Burlington Design Advisory Board
645 Pine Street
Burlington, VT 05401
www.burlingtonvt.gov/DPI/DAB
Phone: (802) 865-7188

Ron Wanamaker
Emily Morse
Jay White
Jack Qualey
Gabriel Stadecker
Kathleen Ryan, Alt
Michael Alvanos, Alt

DESIGN ADVISORY BOARD
Tuesday, January 10, 2023 3:00 PM

Remote and In Person (at 645 Pine Street) Meeting

Please click the link below to join the webinar:
https://us02web.zoom.us/j/87155655137?pwd=ZEdGaGhxeFpRNDJQcFJrNWkvb1Vudz09
Webinar ID: 871 5565 5137
Passcode: 796731
Or Telephone: US: +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782

Agenda

Session I – 3:00 PM – 3:30 PM

ZP-22-554; 31 Volz Street (RM, Ward 3C) Philip & Katherine Geraghty / Steve Guild
Within the front portion of the existing duplex, combine the second floor unit with portions of the first floor unit into one unit; duplex use to remain. Additionally, construct a new dormer above the ground level porch for additional second floor living space. (Project Manager, Mary O'Neil)

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 Permitting & Inspections at least 72 hours in advance so that proper accommodations can be arranged. For information call 865-7188.

Non-Discrimination
The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status, crime victim status or genetic information. The City is also committed to providing proper access to services, facilities, and employment opportunities. For accessibility information or alternative formats, please contact Human Resources Department at (802) 540-2505.

Department of Permiting and Inspections
Zoning Division
645 Pine Street
Burlington, VT 05401
www.burlingtonvt.gov/pz
Phone: (802) 865-7188
Fax: (802) 865-7195

William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Joseph Cava, Planning Technician
Celeste Crowley, Permit Administrator
Theodore Miles, Zoning Specialist
Charlene Orton, DPI Administrator

MEMORANDUM

To: The Design Advisory Board
From: Mary O'Neil, AICP Principal Planner
RE: ZP-22-554, 31 Volz Street
Date: ~~December 27, 2022~~ January 10, 2023

File: ZP-22-554
Location: 31 Volz Street
Zone: RM **Ward**: 3C
Parking District: Neighborhood
Date application accepted: 10.11.22
Applicant/ Owner: Steve Guild / Philip & Katherine Geraghty
Request: Within the front portion of the existing duplex, combine the 2nd floor unit with a portion of the 1st floor unit into 1 unit; duplex use to remain. Additionally, construct a new dormer above the ground level porch for additional 2nd floor living space.

Background:

- **Zoning Permit 93-430;** remove existing one story rear addition on single family home with "mother-in-law" apartment; replace with a two-story addition. May 1993.
- **Zoning Permit 95-483**; rear attic window, area remains storage; amend condition of ZP 93-430 regarding the addition height. June 1995.
- **Zoning Permit 09-760CA**; construct rear porch and lengthen driveway. October 2009.
- **Zoning Permit 11-1076CA;** replacement windows. June 2011.
- **Zoning Permit 12-1046CA;** replacement windows. May 2012.

Overview: 31 Volz Street is an existing two unit residence that is listed as a contributing resource on the 2000 City of Burlington Historic Sites and Structures Survey. As such, it is considered eligible for historic listing, and the standards of Section 5.4.8 apply.

Although the applicant asserts there are currently three units on site, the 1993 permit allowed for an expansion of an existing single family home with a mother-in-law unit. The 1995 permit refers to the property as an "existing duplex." The City recognizes 2 units on site. There will be some internal reconfiguring with the end result of 2 units. The front portion of the structure will consist of a two-story unit, and the other unit will occupy two-stories in the rear portion. The proposal includes a new dormer shed roof over the existing entrance porch that intended to create additional living space in the upper floor of the front unit. A third floor "loft" bedroom (unpermitted) will be closed off. Living space on the third floor via ladder cannot be approved due to life safety code.

The programs and services of the City of Burlington are accessible to people with disabilities. For accessibility information call 865-7188 (for TTY users 865-7142).

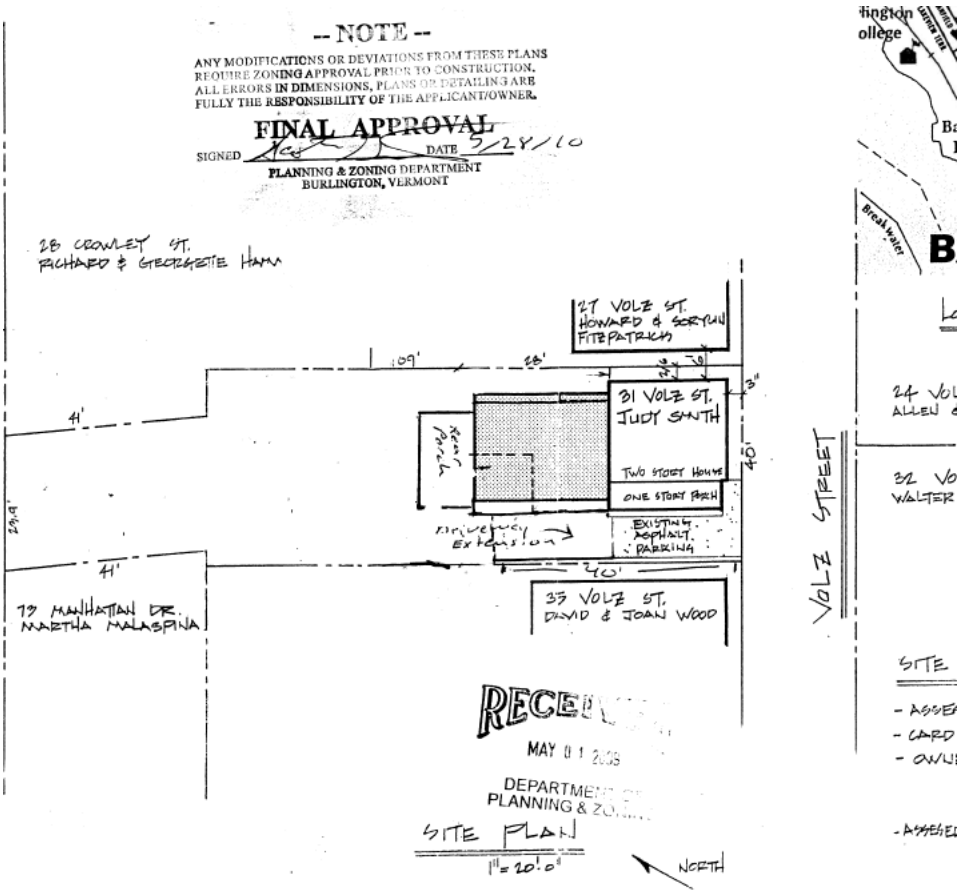
The historic listing for the c. 1890 structure offers the following:

1 ½ story, gable roof house with patterned slate shingles. A large gable roof addition has been built on rear (south) façade. Entrance moved to shed roof addition on east façade. Fenestration has been altered.

On November 22, 2022, the Design Advisory Board reviewed this application and tabled the application for the applicant to provide revised plans showing how the dormer addition integrates with the overall structure. Revised plans have been submitted showing the relationship between the new dormer and the structure's rear portion.

Re-review of the submission information brings additional discrepancies to light:

As the applicant has not provided a complete site plan, it is not clear if the addition will alter lot coverage. Here is the 2010 approved site plan, where coverage was assessed as 41.3%. If the extended dormer/porch increases lot coverage (eliminating the bonus allowance of the open porch, below) then the proposal cannot be considered as it exceeds allowable coverage for the zoning district. A revised site plan, with coverage calculation, will be required to assure it is within allowable limits.



The “existing” building elevations are incorrect; the window on the west elevation has a deck with an exterior staircase (unpermitted, and within a required setback.) Although the application proposes removal of the deck/stairs, it never received permit review and approval.

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:
No significant natural features are identified within the plan.

(b) Topographical Alterations:
Not applicable.

(c) Protection of Important Public Views:
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, below.

(e) Supporting the Use of Renewable Energy Resources:

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

(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.

The covered porch of the front entrance will provide space for resident shelter in inclement weather.

(h) Building Location and Orientation:

No change is proposed to the building location or orientation.

(i) Vehicular Access:

Not applicable.

(j) Pedestrian Access:

No change is proposed to the pedestrian access. The front stoop immediately adjacent to the street will remain.

(k) Accessibility for the Handicapped:

Not applicable.

(l) Parking and Circulation:

Not applicable.

(m) Landscaping and Fences:

Not applicable.

(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.

The project description does not include any definition of lighting. If any light fixtures are proposed they shall be included on revised elevation drawings, and fixture information and illumination levels shall be provided.

(p) Integrate infrastructure into the design:

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

Utility and service enclosures and screening shall be coordinated with the design of the principal building, and should be grouped in a service court away from public view. On-site utilities shall be 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.

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

Not applicable.

Part 3: Architectural Design Standards
Sec. 6.3.2 Review Standards

(a) Relate development to its environment:

1. Massing, Height and Scale:

The new dormer above the existing ground level entrance porch will increase the massing of the structure on the east side. The addition of a dormer that consumes more than 50% of the roof will alter the height calculation of the front of the building, however is not estimated to exceed 35'. Of the seven houses on Volz Street, 6 have attached one story porches. 53 Manhattan Drive, at the entrance to Volz, has a one story porch as well.

The dormer alteration will significantly alter the character of the existing structure, and is inconsistent with the remainder of the houses on the street.

2. Roofs and Rooflines.

The existing structure has an embricated (patterned) slate roof. The new shed-roof dormer will be slightly setback behind the front wall of the structure and will shroud the east half of the historic roof. Nearby structures are predominantly gable-roofed, with the exception of one hip-roofed residence across the street.

3. Building Openings

Openings on the front façade, largely altered with a permits issued in 2011 will remain as existing. 14 windows were replaced with a zoning permit in 2012.

The new dormer will have two upper-story windows (double hung) on the east wall. A ground level window will remain further back, along the porch wall.

(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.

