.5.2 Add Maps 4.5.2-1, 4.5.2-4 and 4.5.2-5
<u>ZA-09-14: Champlain College Core Campus</u> Planning Commission Public Hearing: 10 February 2009 Planning Commission Referral: 10 February 2009 City Council Public Hearing Warning: 15 March 2009 City Council Public Hearing: 30 March 2009 City Council Adoption: 30 March 2009 Effective Date: 5 May 2009	<u>Article 4 Maps and Districts</u> Modify Sec. 4.5.2 Add Maps 4.4.4-1, 4.5.2-1 and 4.5.2-7 <u>Article 5 Citywide General Standards</u> Modify Sec. 5.2.6
<u>ZA-09-15b: Downtown Use and Height (NAC Street Frontage Use only)</u> Planning Commission Public Hearing: 10 February 2009 Planning Commission Referral: 10 February 2009 City Council Public Hearing Warning: 15 March 2009 City Council Public Hearing: 30 March 2009 City Council Adoption: 13 April 2009 Effective Date: 19 May 2009	<u>Article 4 Maps and Districts</u> Modify Sec. 4.4.2 (d.) 1
<u>ZA-09-16: Stormwater Performance Standards</u> Planning Commission Public Hearing: 26 May 2009 Planning Commission Referral: 9 June 2009 City Council Public Hearing Warning: City Council Public Hearing: 10 August 2009 City Council Adoption: 10 August 2009 Effective Date: 9 September 2009	<u>Article 5 Citywide General Standards</u> Modify Sec. 5..5.3

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<u>ZA-09-17: Street-facing Garage Wall Standards</u> Planning Commission Public Hearing: 26 May 2009 Planning Commission Referral: 9 June 2009 City Council Public Hearing Warning: 7 October 2009 City Council Public Hearing: 26 October 2009 City Council Adoption: 26 October 2009 Effective Date: 25 November 2009	<u>Article 6 Development Review Standards</u> Modify Sec. 6.2.2 (h)
<u>ZA-10-01 Parallel Sign Height Exemption in E-LM</u> Planning Commission Public Hearing: 8 December 2009 Planning Commission Referral: 16 December 2009 City Council Public Hearing Warning: City Council Public Hearing: 25 January 2010 City Council Adoption: 25 January 2010 Effective Date: 24 February 2010	<u>Article Signs</u> Modify Table 7.2.1-1 footnote 2 Remove Section 7.2.5 (e)
<u>ZA-10-03 Conditional Use and Major Impact Review Exemptions</u> Planning Commission Public Hearing: 8 December 2009 Planning Commission Referral: 16 December 2009 City Council Public Hearing Warning: City Council Public Hearing: 25 January 2010 City Council Adoption: 25 January 2010 Effective Date: 24 February 2010	<u>Article 3 Applications, Permits and Project Reviews</u> Modify Section 3.5.3
<u>ZA-10-04 Design Review Overlay District</u> Planning Commission Public Hearing: 6 April 2010 Planning Commission Referral: 26 April 2010 City Council Public Hearing Warning: 13 June 2010 City Council Public Hearing: 28 June 2010 City Council Adoption: 28 June 2010 Effective Date: 28 July 2010	<u>Article 4 Maps and Districts</u> Section 4.5.1
<u>ZA-10-05 Tree Maintenance Plan</u> Planning Commission Public Hearing: 6 April 2010 Planning Commission Referral: 26 April 2010 City Council Public Hearing Warning: 13 June 2010 City Council Public Hearing: 28 June 2010 City Council Adoption: 28 June 2010 Effective Date: 28 July 2010	<u>Article 3 Applications, Permits and Project Reviews</u> Modify Sec. 3.1.2 <u>Article 5 Citywide General Standards</u> Add Sec. 5.5.4
<u>ZA-10-06 Museum Definition</u> Planning Commission Public Hearing: 6 April 2010 Planning Commission Referral: 26 April 2010 City Council Public Hearing Warning: 13 June 2010 City Council Public Hearing: 28 June 2010 City Council Adoption: 28 June 2010 Effective Date: 28 July 2010	<u>Appendix A - Use Table</u> Modify "Museum" Add "Museum <10,000 sqft" <u>Article 13 – Definitions</u> Modify "Museum"
<u>ZA-10-07 Pine and Flynn NMU</u> Planning Commission Public Hearing: 6 April 2010 Planning Commission Referral: 26 April 2010 City Council Public Hearing Warning: 13 June 2010 City Council Public Hearing: 28 June 2010 City Council Adoption: 28 June 2010 Effective Date: 28 July 2010	<u>Article 4 Maps and Districts</u> Modify Map 4.3.1-1, Map 4.4.2-1; Modify Sec. 4.4.2 (d) 4.a & b Modify Tables 4.4.2-1 & 4.4.2-2 <u>Appendix A - Use Table</u>

