

Burlington Development Review Board

149 Church Street, City Hall

Burlington, VT 05401

www.burlingtonvt.gov/PZ/DRB

Phone: (802) 865-7188

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Austin Hart, Chair
Michael Long
Jonathan Stevens
Brad Rabinowitz
Missa Aloisi
Israel Smith
A.J. LaRosa
Alexandra Zipparo (Alt.)
Jim Drummond (Alt.)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday January 6, 2015

PUBLIC HEARING NOTICE

The Burlington Development Review Board will hold a meeting on **Tuesday January 6, 2015 at 5:00 p.m. in Contois Auditorium, Second Floor, City Hall.**

1. 15-0656CA/MA: 289 COLLEGE ST (RH, Ward 8) 289 College Street Associates

New building addition of 12 residential units with associated site modifications for a total of 13 units, 5,800 sf existing office

2. 15-0675CU: 298 COLLEGE ST (RH, Ward 2) Champlain College / Champlain Valley Office of Economic Opportunity

Seasonal change of use from club to community house/overnight shelter

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

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

This may not be the final order in which items will be heard. Please view final Agenda, at www.burlingtonvt.gov/pz/drb/agendas 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).

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Tuesday, January 6, 2015, 5:00 p.m.

Contois Auditorium, City Hall, 149 Church Street, Burlington, VT

AGENDA

- I. **Agenda**
- II. **Communications**
- III. **Minutes**
- IV. **Public Hearing**
 1. **15-0451CA/MA: 234-240 COLLEGE ST (DT, Ward 3) Sisters & Brothers Investment Group, LLP** *(continued review)*
Major impact review to demolish rear portion of building, construct new 5-story addition at rear for 9 units. Results in change from 19 to 25 units for a net increase of 6. (Project Manager: Scott Gustin)
 2. **15-0656CA/MA: 289 COLLEGE ST (RH, Ward 8) 289 College Street Associates**
New building addition of 12 residential units with associated site modifications for a total of 13 units, 5,800 sf existing office. (Project Manager: Mary O'Neil) *(applicant has requested deferral to February 3, 2015)*
 3. **15-0675CU: 298 COLLEGE ST (RH, Ward 2) Champlain College / Champlain Valley Office of Economic Opportunity**
Seasonal change of use from club to community house/overnight shelter. (Project Manager: Ken Lerner)
- V. **Certificate of Appropriateness**
 1. **15-0468CA: 166 EAST AVE (RL, Ward 1) Germain Mopa**
Construct new 3-story addition to existing duplex with associated parking changes. (Project Manager: Mary O'Neil)
- VI. **Adjournment**

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

All staff comments, plans and supporting documents will be available on the Planning and Zoning website at: www.burlingtonvt.gov/pz/drb/agendas approximately one week before the hearing.

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 and Development Review Board is considered public and cannot be kept confidential.

This agenda is distributed to: adjacent property owners of projects before the Development Review Board, Neighborhood Planning Assemblies, City Councilors, City Departments and interested parties. You may direct written comments to the Planning and Zoning Department, at the above address. Inquiries may be made by calling 865-7188. Oral comments may be given at the meeting by any persons on any project listed on the Agenda.

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BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, December 16 2014, 5:00 p.m.

Contois Auditorium, City Hall, 149 Church Street, Burlington, VT

Minutes

Board member present: Austin Hart (Chair), Jonathan Stevens, Michael Long, Brad Rabinowitz, Israel Smith, Alexander LaRosa, Missa Aloisi and Ali Zipparo.

Board members absent: Jim Drummond.

Staff members present: Ken Lerner, Scott Gustin.

I. Agenda

No changes.

II. Communications

A number of supplemental communications presented tonight. Accepted by board members.

III. Minutes

December 2 in packet. Board members instructed to bring comments or changes to the deliberative for discussion.

IV. Consent Agenda

1. 15-0631CU: 101 MAIN ST (DT, Ward 5) Catamount/Van Ness & Vermont Comedy Club, LLC

Conditional use to establish performing arts center in existing vacant commercial space.

A Hart recused from this item.

Applicants Nathan Hartswick & Natalie Miller present and sworn in.

J Stevens requested a full public hearing to ask some questions.

Natalie Miller overviewed the project. They presently run a couple of other performing arts spaces. Nathan Hartswick said he's looking to provide a venue designed specifically for comedy but that also contained classroom space. N Miller said 11 shows per week would be given. Classes would take place during the day. N Hartswick said there would be a mix of local and regional talent.