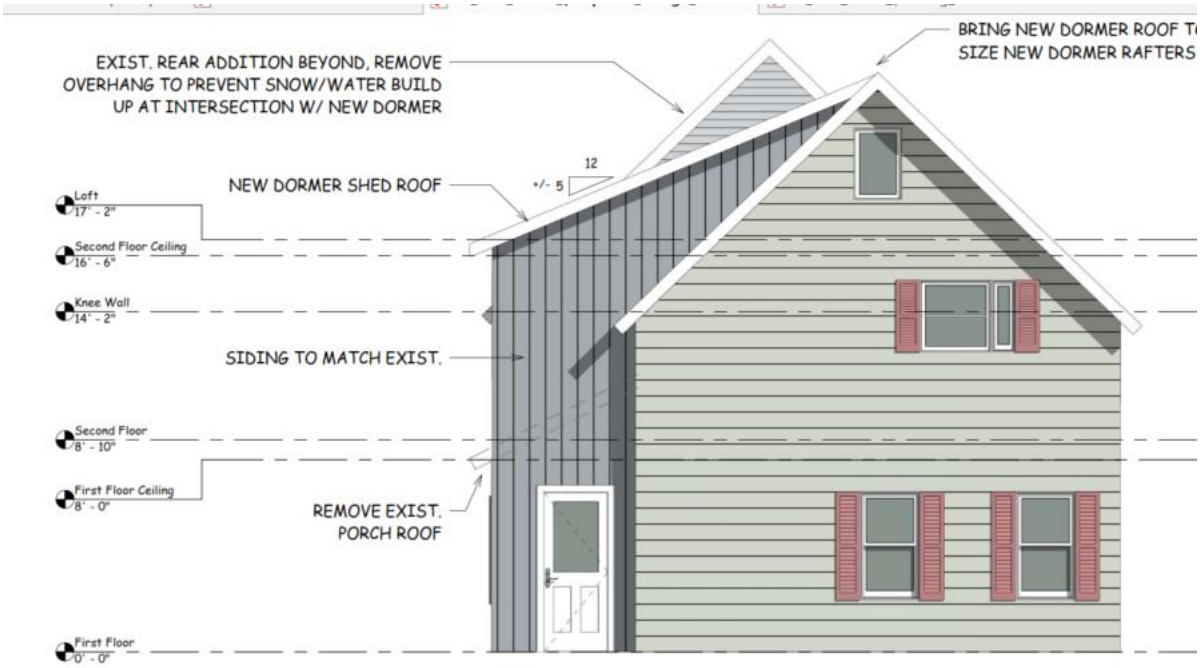
(c) Protection of Important Public Views:

Not applicable.

(d) Provide an active and inviting street edge:

The existing duplex and neighboring homes on this side of Volz Street each have about a 2 ft setback from the street edge. The proposal will maintain the existing street edge, only with the addition of the dormer above the existing side porch. The plans indicate that the porch/dormer will be setback about a foot behind the front wall of the main structure.

The design of attaching a full dormer on top of an existing enclosed porch presents a substantial change in massing, and a rather cold presentation to the street. Other than an identifiable entry, there is little welcoming to the much altered primary façade.



(e) Quality of materials:

All development shall maximize the use of highly durable building materials that extend the life cycle of the building, and reduce maintenance, waste, and environmental impacts. Such materials are particularly important in certain highly trafficked locations such as along major streets, sidewalks, loading areas, and driveways. Efforts to incorporate the use of recycled content materials and building materials and products that are extracted and/or manufactured within the region are highly encouraged.

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.

Siding appears to be aluminum on the main structure, and T1-11 on the attached porch. The proposed dormer will be clad with siding to match the existing porch's siding (T1-11), and roofed with asphalt shingles. The plans also indicate that existing skylights on the west side will be removed and infilled with roofing to match – slate.

As of this date, no additional information on replacement windows has been submitted.

(f) Reduce energy utilization:

The dormer and windows will be required to meet the Residential Energy Building Standards.

(g) Make advertising features complementary to the site:

Not applicable.

(h) Integrate infrastructure into the building design:

Not applicable.

(i) Make spaces secure and safe:

All development is required to meet applicable building and life safety code, as defined by the building inspector. The third floor "loft" may not be used for habitable living space.

Sec. 5.4.8 Historic Buildings and Sites

The City seeks to preserve, maintain, and enhance those aspects of the city having historical, architectural, archaeological, and cultural merit. Specifically, these regulations seek to achieve the following goals:

To preserve, maintain and enhance Burlington's historic character, scale, architectural integrity, and cultural resources;

To foster the preservation of Burlington's historic and cultural resources as part of an attractive, vibrant, and livable community in which to live, work and visit;

To promote a sense of community based on understanding the city's historic growth and development, and maintaining the city's sense of place by protecting its historic and cultural resources; and,

To promote the adaptive re-use of historic buildings and sites.

(a) Applicability:

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

(b) Standards and Guidelines:

The following development standards, following the Secretary of the Interior's Standards for the Treatment of Historic Properties, shall be used in the review of all applications involving historic buildings and sites subject to the provisions of this section and the requirements for Design Review in Art 3, Part 4. The Secretary of the Interior's Standards are basic principles created to help preserve the distinctive character of a historic building and its site. They are a series of concepts about maintaining, repairing and replacing historic features, as well as designing new additions or making alterations. These Standards are intended to be applied in a reasonable manner, taking into consideration economic and technical feasibility.

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

   31 Volz Street was constructed circa 1890 as a residence. Permit history reveals that the use was a single family home with an accessory apartment in 1993, but identified as a duplex in 1995. The definition of this as a 3 unit dwelling is not supported by the permitting record. It may continue as a two unit structure.

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

   While nothing will be removed from the existing structure, the new dormer will attach to the existing roof, which is covered with patterned slate. It will almost entirely cover the historic slate roofing on the east side of the gable roof. A small portion of the slate roof on this side will remain where the dormer does not cover it. As a result, the existing east-side roof will be altered. The slate roofing on the west side of the gable roof will remain. The application refers to removal of skylights with slate infill. (See plan A-3).

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

   The application proposes a dormer above an existing porch which, in and of itself, is not original to the historic structure but repeats a characteristic evident on 6 out of 7 residences on the street. The dormer will increase the massing on one side and cover up the existing roof's slate on the east side.

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

   The one story porch is a characteristic addition present on 6 out of 7 homes on the street.

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

The dormer sitting stop the enclosed porch substantially changes the massing of the structure, more noticeable still as the houses are so closely situated and immediately attendant to the street. The addition will also result in the loss of the characteristic patterned slate roof, a distinctive historic building material extant on this structure.

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

   Not applicable.

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

   Not applicable.

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

   There are no known archaeological resources at this site.

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

   It is unknown whether the existing, one story porch has the structural ability to support the additional structure proposed, as a full second story expansion. Plans note the need for assessment by a structural engineer. In massing, however, the addition significantly alters the existing home and the identifiable spatial relationships of the building; advancing the loss of historic integrity of the building.

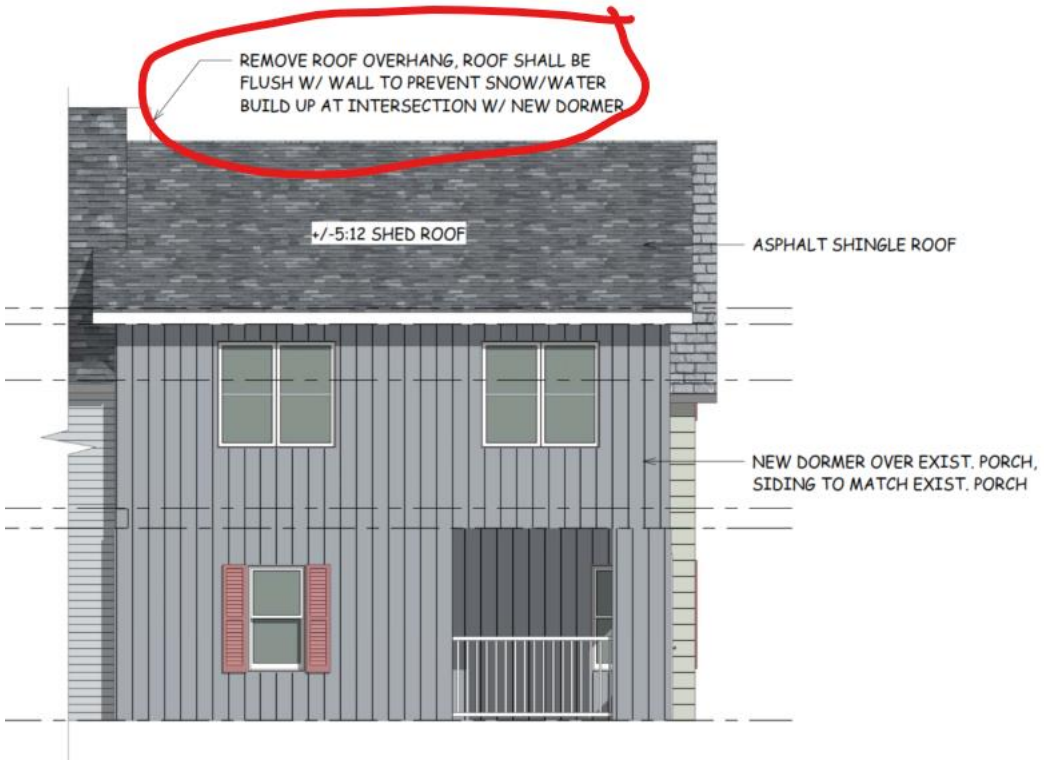
10. *New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

    Although highly unlikely, it may be possible to consider the reversibility of the proposal.

Item's for the Board's Consideration:

- The last site plan approval recognized 41.3% lot coverage. That calculation reflects bonus coverage for open amenities. (The maximum base coverage in this zoning district is 40%.) If the open front porch (which was identified as 11'1" x 5'7") was the open amenity that allowed coverage to exceed 40%, adding a dormer/2nd story above (enclosed space) eliminates that bonus. The application, therefore, exceeds allowable lot coverage.

- The applicant has provided no information on lighting fixtures, siding, windows, and doors.
- The removal of the roof overhang may forestall design complications, but has the likelihood of introducing more difficulties with snow and rain activity with moisture intrusion on the existing home. Roof overhangs have a purpose of throwing moisture away from the building and the foundation.