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<u>ZA-10-07b Pine and Flynn NMU Parking District</u> Planning Commission Public Hearing: 6 April 2010 Planning Commission Referral: 26 April 2010 City Council Public Hearing Warning: 21 July 2010 City Council Public Hearing: 9 August 2010 City Council Adoption: 9 August 2010 Effective Date: 8 September 2010	<u>Article 8 Parking</u> Modify Map 8.1.3-1
<u>ZA-10-08 Flood Regulations</u> Planning Commission Public Hearing: 11 May 2010 Planning Commission Referral: 1 June 2010 City Council Public Hearing Warning: 8 Sept. 2010 City Council Public Hearing: 27 Sept. 2010 City Council Adoption: 27 Sept. 2010 Effective Date: 27 Oct. 2010	<u>Article 3 Applications, Permits and Project Reviews</u> Modify Sec. 3.1.2 <u>Article 4 Maps and Districts</u> Modify Sec. 4.5.4 <u>Article 13 – Definitions</u>
<u>ZA-11-01 Front Yard Setback</u> Planning Commission Public Hearing: 27 July 2010 Planning Commission Referral: 10 August 2010 City Council Public Hearing Warning: 20 October 2010 City Council Public Hearing: 8 November 2010 City Council Adoption: 8 November 2010 Effective Date: 8 December 2010	<u>Article 5 Citywide General Standards</u> Modify Sec. 5..2.5
<u>ZA-11-02 Emergency Demolition</u> Planning Commission Public Hearing: 27 July 2010 Planning Commission Referral: 10 August 2010 City Council Public Hearing Warning: 20 October 2010 City Council Public Hearing: 8 November 2010 City Council Adoption: 8 November 2010 Effective Date: 8 December 2010	<u>Article 3 Applications, Permits and Project Reviews</u> Modify Section 3.1.2 (c) 7&8
<u>ZA-11-03 Wetland Conservation Zone</u> Planning Commission Public Hearing: 14 September 2010 Planning Commission Referral: 14 September 2010 City Council Public Hearing Warning: 22 December 2011 City Council Public Hearing: 10 January 2011 City Council Adoption: 10 January 2011 Effective Date: 09 February 2011	<u>Article 4 Maps and Districts</u> Modify Section 4.5.4 (b) Modify Map 4.5.4-1
<u>ZA-11-04 Mental Health Crisis Center</u> Planning Commission Public Hearing: 14 September 2010 Planning Commission Referral: 14 September 2010 City Council Public Hearing Warning: 22 December 2011 City Council Public Hearing: 10 January 2011 City Council Adoption: 10 January 2011 Effective Date: 09 February 2011	<u>Article 5 Citywide General Standards</u> Modify Section 5.4.11
<u>ZA-11-05 Tree List Requirement</u> Planning Commission Public Hearing: 14 September 2010 Planning Commission Referral: 14 September 2010 City Council Public Hearing Warning: 22 December 2011 City Council Public Hearing: 10 January 2011 City Council Adoption: 10 January 2011 Effective Date: 09 February 2011	<u>Article 3 Applications, Permits and Project Reviews</u> Modify Section 3.1.2 (a)

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<u>ZA-11-06 E-LM Expansion</u> Planning Commission Public Hearing: 15 February 2011 Planning Commission Referral: 15 February 2011 City Council Public Hearing Warning: 13 March 2011 City Council Public Hearing: 28 March 2011 City Council Adoption: 28 March 2011 Effective Date: 27 April 2011	<u>Article 4 Maps and Districts</u> Modify Maps 4.3.1-1 Base Zoning Districts, 4.4.3-1 Enterprise Districts, 4.4.5-1 Residential Zoning Districts
<u>ZA-11-07 DMU Residential District Setback</u> Planning Commission Public Hearing: 15 February 2011 Planning Commission Referral: 15 February 2011 City Council Public Hearing Warning: 13 March 2011 City Council Public Hearing: 28 March 2011 City Council Adoption: 28 March 2011 Effective Date: 27 April 2011	<u>Article 4 Maps and Districts</u> Modify Sec. 4.4.1
<u>ZA-11-08 Highway Sign Exemption</u> Planning Commission Public Hearing: 10 May 2011 Planning Commission Referral: 10 May 2011 City Council Public Hearing Warning: 20 July 2011 City Council Public Hearing: 8 August 2011 City Council Adoption: 8 August 2011 Effective Date: 7 September 2011	<u>Article 8 Parking</u> Modify Section 7.1.3 – Exemptions
<u>ZA-11-09 Shared Use Parking District</u> Planning Commission Public Hearing: 10 May 2011 Planning Commission Referral: 10 May 2011 City Council Public Hearing Warning: 28 May 2011 City Council Public Hearing: 13 June 2011 City Council Adoption: 13 June 2011 Effective Date: 20 July 2011	<u>Article 8 Parking</u> Modify Map 8.1.3-1
<u>ZA-12-01 Bed and Breakfast Definition</u> Planning Commission Public Hearing: 9 August 2011 Planning Commission Referral: 9 August 2011 City Council Public Hearing Warning: 28 September 2011 City Council Public Hearing: 17 October 2011 City Council Adoption: 17 October 2011 Effective Date: 16 November 2011	<u>Article 13 Definitions</u> Modify “Bed and Breakfast” Definition
<u>ZA-12-02 Signs in Enterprise Districts</u> Planning Commission Public Hearing: 9 August 2011 Planning Commission Referral: 9 August 2011 City Council Public Hearing Warning: 28 September 2011 City Council Public Hearing: 17 October 2011 City Council Adoption: 17 October 2011 Effective Date: 16 November 2011	<u>Article 7 Signs</u> Add Sec. 7.2.5 (e)
<u>ZA-12-03 Adaptive Reused in PUD</u> Planning Commission Public Hearing: 9 August 2011 Planning Commission Referral: 9 August 2011 City Council Public Hearing Warning: 28 September 2011 City Council Public Hearing: 17 October 2011 City Council Adoption: 17 October 2011 Effective Date: 16 November 2011	<u>Article 11 Planned Unit Development</u> Modify Sec. 11.1.3 (b)