J Stevens, is Catamount the building owner? N Miller, yes. J Stevens asked about liquor sales. S Gustin explained the limitations on alcohol sales. K Lerner noted 51% or more alcohol sales constitutes a bar. Ms. Miller said it's not in their interest to run a bar. The primary objective is a comedy center. The bar is not to be open on Monday or Tuesday nights when the showroom and lounge areas are used for classes. N Hartswick said finger food/appetizers will be served but not full meals. J Stevens, so the revenue will be from ticket sales? N Miller said it would be from ticket sales, merchandise, and classes.

A Zipparo, will there be other kinds of theatre? N Miller said that is possible, but the focus will be comedy. Have you done feasibility studies? N Miller, yes. We've talked to people who run similar venues. We've been booking shows in the area for 6 years. We produced 200 shows last year. N Hartswick said they produced the Green Mountain Comedy festival. We have the data to back up the demand. J Stevens noted the comedy club that went in next to the Daily Planet. N Hartswick said that was very small – a 40-seat café. It's a much different approach than what he is proposing. N Miller said the small size prevented drawing bigger talent from beyond this region.

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B Rabinowitz, it looks like the elevator connects the hotel to this space. N Hartswick, yes. It does.

Public Comment:

Paul Boileau, 78 Main Street resident. With the opening of the new hotel, we believe this is good for Burlington. We support the establishment of a performing arts center. We hope that our prior bad experiences with this property will not be repeated.

M Long, what caused these bad experiences? P Boileau, when Sha, Na, Na's was present as a bar there. Rowdy drunk people.

Erik Hoekstra said he's excited about the proposal. Part of the Hilton Garden Inn is aimed at activating the Main Street corridor. Part of filling in the gap between Church Street and the waterfront. He's always anticipated an active use in this space. Something that really draws people in. What's being proposed is something that is not in Burlington. It's been tried before but not successfully executed. Nathan and Natalie have a good track record as responsible operators. It's not just another restaurant or bar. This proposal works well with the hotel and will also bring additional revenues to Burlington's downtown.

Applicant's Response:

N Hartswick reiterated that what he's trying to do does not involve rowdy drunk people and loud bands. Those things do not make for a good live comedy experience. Hunts was pretty beloved. Sha Na Na's not so much. We're looking to provide performing arts space where people can come for a laugh.

AJ LaRosa noted E Hoekstra's comments about bringing people in. How will this engage the streetscape during the day along Main Street? N Miller, during the winter months, it may not. During summertime, with camp classes, it probably will. N Hartswick concurred. After 4:00 or 5:00 PM, there will be a lot going on here.

J Stevens, it appears that anyone who wants to enter the theatre needs to walk past the bar. N Miller said there is an entrance on Pine Street that does not go past the bar. J Stevens, the bar is placed between the bar and the performance space. N Hartswick, the idea is for folks to come in through the lounge. The main entrance is from Main Street.

Erik Hoekstra, relative to the bar placement, he noted the significant grade change between Main and Pine Streets. Most of the activity takes place below the Main Street level. The lounge is in the mezzanine off of Main Street. We're trying to make this space work.

Close public hearing.

V. Public Hearing

1. 15-0451CA/MA: 234-240 COLLEGE ST (DT, Ward 3) Sisters & Brothers Investment Group, LLP

Major impact review to demolish rear portion of building, construct new 5-story addition at rear for 9 units. Results in change from 19 to 25 units for net increase of 6.

Applicants Steve Guild & Frank Naef present and sworn in.

Steve Guild overviewed the project. The proposal is for a 5-story rear addition. An existing rear addition will be removed. The existing building sustained fire damage in June. It is being brought up to code along with the proposed addition. An elevator is being installed, as is a sprinkler system. Parking will be provided at the former Merchants parking garage. The addition will be clad in metal siding with a split face block foundation. A "blue roof" will be installed for stormwater management. Megan Moir has been involved. The existing building is being restored. Windows are being replaced under separate permit.

A Hart, there are some issues raised in the staff comments. Do you want to address those? S Guild, the setback requirement places an unanticipated burden on the applicant. He said he doesn't know if he can apply for a variance. Basically we need to be 10' away from the side property line, even though the ordinance also says 0' setback. S Gustin noted the provision relates to the building code. While the building code could allow construction within the setback subject to certain restrictions, the provision in the zoning code does not. Frank Naef noted how this provision could end up requiring almost 15' separation distance.