Burlington Design Advisory Board
Department of Permitting and Inspections
645 Pine Street
Burlington, VT 05401
http://www.burlingtonvt.gov/DPI/Boards/Design-Advisory-Board/
Telephone: (802) 865-7188

Ron Wanamaker
Emily Morse
Jack Qualey
Gabriel Stadecker
Jay White
Kathleen Ryan, Alternate
Michael Alvanos, Alternate

DESIGN ADVISORY BOARD
Tuesday November 22, 2022 3:00 PM

Minutes

Present: Emily Morse, Jay White, Gabe Stadecker (remote)
Absent: Ron Wanamaker, Jack Qualey, Michael Alvanos (alternate), Kathleen Ryan (alternate)
Staff present: Ryan Morrison
Guests: Warren Irish (remote), Philip Geraghty (remote)

Agenda

Session I – 3:00 PM – 3:30 PM

ZP-22-554; 31 Volz Street (RM, Ward 3C) Philip & Katherine Geraghty / Steve Guild

Within the front portion of the existing duplex, combine the 2nd floor unit with portions of the 1st floor unit into 1 unit; duplex use to remain. Additionally, construct a new dormer above the ground level porch for additional 2nd floor living space. (Project Manager, Ryan Morrison)

Motion by: Jay White – I move we table the project and request that the applicant provide revised plans that show how the proposed dormer integrates with the overall structure.

2nd – Emily Morse
Vote 3-0.
Motion carries.

Session II – 3:30 PM – 4:00 PM

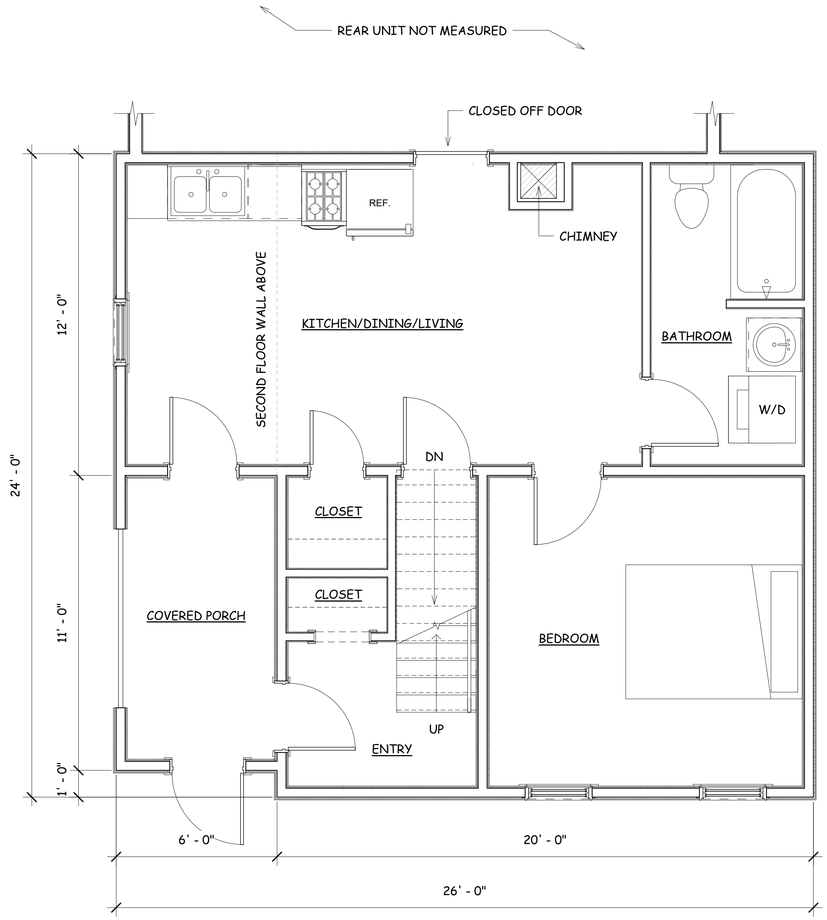
Review and approve 2023 meeting schedule.

Motion by: Emily Morse – I move that we approve the 2023 DAB meeting schedule.

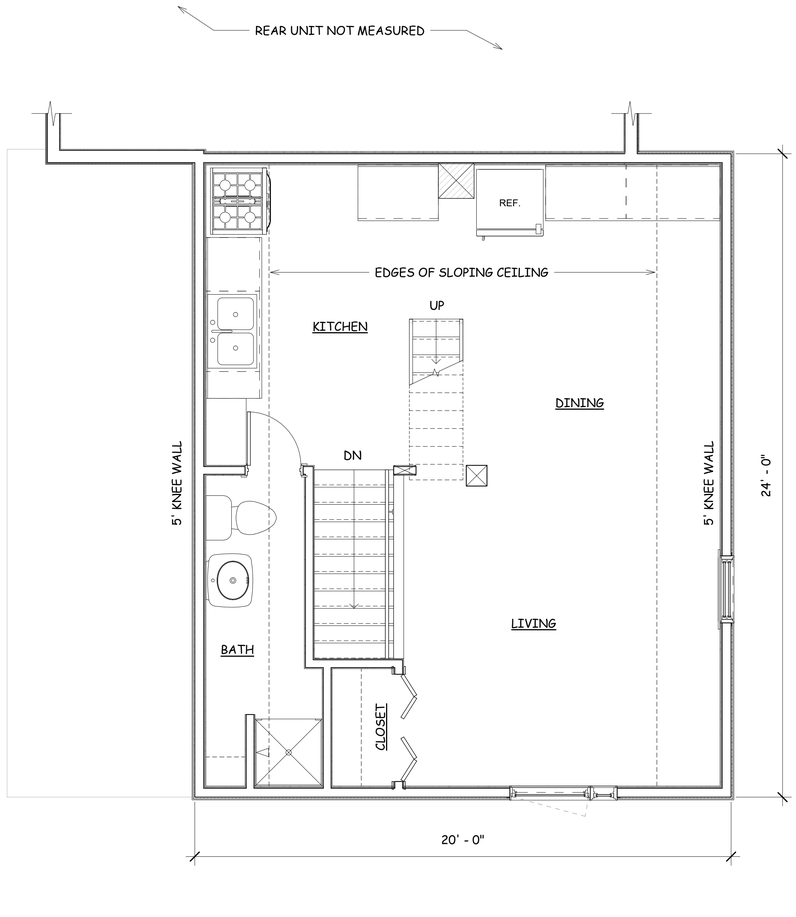
2nd – Jay White
Vote 3-0
Motion carries.

Adjournment: 3:40 PM.

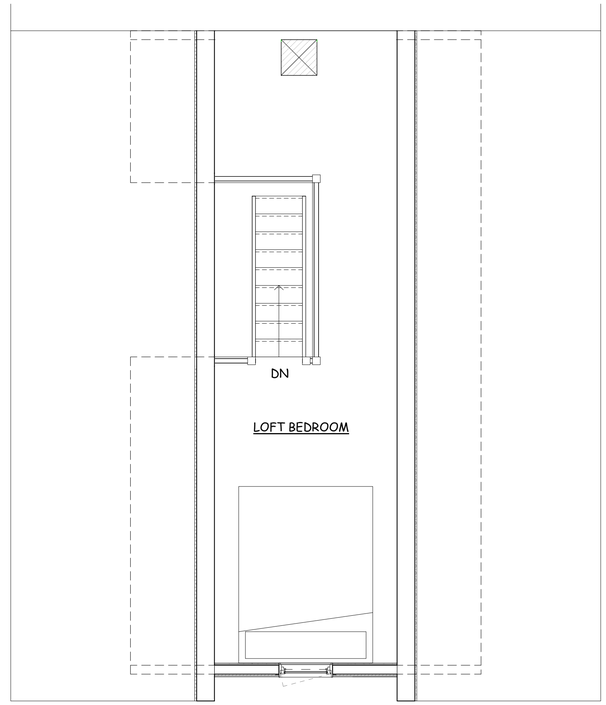
The programs and services of the City of Burlington are accessible to people with disabilities. Individuals who require special arrangements to participate are encouraged to contact the Department of Planning & Zoning at least 72 hours in advance so that proper accommodations can be arranged. For information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



1 EXISTING FIRST FLOOR PLAN
3/8" = 1'-0"



2 EXISTING SECOND FLOOR PLAN
3/8" = 1'-0"



3 EXISTING LOFT PLAN *PLAN SHOWN @ 3' CUT HT.*
3/8" = 1'-0"

FOR REVIEW ONLY
NOT FOR CONSTRUCTION

THIS DRAWING IS THE PROPERTY OF G4 DESIGN STUDIOS, LLC AND IS NOT TO BE COPIED, REPRODUCED, OR THE CONTENT THEREOF USED, IN WHOLE OR IN PART, WITHOUT THE PRIOR WRITTEN CONSENT OF STEVE GUILD

G4 Design Studios
77 College Street, Ste. 2A Burlington, VT 05401
(P)802-497-0895 (F)802-861-3110 G4designStudios.com