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<u>ZA-12-04 Zoning Complainants</u> Planning Commission Public Hearing: 13 December 2011 Planning Commission Referral: 28 February 2012 City Council Public Hearing Warning: 20 May 2012 City Council Public Hearing: 4 June 2012 City Council Adoption: 4 June 2012 Effective Date: 4 July 2012	<u>Article 2 Administrative Mechanisms</u> Modify Sec. 2.7.5
<u>ZA-12-05 – Major Impact – Neighborhood Meeting</u> Planning Commission Public Hearing: 13 December 2011 Planning Commission Referral: 28 February 2012 City Council Public Hearing Warning: 20 May 2012 City Council Public Hearing: 4 June 2012 City Council Adoption: 4 June 2012 Effective Date: 4 July 2012	<u>Article 3 Applications, Permits and Project Reviews</u> Modify Sec. 3.2.1, Modify 3.5.2 Modify 3.5.4
<u>ZA-12-06 – NAC Minimum Building Height</u> Planning Commission Public Hearing: 28 February 2012 Planning Commission Referral: 28 February 2012 City Council Public Hearing Warning: 20 May 2012 City Council Public Hearing: 4 June 2012 City Council Adoption: 4 June 2012 Effective Date: 4 July 2012	<u>Article 4 Maps and Districts</u> Modify Section 4.4.2 (b))
<u>ZA-12-09 – NAC Ground Floor Use Restriction</u> Planning Commission Public Hearing: 27 March 2012 Planning Commission Referral: 27 March 2012 City Council Public Hearing Warning: 20 May 2012 City Council Public Hearing: 4 June 2012 City Council Adoption: 4 June 2012 Effective Date: 4 July 2012	<u>Article 4 Maps and Districts</u> Modify Sec. 4.4.2 (d)1
<u>ZA-12-08 Electronic Message Signs</u> Planning Commission Public Hearing: 27 March 2012 Planning Commission Referral: 27 March 2012 City Council Public Hearing Warning: September 11, 2012 City Council Public Hearing: October 15, 2012 City Council Adoption: November 26, 2012 Effective Date: December 26, 2012	<u>Article 7 Signs</u> Modify Sec. 7.1.12
<u>ZA-13-01 Residential Occupancy Limits in the RH District</u> Planning Commission Public Hearing: October 23, 2012 Planning Commission Referral: October 24, 2012 City Council Public Hearing Warning: October 24, 2012 City Council Public Hearing: November 13, 2012 City Council Adoption: November 26, 2012 Effective Date: December 26, 2012	<u>Article 4 Zoning Maps and Districts</u> Modify Sec. 4.4.5 (d) 5. C.
<u>ZA-13-02 Lot Line Adjustments; Vestigial Alley</u> Planning Commission Public Hearing: December 18, 2012 Planning Commission Referral: February 18, 2013 City Council Public Hearing Warning: May 22, 2013 City Council Public Hearing: June 10, 2013 City Council Adoption: June 10, 2013 Effective Date: July 10, 2013	<u>Article 10 Subdivision Review</u> Modify Sec. 10.1.5 <u>Article 13 Definitions</u> Modify 'Lot Line Adjustment' definition Add 'Vestigial Alley' definition