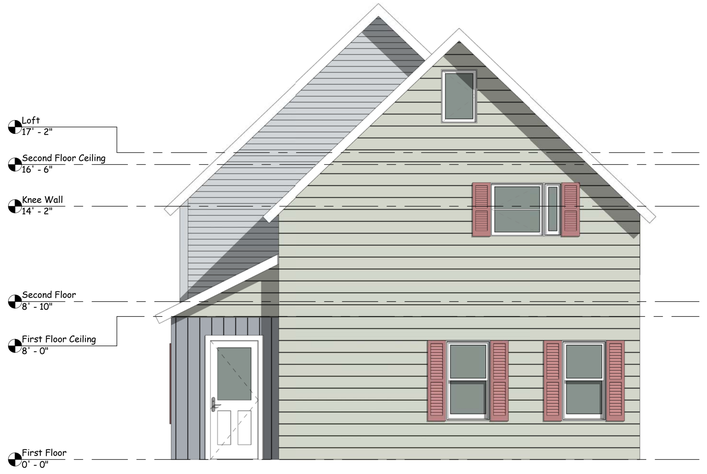
PHIL GERAGHTY
31 VOLZ STREET
BURLINGTON, VERMONT

SCALE: 3/8" = 1'-0"
DATE: 11/30/2022
DRAWN BY: WGI/BH
CHECKED BY: SG
PROJECT: 31 VOLZ

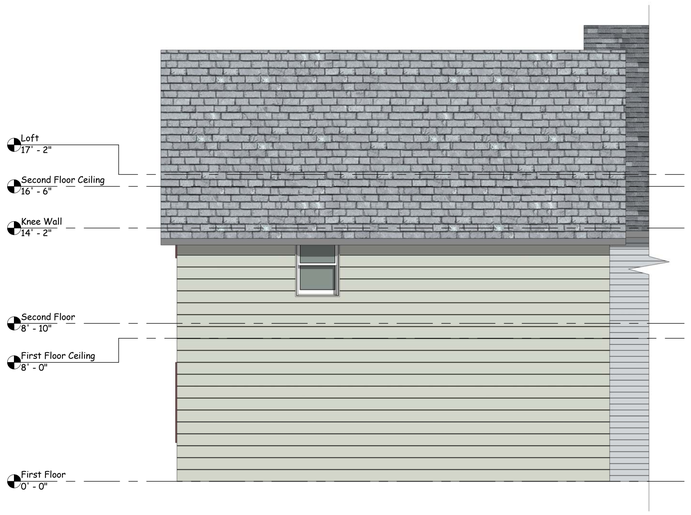
SHEET TITLE:
EXISTING FLOOR PLANS

A-1

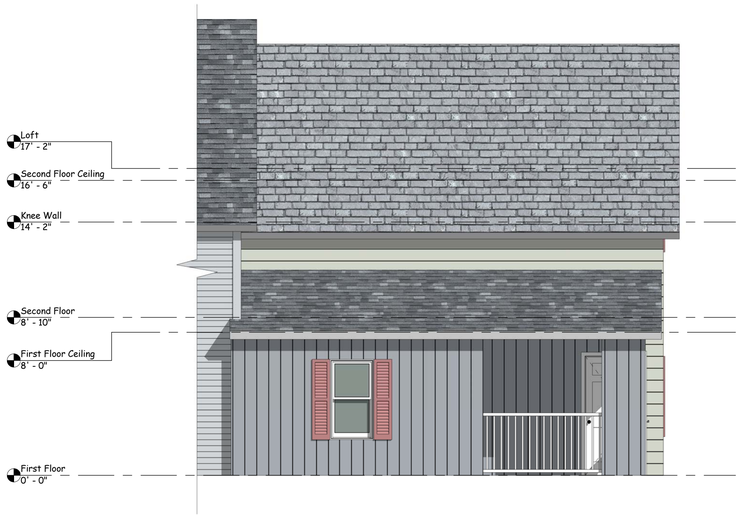
11/30/2022 3:17:36 PM



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



2 WEST ELEVATION
1/4" = 1'-0"



3 EAST ELEVATION
1/4" = 1'-0"

FOR REVIEW ONLY
NOT FOR CONSTRUCTION

THIS DRAWING IS THE PROPERTY OF G4 DESIGN STUDIOS, LLC AND IS NOT TO BE COPIED, REPRODUCED, OR THE CONTENT THEREOF USED, IN WHOLE OR IN PART, WITHOUT THE PRIOR WRITTEN CONSENT OF STEVE GUILD

G4 Design Studios
77 College Street, Ste. 2A Burlington, VT 05401
(P)802-497-0585 (F)802-951-3110 G4design@studios.com

PHIL GERAGHTY
31 VOLZ STREET
BURLINGTON, VERMONT

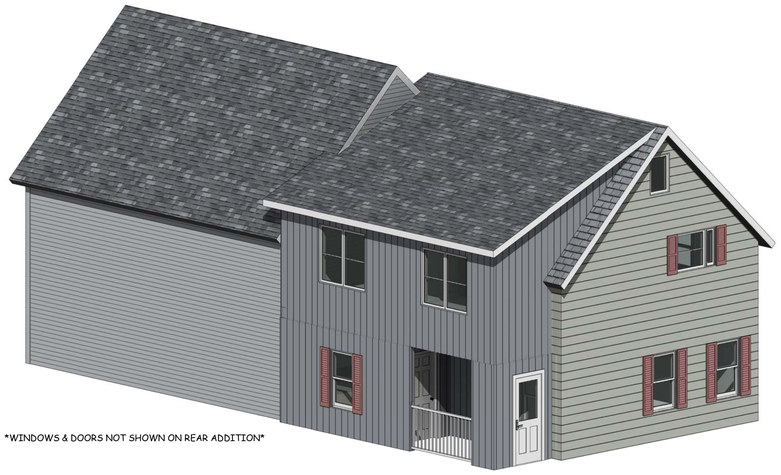
SCALE: 1/4" = 1'-0"
DATE: 11/30/2022
DRAWN BY: WGI
CHECKED BY: SG
PROJECT: 31 VOLZ

SHEET TITLE:

EXTERIOR ELEVATIONS

A-2

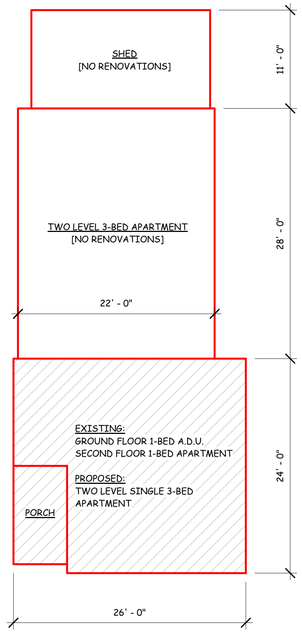
11/30/2022 3:18:05 PM



WINDOWS & DOORS NOT SHOWN ON REAR ADDITION

31 VOLZ STREET

BURLINGTON, VERMONT



SCHEMATIC BUILDING KEY

ARCHITECTURAL NOTES:

1) ALL DIMENSIONS ARE TO FACE OF INTERIOR WALL STUD AND EXTERIOR WALL STUD. FIELD VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION. REPORT ANY DISCREPANCIES TO ARCHITECT/DESIGNER.
2) PLUMBING FIXTURES, APPLIANCES, CABINETS AND LIGHTING FIXTURES TO BE DETERMINED BY OWNER.
3) CONTRACTOR TO COMPLY WITH LOCAL BUILDING CODES & VERMONT ENERGY CODES.
4) ALL BATHROOM WALLS & CEILINGS TO BE 5/8" TYPE X MOISTURE RESISTANT GWB. BATHROOM WALLS TO BE SOUND INSULATED (VERIFY W/ OWNER)
5) ALL HEADERS OVER OPENINGS TO BE SIZED BY ENGINEER OR G.C.
6) G4 DESIGN STUDIOS IS NOT RESPONSIBLE FOR FRAMING DETAILS, STRUCTURAL DETAILS, FINISH WORK, MILLWORK, WEATHER TIGHT CONSTRUCTION, FINISH GRADING OR CONCRETE WORK.
7) GENERAL CONTRACTOR TO COORDINATE WITH CONCRETE CONTRACTOR AND OWNER FOR PENETRATIONS THROUGH CONCRETE SLAB/WALLS.
8) IF OWNER/CONTRACTOR MAKE CHANGES DURING THE CONSTRUCTION PROCESS WITHOUT WRITTEN AUTHORIZATION FROM G4 DESIGN STUDIOS (G4). G4 IS NOT LIABLE FOR ERRORS OR OMISSIONS THAT MAY OCCUR DURING CONSTRUCTION.
9) OWNER TO SELECT WINDOW MANUFACTURER, VERIFY WITH OWNER PRIOR TO ORDERING WINDOWS.
10) GENERAL CONTRACTOR TO COORDINATE WITH MECHANICAL CONTRACTOR FOR HVAC SYSTEM.
11) GENERAL CONTRACTOR TO COORDINATE WITH ELECTRICAL CONTRACTOR & OWNER FOR LOCATIONS OF OUTLETS, LIGHTING FIXTURES, CABLE, INTERNET & LIGHT SWITCH LOCATIONS.

APPLICABLE CODES, STANDARDS, AND REGULATIONS:

- VERMONT FIRE & BUILDING SAFETY CODE 2015 (VTFB)
- NFPA 101 LIFE SAFETY CODE 2015 (NFPA 101)
- NFPA 1 UNIFORM FIRE CODE 2015 (NFPA 1)
- VERMONT ELECTRICAL SAFETY RULES 2017 (VTEL)
- VERMONT PLUMBING RULES 2018 (VTPL)
- VERMONT ACCESS RULES 2012 (VTAR)
- VERMONT RESIDENTIAL BUILDING ENERGY STANDARDS 2020 (VTRBES)

BUILDING SUMMARY:

EXISTING 3-DWELLING UNIT BUILDING TO BE CONVERTED TO 2-DWELLING UNIT BUILDING. REAR UNIT NOT TO BE ALTERED, FRONT DWELLING UNITS TO BE CONVERTED INTO A SINGLE 3-BEDROOM UNIT. EXISTING 3RD FLOOR SLEEPING LOFT TO BE CLOSED OFF.

BUILDING IS NOT SPRINKLERED

CONSTRUCTION TYPE: 5B

APPLICABLE CODE SECTIONS (NFPA 101):

BUILDING REHABILITATION: CHP. 43

ONE-AND-TWO-FAMILY DWELLINGS: CHP. 24

BUILDING REHABILITATTION SPECIFIC CODE REQUIREMENTS (NFPA 101 - CHP. 43):

43.2.2.1.4 - CLASSIFICATION OF WORK BEING PERFORMED SHALL BE CONSIDERED "RECONSTRUCTION"

43.6.3.1 - WALLS SEPARATING DWELLING UNITS THAT DO NOT CONTINUOUSLY RUN FROM FOUNDATION TO UNDERSIDE OF ROOF SHEATHING ACTING AS FIRE BARRIERS SHALL BE CONSTRUCTED TO PROVIDE A CONTINUOUS FIRE SEPARATION

43.6.3.2 - THE FOLLOWING SHALL APPLY TO WORK REQUIRED BY 43.6.3.1:

(1) IT SHALL BE PERFORMED ON THE SIDE OF THE WALL OF THE DWELLING UNIT THAT IS PART OF THE REHABILITATION WORK AREA.

(2) IT SHALL NOT BE REQUIRED TO BE CONTINUOUS THROUGH CONCELED FLOOR SPACES.

43.6.5.2 - SMOKE ALARMS COMPLYING WITH THE REQUIREMENTS OF OTHER SECTIONS OF THIS CODE APPLICABLE TO NEW CONSTRUCTION FOR THE OCCUPANCY SHALL BE PROVIDED.

ONE-AND-TWO FAMILY DWELLINGS SPECIFIC CODE REQUIREMENTS (NFPA - CHP. 24):

24.2.2.1.1 - EVERY SLEEPING ROOM AND EVERY LIVING AREA SHALL HAVE NOT LESS THAN ONE PRIMARY MEANS OF ESCAPE AND ONE SECONDARY MEANS OF ESCAPE

24.2.2.1.2 - A SECONDARY MEANS OF ESCAPE SHALL NOT BE REQUIRED WHERE ONE OF THE FOLLOWING CONDITIONS IS MET:

(1) THE BEDROOM OR LIVING AREA HAS A DOOR LEADING DIRECTLY TO THE OUTSIDE OF THE BUILDING AT OR TO THE FINISHED GROUND LEVEL.

24.2.2.3.3 - THE SECONDARY MEANS OF ESCAPE SHALL BE AN OUTSIDE WINDOW OR DOOR OPERABLE FROM THE INSIDE WITHOUT THE USE OF TOOLS, KEYS, OR SPECIAL EFFORT AND SHALL PROVIDE A CLEAR OPENING OF NOT LESS THAN 5.7 sqft. THE WIDTH SHALL BE NOT LESS THAN 20", AND THE HEIGHT SHALL BE NOT LESS THAN 24". THE BOTTOM OF THE OPENING SHALL BE NOT MORE THAN 44" ABOVE THE FLOOR. SUCH MEANS OF ESCAPE SHALL BE ACCEPTABLE WHERE ONE OF THE FOLLOWING CRITERIA IS MET:

(1) THE WINDOW SHALL BE WITHIN 20' OF THE FINISHED GROUND LEVEL.
(2) THE WINDOW OR DOOR SHALL BE DIRECTLY ACCESSIBLE TO FIRE DEPARTMENT RESCUE APPARATUS AS APPROVED BY THE AHJ.
(3) THE WINDOW OR DOOR SHALL OPEN ONTO AN EXTERIOR BALCONY.
(4) (N/A TO PROJECT)

24.2.4.1 - DOORS IN THE PATH OF TRAVEL OF A MEANS OF ESCAPE AND DOORS SERVING A ROOM NOT EXCEEDING 70 sqft. SHALL BE NOT LESS THAN 28" WIDE.

24.2.4.2 - BATHROOM DOORS AND DOORS SERVING A ROOM NOT EXCEEDING 70 sqft. SHALL BE NOT LESS THAN 24" WIDE.

24.2.4.3 - DOORS SHALL BE NOT LESS THAN 6'-6" IN NOMINAL HEIGHT.

24.2.6.1 - THE WIDTH OF HALLWAYS SHALL BE NOT LESS THAN 36"

24.2.6.2 - THE HEIGHT OF HALLWAYS SHALL BE NOT LESS THAN 7'-0" NOMINAL, WITH CLEARANCE BELOW PROJECTIONS FROM THE CEILING OF NOT LESS THAN 6'-8" NOMINAL.

24.3.3.2 - INTERIOR WALL AND CEILING FINISH MATERIALS COMPLYING WITH SECTION 10.2 SHALL BE CLASS A, CLASS B, OR CLASS C.

24.3.4.1.1 - SMOKE ALARMS SHALL BE INSTALLED IN ACCORDANCE WITH 9.6.2.10 IN ALL OF THE FOLLOWING LOCATIONS:

(1) ALL SLEEPING ROOMS
(2) OUTSIDE OF EACH SEPARATE SLEEPING AREA, IN THE IMMEDIATE VICINITY OF THE SLEEPING ROOMS
(3) ON EACH LEVEL OF THE DWELLING UNIT, INCLUDING BASEMENTS

VERMONT FIRE & BUILDING SAFETY CODE SPECIFIC REQUIREMENTS:

101:24.2.5.7 - STAIR RISER HEIGHTS AND TREAD DEPTHS: MAXIMUM RISER HEIGHTS OF 7 3/4" AND MINIMUM TREAD DEPTHS OF 10" SHALL BE PERMITTED IN NEW CONSTRUCTION.

101:24.3.4.1.3 - SMOKE ALARMS MUST BE HARDWIRED INTO THE BUILDING ELECTRICAL SYSTEM WITH EXCEPTION OF EXISTING SLEEPING ROOMS.

101:24.3.4.2 - CARBON MONOXIDE ALARMS SHELL BE INSTALLED IN ACCORDANCE WITH SECTION 9.12.1 OUTSIDE OF EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOMS. AN ADDITIONAL CARBON MONOXIDE ALARM SHALL BE INSTALLED IN ANY SLEEPING ROOM THAT CONTAINS A FUEL-BURNING APPLIANCE.

101:24.3.5.1 - NO SPRINKLER PROTECTION REQUIRED

101:24.6 - NEW ONE-TWO FAMILY DWELLINGS SHALL BE PROVIDED WITH A 1-HOUR FIRE RESISTANCE RATING DWELLING UNIT SEPARATION IN ACCORDANCE WITH 30.3.7

CITY OF BURLINGTON CODE OF ORDINANCES SPECIFIC REQUIREMENTS:

18-84

a) EACH HABITABLE ROOM SHALL HAVE ONE WINDOW OPENING TO THE OUTDOORS WHICH CAN BE OPENED. THE MINIMUM VENTILATION OF THE OPENED WINDOW AREA SHALL BE 4% OF THE FLOOR AREA

b) SLEEPING ROOMS SHALL HAVE WINDOWS MEASURING NO LESS THAN 8% OF THE FLOOR AREA

c) EVERY BATHROOM OR TOILET ROOM SHALL HAVE ONE WINDOW OPENING TO THE OUTDOORS OR A FAN OR MECHANICAL DEVICE VENTED TO THE OUTDOORS.

18-90 - EVERY DWELLING UNIT SHALL CONTAIN A MINIMUM HABITABLE FLOOR AREA OF NOT LESS THAN 150 sqft. FOR THE FIRST OCCUPANT, AND 100 sqft. FOR EACH ADDITIONAL OCCUPANT, UP TO A LIMIT OF THREE AND AT LEAST 50 sqft FOR EACH ADDITIONAL OCCUPANT AFTER FOUR.

18-91 - EACH ROOM OCCUPIED FOR SLEEPING PURPOSES BY ONE OCCUPANT SHALL CONTAIN AT LEAST 70 sqft. OF FLOOR AREA, AND EVERY ROOM OCCUPIED FOR SLEEPING PURPOSES BY MORE THAN ONE PERSON SHALL CONTAIN AT LEAST 50 sqft OF FLOOR AREA FOR EACH OCCUPANT.

18-93 - AT LEAST 1/2 OF THE FLOOR AREA OF EVERY HABITABLE ROOM SHALL HAVE A CEILING HEIGHT OF AT LEAST 7'-0"; AND THE FLOOR AREA OF ANY PART OF ANY ROOM WHERE THE CEILING HEIGHT IS LESS THAN 6'-0" SHALL NOT BE CONSIDERED AS PART OF THE FLOOR AREA IN COMPUTING THE TOTAL FLOOR AREA OF THE ROOM TO DETERMINE MAXIMUM PERMISSIBLE OCCUPANCY.

18-95 - EACH FIRST AND SECOND FLOOR DWELLING UNIT SHALL HAVE ONE SAFE, CONTINUOUS AND UNOBSTRUCTED MEANS OF EGRESS FROM THE INTERIOR OF THE UNIT TO THE EXTERIOR AT A STREET OR TO A PUBLIC OPEN SPACE OR AREA AT GRADE.

2020 VERMONT RESIDENTIAL BUILDING ENERGY STANDARDS:

NEW CONSTRUCTION SHALL COMPLY WITH THE FOLLOWING R-VALUES (BASED ON PACKAGE 4: CAVITY ONLY)

CEILING:	R-60 (ATTIC), R-49 (SLOPE)
WOOD FRAME WALLS:	R-20 (CAVITY)
COMMON WALL INSULATION:	R-10
FLOOR:	R-38
BASEMENT/CRAWL SPACE WALL:	R-20 (CONTINUOUS) OR R-13+10
SLAB EDGE:	R-15 (FOR 48") OR R-10 (PERIMETER) + R-7.5 (UNDER ENTIRE REST OF SLAB)
HEATED SLAB:	R-15 (EDGE & UNDER)
FENESTRATION (WINDOW & DOOR):	U-0.28 MAX.
SKYLIGHT:	U-0.55 MAX.
AIR LEAKAGE:	≤ 3.0 ACH50 (TESTED)
DUCT LEAKAGE:	INSIDE THERMAL BOUNDARY
PERCENT HIGH EFFICACY LAMPS:	100%

CONTRACTOR TO COMPLY WITH LISTED THERMAL VALUES AND WITH ALL ADDITIONAL REQUIREMENTS OF THE 2020 VTRBES

REVISION SCHEDULE

1)	11/30/2022	- Show rear addition on all drawings

DRAWING FOR CONSTRUCTION

THIS DRAWING IS THE PROPERTY OF G4 DESIGN STUDIOS, LLC AND IS NOT TO BE COPIED, REPRODUCED, OR THE CONTENT THEREOF USED, IN WHOLE OR IN PART, WITHOUT THE PRIOR WRITTEN CONSENT OF STEVE GUILD

G4 Design Studios
77 College Street, Ste. 2A Burlington, VT 05401
(P)802-497-0555 (F)802-951-3710 G4designstudios.com

PHIL GERAGHTY
31 VOLZ STREET
BURLINGTON, VERMONT

SCALE: As indicated
DATE: 10/10/2022
DRAWN BY: WGI
CHECKED BY: G4
PROJECT: 31 VOLZ

SHEET TITLE:

COVER/CODE

LICENSED ARCHITECT
CRAIG SCOTT DOWD
NO. 5174
STATE OF VERMONT

A-1

11/30/2022 3:20:05 PM

DEMOLITION NOTES:

1) TURN OFF ALL POWER AND UTILITIES BEFORE DEMOLITION BEGINS.

2) ALL FIRE EXTINGUISHERS ARE TO BE REMOVED AND STORED FOR FUTURE USE.

3) CONTRACTOR SHALL INSPECT AND CALL ATTENTION TO ANY HAZARDOUS MATERIALS DISCOVERED ON PROJECT SITE TO OWNER. ALL HAZARDOUS MATERIAL SHALL BE REMOVED AT OWNER'S EXPENSE. REMOVAL PROCESS SHALL BE CONDUCTED BY QUALIFIED PERSONNEL AND COMPLY WITH ENVIRONMENTAL PROTECTION AGENCIES GUIDELINES.