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<u>ZA-13-04 Garage Size and Orientation</u> Planning Commission Public Hearing: February 12, 2013 Planning Commission Referral: February 18, 2013 City Council Public Hearing Warning: May 22, 2013 City Council Public Hearing: June 10, 2013 City Council Adoption: June 10, 2013 Effective Date: July 10, 2013	<u>Article 4 Zoning Maps and Districts</u> Modify Sec. 4.4.5 (d) 4 <u>Article 6 Development Review Standards</u> Modify Sec. 6.2.2 (h)
<u>ZA-13-05 Nonconforming Structures Demolition</u> Planning Commission Public Hearing: March 26, 2013 Planning Commission Referral: April 9, 2013 City Council Public Hearing Warning: June 26, 2013 City Council Public Hearing: July 15, 2013 City Council Adoption: July 15, 2013 Effective Date: August 14, 2013	<u>Article 5 Citywide General Regulations</u> Modify Sec. 5.3.5 (b)
<u>ZA-13-07 50% Residential Limitation</u> Planning Commission Public Hearing: March 12, 2013 Planning Commission Referral: April 9, 2013 City Council Public Hearing Warning: August 21, 2013 City Council Public Hearing: September 9, 2013 City Council Adoption: September 9, 2013 Effective Date: October 9, 2013	<u>Article 4 Zoning Maps and Districts</u> Modify Sec. 4.4.1 (d) 1. B.
<u>ZA-13-08 Residential Side/Rear Yard Setback Encroachments</u> Planning Commission Public Hearing: March 26, 2013 Planning Commission Referral: April 9, 2013 City Council Public Hearing Warning: June 26, 2013 City Council Public Hearing: July 15, 2013 City Council Adoption: July 15, 2013 Effective Date: August 14, 2013	<u>Article 4 Zoning Maps and Districts</u> Modify Table 4.4.5-3 <u>Article 5 Citywide General Regulations</u> Modify Sec. 5.2.5 (a) 2. Modify Sec. 5.2.5 (b) 7. Modify Sec. 5.3.5 (a) 1.
<u>ZA-13-09 Community Center</u> Planning Commission Public Hearing: March 26, 2013 Planning Commission Referral: April 9, 2013 City Council Public Hearing Warning: June 26, 2013 City Council Public Hearing: July 15, 2013 City Council Adoption: July 15, 2013 Effective Date: August 14, 2013	<u>Appendix A – Use Table</u> Modify Use Table
<u>ZA-13-10 Accessory Dwelling Units</u> Planning Commission Public Hearing: March 26, 2013 Planning Commission Referral: April 9, 2013 City Council Public Hearing Warning: City Council Public Hearing: September 9, 2013 City Council Adoption: September 9, 2013 Effective Date: October 9, 2013	<u>Article 5 Citywide General Regulations</u> Modify Sec. 5.4.5
<u>ZA-13-11 Adaptive Reuse and Residential Bonuses</u> Planning Commission Public Hearing: May 14, 2013 Planning Commission Referral: July 24, 2013 City Council Public Hearing Warning: October 16, 2013 City Council Public Hearing: November 4, 2013 City Council Adoption: November 4, 2013 Effective Date: December 4, 2013	<u>Article 4 Zoning Maps and Districts</u> Modify Sec. 4.4.5 (d) 7. C. Modify Sec. 4.4.5 (d) 7. D.

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<u>ZA-14-02 RCO-Recreation Greenspace Lot Coverage</u> Planning Commission Public Hearing: October 8, 2013 Planning Commission Referral: October 29, 2014 City Council Public Hearing Warning: February 2, 2014 City Council Public Hearing: February 18, 2014 City Council Adoption: February 18, 2014 Effective Date: March 19, 2014	<u>Article 4 Zoning Maps and Districts</u> Modify Sec. 4.4.6(b) and (d)
<u>ZA-14-03 Conditional Uses in Mixed Use Districts</u> Planning Commission Public Hearing: September 10, 2013 Planning Commission Referral: September 13, 2013 City Council Public Hearing Warning: October 16, 2013 City Council Public Hearing: November 4, 2013 City Council Adoption: November 4, 2013 Effective Date: December 4, 2013	<u>Appendix A – Use Table</u> Modify Use Table
<u>ZA-14-04 Downtown Transition District Expansion</u> Planning Commission Public Hearing: September 10, 2013 Planning Commission Referral: September 13, 2013 City Council Public Hearing Warning: October 16, 2013 City Council Public Hearing: November 4, 2013 City Council Adoption: November 4, 2013 Effective Date: December 4, 2013	<u>Article 4 Zoning Maps and Districts</u> Modify Map 4.3.1-1 Modify Map 4.4.1-1 Modify Map 4.4.5-1 Modify Figure 4.4.1-3 <u>Article 8 Parking</u> Modify Map 8.1.3-1
<u>ZA-14-05 Neighborhood Mixed Use District Expansion</u> Planning Commission Public Hearing: November 26, 2013 Planning Commission Referral: December 20, 2013 City Council Public Hearing Warning: June 11, 2014 City Council Public Hearing: July 14, 2014 City Council Adoption: July 14, 2014 Effective Date: August 13, 2014	<u>Article 4 Zoning Maps and Districts</u> Modify Map 4.3.1-1 Modify Map 4.4.2-1 Modify Map 4.4.5-1 <u>Article 8 Parking</u> Modify Map 8.1.3-1
<u>ZA-14-06 Café Parking In Shared Use Parking Districts</u> Planning Commission Public Hearing: November 26, 2013 Planning Commission Referral: November 26, 2013 City Council Public Hearing Warning: December 18, 2013 City Council Public Hearing: January 6, 2014 City Council Adoption: January 6, 2014 Effective Date: February 5, 2014	<u>Article 8 Parking</u> Modify Table 8.1.8-1
<u>ZA-14-09 Lot Coverage Exceptions</u> Planning Commission Public Hearing: March 11, 2014 Planning Commission Referral: April 8, 2014 City Council Public Hearing Warning: June 11, 2014 City Council Public Hearing: July 14, 2014 City Council Adoption: July 14, 2014 Effective Date: August 13, 2014	<u>Article 4 Zoning Maps and Districts</u> Modify Sec. 4.4.5(d)3. <u>Article 13 Definitions</u> Add ‘Window Well’ definition
<u>ZA-14-11 Animal Boarding in NAC</u> Planning Commission Public Hearing: March 11, 2014 Planning Commission Referral: April 8, 2014 City Council Public Hearing Warning: June 11, 2014 City Council Public Hearing: July 14, 2014 City Council Adoption: July 14, 2014 Effective Date: August 13, 2014	<u>Appendix A – Use Table</u> Modify Use Table