4) WALLS, FIXTURES AND DOORS SHOWN DASHED ARE TO BE REMOVED.

5) WALLS AND DOORS SHOWN SOLID ARE TO REMAIN.

6) DOORS TO BE REMOVED ARE TO BE SAVED FOR REUSE, VERIFY WITH OWNER.

7) COORDINATE WITH MECHANICAL AND ELECTRICAL CONTRACTORS FOR THE REMOVAL WORK OF THESE RESPECTIVE TRADES.

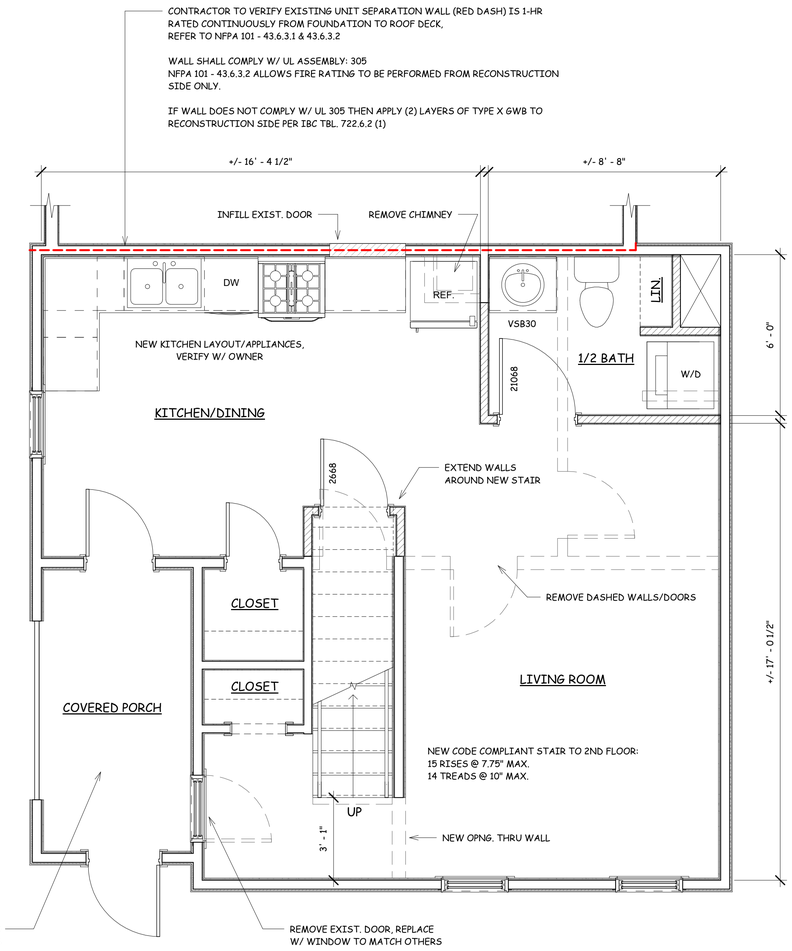
8) ALL EXISTING OPENINGS OR PENETRATIONS THROUGH THE FLOOR THAT OCCUR IN OPEN FLOOR SPACE OF THE COMPLETED WORK, SHALL BE PATCHED AND MADE SUITABLE TO RECEIVE THE SPECIFIED FINISH MATERIAL.

9) WHERE WALLS, FLOOR COVERING, CEILING SYSTEMS, MECHANICAL SYSTEMS, FINISH WORK, MILLWORK AND THE LIKE ARE REMOVED OR ALTERED IN WHOLE OR IN PART, THE RESULTING SURFACE SHALL BE REPAIRED AND PATCHED TO MATCH EXISTING OR MADE SUITABLE TO RECEIVE THE SPECIFIED FINISH MATERIAL.

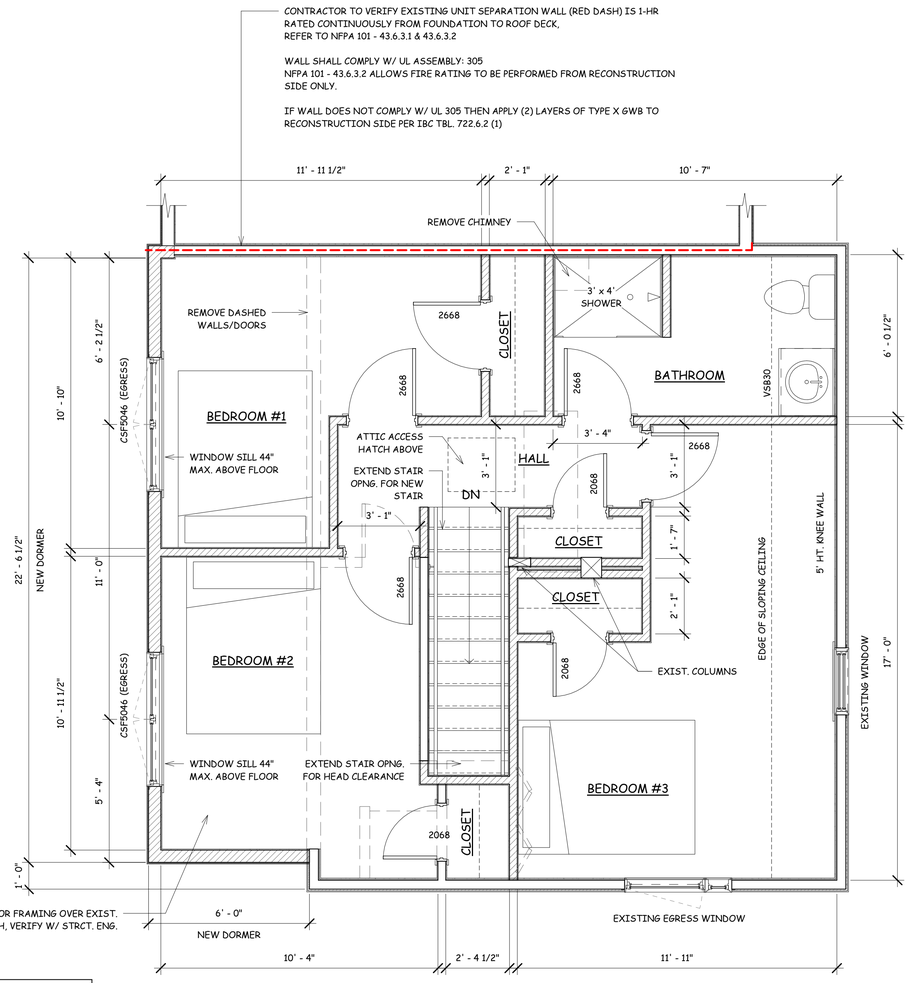
10) ALL PLUMBING, MECHANICAL AND ELECTRICAL WORK TO BE REMOVED SHALL BE CAPPED BEHIND THE FINISHED PLANE (INCLUSIVE OF WALLS, CEILINGS AND FLOORS).

11) CONTRACTOR SHALL FURNISH AND MAINTAIN EXTERIOR RUBBISH CONTAINERS.

12) CONTRACTOR TO MAKE PROVISIONS FOR CEILING REMOVAL AND REPLACEMENT TO ACCOMMODATE MECHANICAL AND ELECTRICAL WORK ABOVE CEILINGS IN AREAS NOT DESIGNATED TO RECEIVE A NEW CEILING SYSTEMS, WHETHER OR NOT THE FULL SCOPE OF THIS WORK IS INDICATED ON THE DOCUMENTS.



1 PROPOSED FIRST FLOOR PLAN
3/8" = 1'-0"



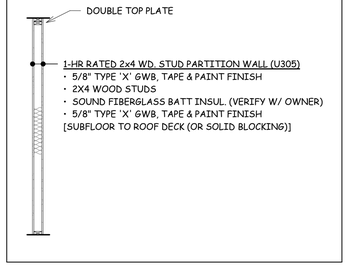
2 PROPOSED SECOND FLOOR PLAN
3/8" = 1'-0"

WALL KEY

= EXISTING WALL
= REMOVED WALL
= 1-HOUR FIRE RATED WALL
= NEW WALL/INFILL

NOTE

DRAWINGS SHALL BE REVIEWED BY STRUCTURAL ENGINEER PRIOR TO DEMOLITION. VERIFY EXISTING BEARING WALL LOCATIONS AND THAT NO STRUCTURAL ELEMENTS ARE BEING REMOVED WITHOUT THE APPROVAL OF A STRUCTURAL ENGINEER.



NOTE

LOFT STAIR TO BE REMOVED AND LOFT TO BE CLOSED OFF BY FILLING IN OPENING

DRAWING FOR CONSTRUCTION

THIS DRAWING IS THE PROPERTY OF G4 DESIGN STUDIOS, LLC AND IS NOT TO BE COPIED, REPRODUCED, OR THE CONTENT THEREOF USED, IN WHOLE OR IN PART, WITHOUT THE PRIOR WRITTEN CONSENT OF STEVE GUILD

G4 Design Studios
77 College Street, Ste. 2A Burlington, VT 05401
(P)802-497-0895 (F)802-861-3110 G4designStudios.com

PHIL GERAGHTY
31 VOLZ STREET
BURLINGTON, VERMONT

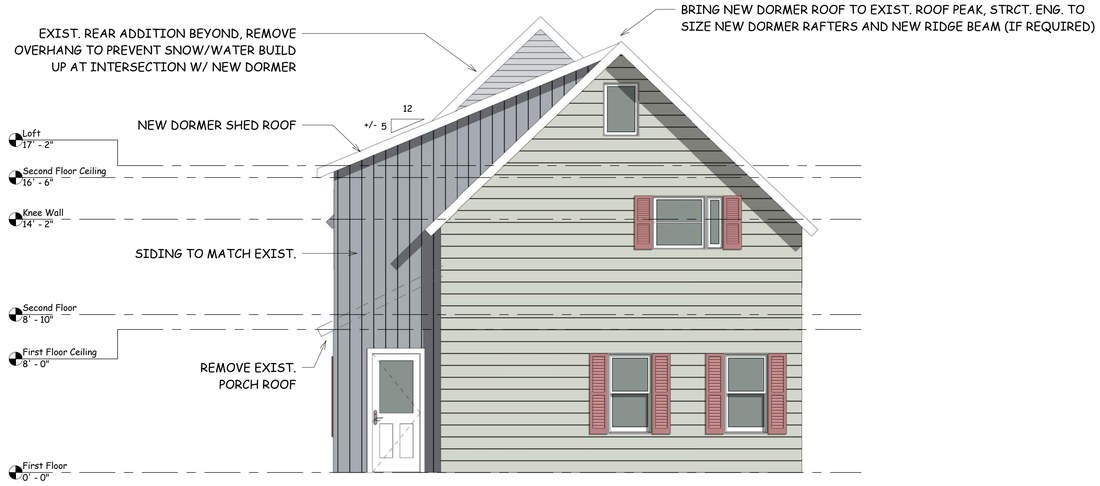
SCALE: As indicated
DATE: 10/10/2022
DRAWN BY: WGI/BH
CHECKED BY: G4
PROJECT: 31 VOLZ

SHEET TITLE:
PROPOSED FLOOR PLANS

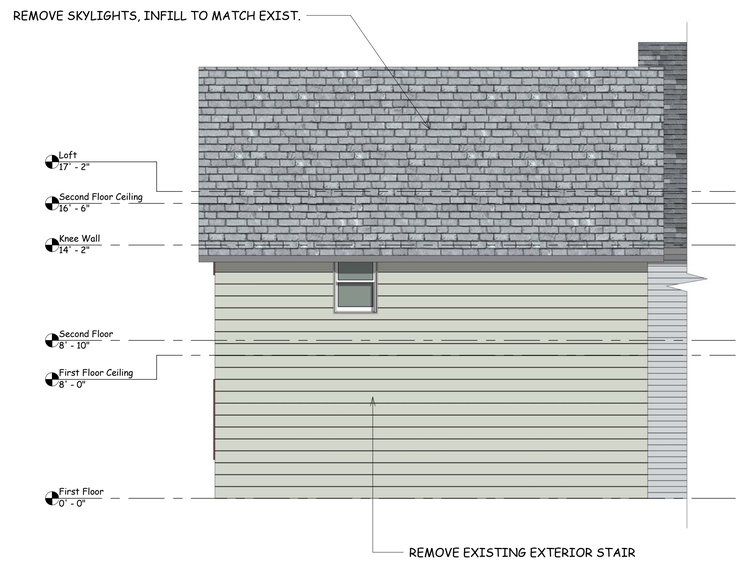
LICENSED ARCHITECT MARC SCOTT DOLAN NO. 51749 STATE OF VERMONT

A-2

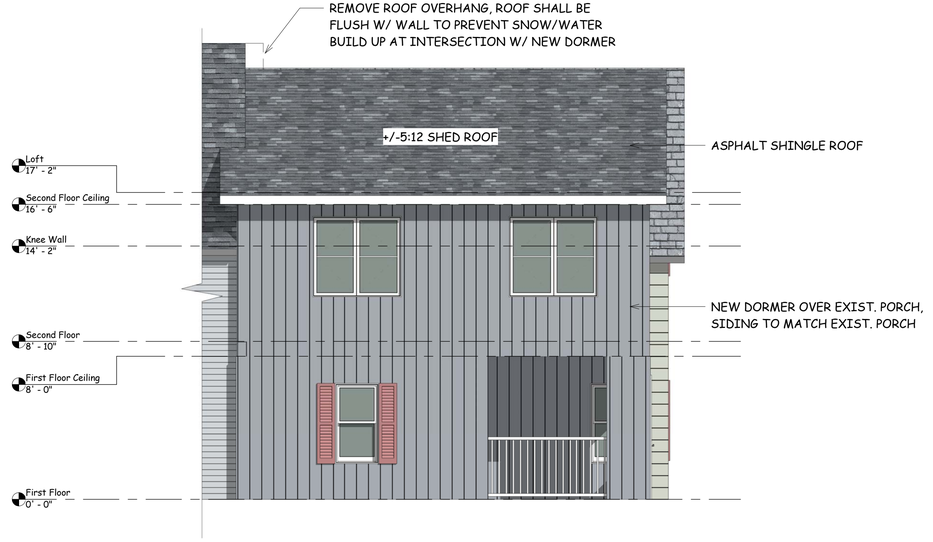
11/30/2022 3:20:06 PM



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



2 WEST ELEVATION
1/4" = 1'-0"



3 EAST ELEVATION
1/4" = 1'-0"

DRAWING FOR CONSTRUCTION

THIS DRAWING IS THE PROPERTY OF G4 DESIGN STUDIOS, LLC AND IS NOT TO BE COPIED, REPRODUCED, OR THE CONTENT THEREOF USED, IN WHOLE OR IN PART, WITHOUT THE PRIOR WRITTEN CONSENT OF STEVE GUILD

G4 Design Studios
77 College Street, Ste. 24 Burlington, VT 05401
(P)802-497-0585 (F)802-861-3710 G4design@studios.com

PHIL GERAGHTY
31 VOLZ STREET
BURLINGTON, VERMONT

SCALE:	1/4" = 1'-0"
DATE:	10/10/2022
DRAWN BY:	WGI
CHECKED BY:	G4
PROJECT:	31 VOLZ

SHEET TITLE:

EXTERIOR ELEVATIONS

A-3

11/30/2022 3:20:10 PM

CITY OF BURLINGTON
DESIGN ADVISORY BOARD

Rules of Procedure and Conflict of Interest Policy

Section I: Authority and Purpose.

The Design Advisory Board of the City of Burlington hereby adopts the following rules of procedure (hereinafter referred to as "Rules") in accordance with 24 V.S.A. § 4464(d), 1 V.S.A. Chapter 5 Subchapter 2 (Common Law, General Rights, Public Information), and Section 2.5.1 of the Burlington Comprehensive Development Ordinance.

Legal Requirements

The DAB is required to adopt rules of procedure and rules of ethics with respect to conflicts of interest to guide its official conduct under Sec. 2.4.3 Rules of Procedure of the *Burlington Comprehensive Development Ordinance* and 24 VSA §4464 (d), and must conduct its proceedings in accordance with Vermont's Open Meeting Law.

The Role of the Chair

Much like the moderator at town meeting, the job of the chairperson is to effectively manage participation by the participants. Most importantly, the chair's role is to make an effort that those who have a right to participate realize that right, and to allow for those in attendance to be heard. However, it is important to remember that the chair is more than a neutral facilitator. The chair of a small advisory board, such as a local zoning board, has the right to vote, the right to make and second motions, and the right to question participants, just as any other member of the board.

Finally, while many boards elect the most senior member as chair, the most important attributes for a chairperson are the ability to facilitate a meeting or hearing and knowledge of the Design Review, planning and zoning process. These attributes may or may not be linked to the length of one's tenure on the board. Moreover, a long-serving member may be more effective as a regular member where he or she can focus on analyzing the matter at hand instead of running the meeting.

Section II: Policy.

These Rules are adopted to ensure consistent and fair treatment of applicants, interested persons, and participants, orderly and efficient public proceedings, and compliance with state and federal law. These Rules shall also ensure that no board member will gain a personal or financial advantage from his or her service on the DAB, so that the public trust in municipal government will be preserved. Anything not explicitly conveyed in these bylaws shall be governed by Robert's Rules of Order.

Section III: Definitions.

A. "DAB" means the Design Advisory Board.

B. "Board member" means a regular or alternate member of the DAB.

C. "Conflict of interest" means any one of the following:

1. A direct personal interest of a board member, his or her spouse, household member, child, stepchild, parent, grandparent, grandchild, sibling, aunt or uncle, brother or sister in law, business associate, employer or employee, an individual with a close personal relationship to a board member in the outcome of a cause, proceeding, application or any other matter pending before the DAB.

2. A direct or indirect financial interest of a board member, his or her spouse, household member, child, stepchild, parent, grandparent, grandchild, sibling, aunt or uncle, brother or sister in law, business associate, employer or employee, an individual with a close personal relationship to a board member in the outcome of a cause, proceeding, application or any other matter pending before the DAB.

3. A situation where a board member has publicly displayed or expressed a prejudgment of the merits of a particular proceeding before the DAB. This shall not apply to a member's particular political views or general opinion on a given issue.

4. A situation where a board member has not disclosed ex parte communications with a party in a proceeding before the DAB, pursuant to Section XII of these Rules.

D. "Ex parte communication" means direct or indirect communication between a member of the DAB and any party, party's representative, party's counsel or any person regarding any proposal before the panel that occurs outside of a public proceeding, and concerns the substance or merits of the proceeding.

E. "Official act or action" means any administrative act performed by any board member relative to decisions.

F. "Recuse" means to remove oneself from a particular DAB proceeding because of a real or perceived conflict of interest.

Section IV: Appointment, Attendance and Removal of members

Pursuant to Article 2, Part 5 of the Burlington Comprehensive Development Ordinance, the DAB shall consist of five regular and two alternate members appointed by City Council. Appointment to the DAB shall be for a term of three consecutive years. Members may be appointed to successive terms without limitation. Any member desiring reappointment, or city resident desiring an

appointment to the DAB, must apply to the City Clerk's office and obtain a nomination form from a member of the City Council.

At a meeting in July of each year, the DAB shall hold an organizational meeting and elect by majority vote, a Chair and Vice Chair from its members, and shall also elect a Clerk who may or may not be a DAB member or a municipal employee. One member shall be appointed to the Planning Commission Ordinance Committee. Vacancies in these offices may be filled for the unexpired terms only by the City Council.

A. The Chair shall preside at all meetings and decide all points of order or procedure, The Chair may request the production of material germane to any issue under consideration.

B. The Vice Chair shall assume the duties of the Chair whenever the Chair is absent, recused or at the Chair's request. In the event that both the Chair and Vice Chair are absent or recused, the remaining longest serving member of the board shall assume the duties of Chair.

C. It shall be the duty of all members to review the minutes and other official records of DAB meetings and actions, and correct and ratify these when appropriate and necessary.

D. Planning & Zoning Department staff shall record decisions of all meetings.

Alternate members are appointed to temporarily serve as board members in the event or a recusal or absence of one or more regular members.

Whenever a regular member is recused or is expected to be absent from the DAB, the chairperson of the DAB, or his or her designee, may request that an alternate serve as an active member of the DAB by selecting an individual from the roster.

Members unable to attend a meeting shall notify the Planning Office staff no later than the morning of the scheduled meeting.

Absence of any member from more than three (3) consecutive or eight (8) total meetings over a period of one fiscal year will be cause for consideration for removal from the board. At the discretion of the chair and voted by a majority of the board, such affirmative vote for removal shall be advanced to the City Council immediately, requesting the appropriate measures be taken.
Board members may be removed for cause by the City Council upon written charges and after public hearing. 24 V.S.A. § 4460(c).