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City of Burlington, Vermont

Department of Planning
City Hall, Burlington, Vermo
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Recently Adopted Amendments

Below are adopted Zoning Amendments that have yet to be incorporated into the text of the [Comprehensive Development Ordinance](#) itself.

If none are listed, then all adopted amendments are currently incorporated into the Comprehensive Development Ordinance.

ZA-15-02 - Conditional Use, Planned Unit Development and Subdivision. The purpose of this amendment is to eliminate redundant and unnecessary steps, costs and complexity to the development review process by:

- disconnecting Conditional Use Review from development that does not actually involve an identified conditional use (Sec. 3.5.2 (a) and Sec. 3.5.3);
- revising the Conditional Use Review criteria to focus more specifically on the aspects of the development that may be effected by a proposed conditional use (Sec. 3.5.6 (a) and (b));
- clarifying the scope of conditions that may be imposed under Conditional Use Review and Major Impact Review (Sec. 9.1.12);
- removing the requirement that inclusionary housing can only be applicable for subdivisions and PUD per recent staff amendment (Sec. 9.1.5 and 9.1.12);
- removing the requirement for Conditional Use approval by DRB for any project involving Inclusionary Housing (Sec. 9.2.5, 9.2.9 and 9.2.10);
- removing the requirement for Conditional Use approval by DRB for any project involving Replacement Housing (Sec. 11.1.3);
- removing the requirement that inclusionary housing can only be applicable for subdivisions and PUD per recent staff amendment and the necessity of having Major and Minor PUD's (Sec. 11.1.3);
- disconnecting PUD's from Subdivision review in cases where no actual subdivision of land is being proposed (Sec. 11.1.4 and 11.1.6);
- clarifies the scope of flexibility for development standards afforded by the PUD Review process (Sec. 11.1.4, 11.1.5 and 11.1.6).

ZA-15-04 - Downtown, Neighborhood Mixed Use, & Enterprise Districts Setbacks Abutting a Residential Zone - This amendment comes as a result of a determination by the Environmental Division that the language of the ordinance by reference to a property line, allows a change of a property line to de facto change the zoning setback. The result without this setback effect extends the encroachment of a mixed use district into a residential area based solely on changes in parcel boundaries rather than on the zoning boundary line established by the Planning Commission and City Council. Instead the City needs to assure better control over the expansion of districts, thus this change references the "zoning boundary" rather than a de facto "property line" that is not under the City's control.

ZA-15-07 - Community Gardens Impact Fee Incentive & Off-Site Improvements Impact Fee Inclusion - This amendment to the Burlington CDO proposed to amend Section 3.3.3 (d) to provide incentive for installing new community garden space by reducing the amount of parks impact fee equivalent to the cost of installation of the community garden. Sec. 3.3.4, Off-site Improvements, is unrelated to the proposed incentive. It is in the city's impact fee ordinance but was not carried over to the new ordinance with the rest of the impact fee ordinance when the CDO was adopted in 2008. The language simply puts it back.

ZA-15-06 - Performing Arts Centers in ELM Zone - This proposed amendment to the Burlington CDO allows performing arts centers as a conditional use in the Enterprise - Light Manufacturing (ELM) Zone.