Members will be advised by staff when two (2) consecutive or a total of four (4) absences have accumulated. This measure shall not be applicable to alternates, where their attendance is required only by absence or recusal of a regular member.

Section V: Committees

A. **Standing Committees.** The Board shall appoint at least one (1) member to the Planning Commission Ordinance Committee.

B. **Ad hoc Committees and Commission Liaisons:** From time to time ad hoc committees and board liaisons to other ad hoc committees may be established by the DAB for special assignments that do not fall within the general purview of standing committees.

Section VI: Regular and Special Meetings.

Regular meetings shall be held in the City Hall, or other publicly accessible location, as warranted based on the number of projects pending. Meeting length shall be at the discretion of the Chair in concurrence with the majority of members present, but should generally not exceed 2 hours. The Chair may cancel meetings at any time.

A. Special meetings may be called by the Chair, provided at least 24 hours' notice is given to each member, and the time and place of each special meeting is publicly announced at least 24 hours before the meeting.

B. A quorum shall consist of three participating members of the board.

C. Board members may participate by telephone or other communication device as long as the absent member can hear everything that is occurring at the meeting and everyone present at the meeting can hear the board member.

D. All meetings shall be open to the public.

E. All business shall be conducted in the same order as it appears on the agenda, except the Chair may alter the order of items to be considered as needed, such as to accommodate a late or missing project applicant.

The Chair shall rule on all questions of order or procedure and shall enforce these rules pursuant to 1 V.S.A. § 312(h)*[1]*

G. At each meeting, speakers may participate on an agenda item but only when recognized by the Chair. Such comment may be limited to three minutes per speaker, unless the Chair sets a different time limit.

Section VII: Proceedings and Order of Business.

All meetings shall be publicly noticed in accordance with 24 V.S.A. §§ 4464(a) (1), (2), as amended.

The Chair shall conduct the proceeding in substantially the following manner:

A. Open the proceeding by reading the warning of the proceeding.

E. [1] At an open meeting, the public shall be given a reasonable opportunity to express its opinion on matters considered by the public body during the meeting as long as order is maintained. Public comment shall be subject to reasonable rules established by the chairperson.

B. Ask all who are interested in an agenda item to identify themselves at the time of proceeding on the item of interest.

C. Accept written information presented to the DAB, including but not limited to staff recommendations.

D. Invite the applicant or applicant's representative to present such application or proposal.

E. Invite DAB members to ask questions of the applicant, applicant's representative, or of City staff.

F. Invite the public to present information regarding the application or proposal.

G. Invite the applicant, applicant's representative, city staff or members of the public to respond to information presented.

H. Invite DAB members to ask any additional questions or provide comments.

I. Allow final comments or questions from the applicant or applicant's representative.

J. The Chair shall either adjourn the proceeding to a time certain, continue the proceeding without a time certain subject to additional public notice being provided as to the time and place of any future proceeding, or close the proceedings.

K. If the DAB finds it needs more information to render its decision, then the DAB may table and re-open the proceeding at a later scheduled hearing date. Once a decision or recommendation has been rendered, the proceeding is closed and review continues administratively or referred to other advisory committees or the Development Review Board (as appropriate.)

L. The proceeding for any application shall be deemed to start the first time it appears on the DAB's agenda. In no event shall a proceeding extend for a period of more than six (6) months. In case of extenuating circumstances, the DAB may grant up to two (2) extensions of up to three (3) months each. If an initial extension is granted and the application lies dormant (no revised plans, information submitted) for the three (3) month duration of the extension, the DAB shall not grant another extension. The administrative officer may act on an incomplete application.

Section VIII: Site Visits.

Board members are encouraged to visit each site individually, however, no testimony shall be taken and no ex parte communication shall occur. Site visits by a quorum (3 members) of the DAB shall be held pursuant to the following conditions:

A. If, the Chair determines that a site visit by a quorum of the DAB will be necessary, the site visit shall be scheduled and the date, time and place shall be announced during the meeting.

B. If necessary, the DAB may recess a hearing and conduct a site visit at a property which is the subject of an application before the DAB.

C. If necessary, the DAB may adjourn a hearing to a time certain to conduct a site visit at a property which is the subject of an application before the DAB.

D. The minutes of the proceeding shall reflect that a site visit was held, who was present, and the nature and duration of the site visit.

Section IX: Decisions.

The DRB may make decisions at the close of the proceedings. Members of the DAB who have not heard all testimony and reviewed all evidence submitted for a particular application or proposal shall not participate in the vote.

The following rules shall apply to voting on decisions:

A. Motions shall be made in the affirmative.

B. The chair has the same voting rights as other members and can make motions.

C. A second shall be required for a motion to have the floor.

D. All members present are expected to vote unless they have recused themselves.

E. Abstentions are strongly discouraged and shall not count towards either the majority or the minority.

F. For a motion to succeed, it must receive the concurrence of three participating members of the DAB, regardless of how many members are present. 1 V.S.A. § 172[2].

Section X: Conflicts of Interest.

---

[2] Title 1 : General Provisions
Chapter 003 : Construction Of Statutes
Subchapter 003 : Rules Of Construction
(Cite as: 1 V.S.A. § 172)
§ 172. Joint authority
When joint authority is given to three or more, the concurrence of a majority of such number shall be sufficient and shall be required in its exercise.
The quorum requirement as interpreted by the Vermont Supreme Court will apply regardless of whether members abstain, recuse themselves or if there are vacancies on the board. *In re Appeal of Reynolds*, 170 Vt 352 (2000). In other words, it's not a majority of those present, it's the majority of the seats at the table regardless of whether anyone is sitting in them or not, unless State law explicitly provides for otherwise.

A. **Procedures.** Participation, disclosure of conflicts, and recusal shall be governed by the following procedures:

1. **Participation.** A board member shall not participate in any official action where he or she has a conflict of interest in the matter under consideration.

2. **Disclosure.** Board members with a conflict of interest shall state so prior to commencement of the proceeding. (Refer to Section III of these bylaws for details on how to recognize a conflict of interest.)

   When recognized by the Chair, any person may request disclosure of potential conflicts of interest. Nonetheless, after disclosing a conflict or perceived conflict, if a member who believes that he or she is able to act fairly, objectively, and in the public interest, shall state on the record the nature of the potential conflict of interest, and the reason(s) why the member believes he or she is able to act in the matter fairly, objectively, and in the public interest.

   This statement shall be part of the minutes of the proceeding pertaining to the matter under consideration.

3. **Recusal.** A board member shall recuse him or herself from any matter in which he or she has a conflict of interest, pursuant to the following:

   a. The applicant or any person may request that a member recuse him or herself due to a conflict of interest. Such request shall not constitute a requirement that the member recuse him or herself.

   b. The DAB may, by majority vote, (exclude or recuse) one of its members if there is reasonable public perception that a conflict of interest exists.

   c. A board member who has recused him or herself from a proceeding shall not sit with the DAB or participate in that proceeding as a board member in any capacity.

   d. If a previously unknown conflict is discovered, the DAB may take evidence pertaining to the conflict, and if appropriate, adjourn to address the conflict.

   e. The DAB may adjourn the proceedings to a time certain if, after a recusal, it may not be possible to take action through the concurrence of a majority of the DAB. The DAB may then resume the proceeding with sufficient members present.

B. **Ex Parte Communications.** Ex parte communication is prohibited. Any DAB member who inadvertently conducts ex parte communication must disclose such communication as required below.

1. **Disclosure.** At each hearing, Board members who have received written ex parte communications shall place on the record copies of all written communications received as well as all written responses to those communications. Members shall prepare a memorandum or state the substance of any and all oral communications received, all responses made and the identity of each person making the ex parte communication.

C. **Progressive Consequences for Failure to Follow the Conflict of Interest Procedures.** In cases where the conflict of interest procedures in Section X have not been followed, the DAB may take progressive action to discipline an offending board member. In the discipline of a member, the DAB shall follow these steps in order:

1. The Chair shall meet informally, in private, with the board member to discuss possible conflict of interest violation.

2. The DAB may meet to discuss the conduct of the board member. The board member may request that this meeting occur in public. If appropriate, the DAB may admonish the offending board member in private.

3. If the DAB decides that further action is warranted, the DAB may admonish the offending board member at an open meeting and reflect this action in the minutes of the meeting. The board member shall be given the opportunity to respond to the admonishment.

4. Upon majority vote, the DAB may request that the offending board member resign from the DAB. The Chair of the DAB shall then notify the City Council of this majority vote.

Section XI: Amendments.

These rules may be amended at any regular or special meeting by a two-third vote of the number of regular board members, provided that each DAB member has been presented a written copy of the proposed amendment at least 24 hours before the meeting at which the vote is taken. Only those amendments which are presented to the members prior to the meeting may be amended at that meeting.

Burlington Design Advisory Board
Department of Permitting and Inspections
645 Pine Street
Burlington, VT 05401
http://www.burlingtonvt.gov/DPI/Boards/Design-Advisory-Board/
Telephone: (802) 865-7188

Ron Wanamaker
Emily Morse
Jack Qualey
Gabriel Stadecker
Jay White
Kathleen Ryan, Alternate
Michael Alvanos, Alternate

DESIGN ADVISORY BOARD
Tuesday January 10, 2023
3:00 PM

Minutes

Present: Jay White, Emily Morse, Gabe Stadecker, Kathleen Ryan (alternate)
Absent: Ron Wanamaker, Jack Qualey, and Michael Alvanos (alternate)
Staff present: Mary O'Neil
Guests: Phil Geraghty, Warren from G4 Design

Agenda

Session I – 3:00 PM – 3:30 PM

ZP-22-554; 31 Volz Street (RM, Ward 3C) Philip & Katherine Geraghty / Steve Guild
Within the front portion of the existing duplex, combine the second floor unit with portions of the first floor unit into one unit; duplex use to remain. Additionally, construct a new dormer above the ground level porch for additional second floor living space. (Project Manager, Mary O'Neil)

Motion by Emily Morse: I move we **deny** the application based on:

1. Lot coverage exceeding allowable amounts;
2. Loss of the slate roof;
3. Loss of historic character with the proposed dormer; and
4. The viability of the design

2nd – Kathleen Ryan

Vote 4-0
Motion carries.

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).