ZA-15-05 - Appendix A - Use Table (Adopted June 15, 2015)

This amendment to the Burlington CDO Appendix A - Use Table - All Zoning Districts has two separate parts to: **(Part A)** and **(Part B)**. Footnote 26 to the *Use Table*. This new footnote is associated with "Attached Dwelling(s) - Mixed Use" and clarifies that the uses allowed under this category are limited to those uses that are permitted, conditional, or pre-existing nonconforming in the relevant zoning district; and to **(Part B)** use "reserved" footnote 8 for a new provision that allows "Daycare - Small (7-12 children)" as a conditional use in the RCO Zones. It may be allowed only as part of a "Small Museum" and is limited to < 50,000 square feet of museum's gross floor area.

ZA-14-08 - Urban Agriculture Standards (Adopted January 26, 2015)

The purpose of this amendment is to refine definitions and provide further allowances for urban agriculture activities to take place on private properties as per the Urban Agriculture Task Force report prepared on September 2012.

ZA-14-10 - Existing Lots Required Frontage or Access (Adopted August 11, 2014)

The purpose of this amendment is to clarify that Sec. 5.5.2 is aimed at limiting backyard subdivisions.

ZA-15-01 - Garage Size and Orientation - Fix a typo referencing another section.

- Departments of the City of Burlington -

Assessor's Office
Attorney's Office
Board of Health
Burlington Electric Department
Burlington International Airport
Burlington School District
Burlington Telecom

Community & Economic Development Office (CEDO)
Church Street Marketplace
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Burlington Development Review Board

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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 Tuesday February 16, 2016, 5:00 PM Conference Room 12, City Hall, 149 Church Street, Burlington, VT AMENDED AGENDA

I. Agenda

II. Communications:

- a. This is information requested by the DRB relative to re-opened appeal for 154 Park Street, submitted by the City Attorney's office.
- b. Technical Review Committee Departmental Review on 451 Ethan Allen Parkway.

III. Minutes

IV. Public Hearing

1. **16-0511CA/AP; 154 Park St (RM, Ward 3C) Amy E. Pickering**
Re-open appeal on a family daycare in existing single family residence.
(Project Manager, Mary O'Neil)
 2. **16-0784CU; 400 Pine St (ELM, Ward 5S) Howard Space Partnership LLC**
Performing arts center within existing mixed use facility. No site or exterior building changes included.
(Project Manager, Scott Gustin)
 3. **16-0724PD; 451 Ethan Allen Parkway (RL, Ward 7N) Timothy G. Ales/Ales**
Preliminary plat for 9-unit planned unit development in three buildings and associated site improvements.
(Project Manager, Scott Gustin)
 4. **16-0707CA/CU; 77-78 Pearl St (D, Ward 3C) Irene C. Hinsdale**
Demolish carriage barn and replace with parking spaces.
(Project Manager, Mary O'Neil)
 5. **16-0477AP; 99 Loomis St (RL, Ward 1E) Jonathan E. Lubas**
Appeal of Code Enforcement determination relative to occupancy by unrelated adults.
(Project Manager, Jeanne Francis)
- c. Other Business
 - d. Adjournment

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

Participation in the DRB proceeding is a prerequisite to the right to take any subsequent appeal. Please note that ANYTHING submitted to the Planning and Zoning office is considered public and cannot be kept confidential. This may not be the final order in which items will be heard. Please view final Agenda, at www.burlingtonvt.gov/pz/drbb/agendas or the office notice board, one week before the hearing for the order in which items will be heard.

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BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday February 2, 2016, 5:00 PM

Contois Auditorium, City Hall, 149 Church Street, Burlington, VT
Minutes

Board Members Present: Austin Hart, Brad Rabinowitz, Jonathan Stevens, Israel Smith, Ali Zipparo,
A.J.LaRosa, Wayne Senville

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

I. Agenda

16 Rose St requested a deferral for March 2, 2016.

II. Communications

III. Minutes

IV. Public Hearing

1. 16-0730CU; 1 Mill St (NMU, Ward 1E) Catamount Holding Co

Change of use from warehouse/office/lab space to primary and secondary school. No site or exterior building changes. (Project Manager, Mary O'Neil)

A.J.LaRosa and G.Hand recused.

A.Hart – asked if applicant had seen staff findings and recommendations.

L.Letounneur – applicant's response was affirmative.

W.Senville - one question about how students get to classrooms with the narrow drive and steep slope with not great visibility?

L.Letounneur – explained the front entrance is on the river. The back entrance will not be used.

A.Hart – questions whether parking is sufficient?

M.ONeil – the applicant has shown a surplus of parking.

J.Stevens – it seems a little dangerous. How will this be managed?

L.Letounneur - children are grades 6 thru 12. Parents will drop off. Bus drop off is usually guided by a staff person.

J.Stevens - how many will be let out.

L.Letounneur - about 27 to 25 children.

A.Zipparo - questions the continuity of the sidewalks.

L.Letounneur – explained area for loading, visitor parking and that there are no sidewalks near the building.

A.Zipparo - are the buses turning around without backing up?

L.Letounneur - yes, although some are shorter buses.

A.Hart – we should make this a public hearing and place applicant under oath. Swears in applicant.

J.Stevens - some children may come by public transport. Where is the bus stop?

L.Letounneur – at the Riverside Ave, Colchester Ave intersection.

J.Stevens – on the Winooski side and Burlington side?

L.Letounneur – yes.

A.Zipparo - concerned about the pickup and drop off with the loading situation. Burlington doesn't have a safe transport system.

L.Letounneur - staff is guiding the transport vehicles. It will be a controlled situation.

A.Zipparo – the reality is that someone is not always able to pick up students. Is it possible for the school to testify?

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Sharon Bushor - City Councilor for Ward 1; though not an expert on transportation, the concern is traffic. Can appreciate the Board's concern pertaining to this intersection. The public transportation drop off of students or anyone who has to navigate the intersection of Riverside Ave and Colchester Ave needs to be addressed if this project is approved. Thank you for taking my comments.

I.Smith – asks where the school location is within the building. The trouble is understanding the pickup/drop off in relation to the activity of the loading dock.

L.Letounneur - you are right that this is an active area depending where area is being serviced. There is no heavy trucker traffic.

W.Senville - how do students enter the walkway along the building? Do they have to walk thru some of parking lot?

L.Letounneur – the parking lot brings you to the entrance.

A.Ziparo – where do the city buses drop off?

L.Letounneur - they drop off at Riverside Ave.

A.Ziparo – would like to see more of a transportation plan for picking up and dropping off students.

I.Smith – familiar with the drop off area, which is very narrow and no sidewalk in area. Need more plans.

A.Ziparo – like to know the ways the school bus may drop off.

W.Senville - can Kay St be used as access?

L.Letounneur - do not know. This is a cut through for car traffic to go in and out.

A.Hart – closed the public hearing at 5:22pm.

Certificate of Appropriateness

V. 1. 16-0007CA; 351 North Ave (RM-W, Ward 4N) Burlington College

Amendments: remove 1st floor assembly space, add two living units and two parking spaces, relocate/redesign west entrance with associated landscape changes add small fenced in dog park, add grilling patio, utility pad, 65 indoor bike parking, retain Porte cochere.

(Project Manager, Scott Gustin)

W.Senville recused.

A.Hart - swears in applicants and asks to summarize project

E.Farrell – presentation on the relocation of interior uses.

A.Hart – is the assembly area changing to a main lounge for only the apartments and not the college?

E.Farrell – correct. Went over site plan and landscaping changes. The portico will remain in front for an outdoor meeting space. Rear recreational area will have access to the parking area.

J.Stevens - questions the footprint of building and whether Burlington College is the owner.

E.Farrell – yes, the college retains ownership of the diocesan section and I share ownership of the remainder of the building.

S.Gustin - Burlington College and Eric are owner/applicant.

E.Farrell - we own the property together and applying today as an association.

J.Stevens - the initial elevation show porte cochere unattractive and not historic.

B.Rabinowitz - questions about the entrance feeling the entrance is degraded by new site plan.

E.Farrell – in relationship of other areas the backside and more parking it will make more sense and still trying to keep it a functional entrance

A.Hart - is entrance on Grand St ornamental?

E.Farrell - think it will be used by people.

G.Hand - is it financial reasons for not removing the porte cochere?

E.Farrell - think we can repurpose the area, since they would like us to keep it.

G.Hand - agree it is a negative change. Question the handicap parking.

E.Farrell – presents the pedestrian walkway and mentions there is no handicap parking in the lower lot.

A.Ziparo - is the bike parking in front of building?

E.Farrell - substantial parking in interior. Visitors more likely to use main entrance. Front entrance will be used by residents usually, maybe more if there were ample front street parking.

A.Ziparo - significant changes in front from what we saw originally, when main entrance was considered in the front.

B.Duncan - center of building is used as the central stairs for to all four stories encouraging use of this side of the building to the main lobby with intercoms at both entrances.

A.Zipparo – questions use of bike racks for front entrance.

E.Farrell - can put bike racks near front entrance and near college entrance.

J.Stevens – questions about neighborhood banks need to have entrance facing North Ave.

I.Smith – fine that old original entrance is being restored. Leaving the 1970's port cochere is more dominant than entrance and need to be convinced that both are okay. Leaving the 1970's entrance detracts from original entrance of the building.

E.Farrell - support for port cochere is not unanimous for us. It is purely functional and probably the same financially either off or on, but it is not a deal breaker for removing the port cochere.

I.Smith - what else could you come up with rather than leaving what's there?

G.Hand – unclear about handicap accessibility and about the bike entrance and if it is close to bike entrance.

J.Stevens – would like to hear from the College.

I.Smith – could we get a copy of the renderings, they were not in our package.

E.Farrell – we will get them to the staff and Board.

A.Hart – closes the public hearing at 5:50pm

2. 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)

Project was deferred to March 2, 2016.

VI. Sketch Plan

1. 16-0711SP; 435-441 Shelburne St (RM, Ward 5S) Mitchel Robinson

Sketch plan review to convert existing 12 bedroom rooming house and 2-person duplex to a 10 unit multifamily residential apartment building. (Project Manager, Scott Gustin)

W.Senville recused.

A.Hart – Board is here to provide feedback and will not take testimony under oath on this.

M.Richardson - purchased property a year ago from my parents and the major agenda was to bring to it into compliance.

S.Silla – architect, presented power point presentation before the Board showed early stages for planning and parking. Question density and parking and looking for guidance. Requesting preliminary comments from Board to convert to 10 unit residential within existing footprint providing that inclusionary housing is included.

Objectives are to confirm density and number of units allowed, lot coverage, parking count and resident concerns.

This is a corner lot at Lyman and Shelburne compatible for RM zoning district. Not looking for change in use. Assemblage of several parcels and right of way rear parcel. There are a cluster of residential and couple of multifamily units nearby. Showed different views of the building. All three individual parcels will change property lines. No official easement or right of usage with those parcels using the right of way for access.

A.Hart - questions lot coverage calculations and inclusions.

S.Silla – we are allowed 20 units per acre with inclusionary housing we are granted a 20% bonus equaling 10.3 units. Over in lot coverage and need to address this.

M.Richardson - we are 47% lot coverage and could be 48.9% with a 10 space surface parking lot will include compact spaces as well.

S.Gustin - standard is for 90 degree space by 24 ft. which may be flexible.

A.J.LaRosa - looks tight.

S.Silla - basement level is one two bedroom, second level is 1 1 to 3 bedroom and upper level 4 is single and one three bedroom. Proposing twelve parking space.

A.Tillmark - spoke to on building massing and to keep existing structure to maintain traditional look.

S.Silla - read staff report; one issue is the accessible path to building entry. Not planning on an elevator. Have strategies for ADA spaces that wrap around to connect to a platform.

B.Rabinowitz – questions the grading.

S.Silla – there is a fair amount of ramping and another will be close to Lyman as a second option. The third is directly off of Shelburne Rd. Providing one trash bin under building. We

know we need outdoor lighting, landscaping, parking plan, waste management. Will be asking tenants to recycle individually.

I.Smith - spaces near the building provide a buffer to keep cars from messing up the building.

G.Hand – questions if garage underneath is accessible? How does this work with the Casella service.

B.Rabinowitz - questionable about each unit doing their own trash given the space.

A.J.LaRosa – questions snow plowing and where does it goes could present problems.

J.Grovani – neighbor who lives near the line. He is concerned with the space, especially in the winter months when his fence is hit. Access to our backyard is the unpaved road. The space feels very tight to me and 10 or 12 cars are a concern with my property line right off of Lyman.

M.Richarson - proposing a 5' tree line.

J.Grovani - when they grow up will be on my property. The gas line is right on property line.

Trash is a concern and recycling day is a concern and quietness of the area.

A.Hart - encourage all of you to talk outside of this public hearing. This is sketch plan and your point is that it's really tight on the lot.

A.Zipparo - concerns with recycling.

J.Grovani - a lot of clutter on sidewalk.

B.Rabinowitz - he has support for 10 units, maybe 9 units will work. There are issues with things being tight. Concerning the handicap unit the ramp might make it more generous.

A.Zipparo - that many units will spill into the neighborhood and cause problems.

A.Hart - very tight situation. Using the alley for lot coverage and density may not serve the numbers well and changing the character of the neighborhood.

A.J.LaRosa – this may cause irregular lot shapes and some problems.

M.Richarson - realize the lot has been out of compliance for a while and want to make it in compliance. I know this is a challenging lot.

A.Hart – expressed interest in the number of bedrooms.

M.Richardson – have 13 bedrooms now and inclusionary is my parents. With my Mom being handicap I wanted to give her a retirement home.

A.Hart – mentioned the 40% parking waiver and the need to work with staff on a parking management plan to control cars on the site.

M.Richardson – may put car share, public transport, bike racks.

A.Hart – it will be helpful to explain how parking is available and even with the snow.

M.Richardson – aesthetics is my goal.

H.Ocean – neighbor residing on Ferguson Ave is glad someone has taken an interest in house because it has been pretty run down. Traffic flow both ways into onto Fergusson.

M.Richardson – said there is zero traffic on Fergusson, but will look into it.

A.Hart - sounds like project is great and bringing back much needed housing. Looking forward to what you come back with.

A.Hart - closed public hearing at 6:37pm.

Meeting was adjourned at 6:37pm.

VII. Other Business

A Deliberation Session was held by the Board after this meeting.

VIII. Adjournment

A.Hart, Chair of Development Review Board

Date

A.Wade, Planning & Zoning Clerk

Date

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