A Hart asked for supplemental information, particularly as it relates to current distances and proposed setbacks. B Rabinowitz asked for clarification of the proposed setbacks. S Guild said its 4.5' from the east property line. Pushing it back a full 10' will impact the dwelling units.

M Aloisi pointed out windows on the northeast end of the addition. S Guild said these windows have been removed on revised elevations.

A Hart, something to improve the pedestrian alleyway. Make it more inviting and safe. S Guild said some new lighting is being proposed. If not depicted, we'll show them. A Hart, will the College Street entrance be the primary entrance? S Guild, probably. We had to provide another doorway with the addition. A Hart, who's going to be using the pedestrian alleyway? S Guild, it will provide access to the dumpsters and to the driveway that reaches to North Winooski Avenue. B Rabinowitz, how is trash removed? S Guild, the totes will be wheeled out to College Street, or the trash hauler has access to the rear of the site.

I Smith asked about TRC. S Gustin said typically it takes place prior to an application. It was not required for this application and it did not occur.

A Hart, what is a "blue roof?" F Naef said it basically acts as a retention pond and slowly releases runoff into the city system.

A Hart asked about the roof plan. S Guild said all of the mechanical equipment will be within the building. There will be nothing on the rooftop. A Hart asked if a roof plan was still needed. S Gustin said yes, one is needed to demonstrate that there is nothing on the roof.

A Hart, clarification of parking needed. We need to know the existing unit/bedroom layout. S Gustin said that we need this information to determine the existing degree of nonconformity. It can be carried forward but not increased.

A Hart, bike parking? S Guild, we have long term. S Gustin said you've got no short term bike parking. S. Guild said we're looking at options for a bike rack location.

A Hart, one inclusionary housing unit is required. We have no information relative to how you propose to satisfy that requirement.

A Hart, is there any possibility for onsite stormwater infiltration? S Guild, we haven't thought about that. We really have no room for doing so.

A Hart, are solar panels something that could be done with the blue roof? F Naef said penetrations through the roof for the solar panels would be incompatible with the blue roof.

B Rabinowitz, the building elevations are somewhat odd, but you'll only see it from the City Market parking area. S Guild said there is really no visibility from the street. We're looking at keeping the addition affordable. B Rabinowitz, this leaves something to be desired. S Gustin said that DAB felt the elevations were acceptable given its limited visibility from the street.

I Smith, it looks like there may be problems with access to light. It bothers him that the ground level has nothing to do with what's going on above it. The trash totes seem insufficient for this many dwelling units. B Rabinowitz, you'll need frequent trash pick-ups.

M Long, also concerned with the lack of windows on the east and west elevations. S Guild, the open floor plans face the rear with the most windows. Windows are limited on the east and west due to the close proximity of neighboring buildings.

Public Comment:

Erwin Herschlitz, lives in the neighboring building. He said right now, there is room for 4 cars. There is no space for more. They are proposing just 6 parking spaces. A Hart noted that the parking will be provided offsite. E Herschlitz said that the existing units were occupied by people without cars. If new tenants have cars, we will have a problem. Also, the proposed window-less walls will make our walls effectively windowless.

Molly Comeau, nothing would please her more than a well-maintained building to replace what was there before. It was incredibly substandard. There has been no graffiti in the neighborhood since the fire occurred. Let's be sure we don't repeat these prior problems on a larger scale. She's concerned about the lack of parking. She also questions the proposed cost of construction. What does this mean? Cutting corners in construction? In the alley between the buildings, we've got water infiltrating into our building.

E Herschlitz said he thinks the rehab of the existing building should be taken into account relative to the parking.

A Hart, when do you think you could get information to us relative to the outstanding items? It's really the list of items noted in the staff report. B Rabinowitz, should also note how the parking will be made available.

K Lerner, this really should be recessed so that staff can review and public can comment. A Hart agreed.

A motion was made by A Hart to continue review to a date certain of January 6, 2015. Second by B Rabinowitz

Vote 7-0-0, motion carried.

2. 15-0525CA/MA: 87-95 NORTH AVE (MNU, Ward 7) COTS

Major impact review for renovation and addition to existing building for 14 new residential units as part of mixed use building. Includes demolition of house and lot merger at 7 Haswell Street.

A Hart recused.

Applicants Bob Duncan, Bill Nedde, Rita Markley, Jonathan Farrell, Kathy Dryer sworn in.

Bob Buncan overviewed the project location and NMU zoning district. High density development is encouraged. No residential density limit per se, limited by FAR. A variety of uses are encouraged and allowed in this district. The district this property is within is different than that of the nearby residential neighborhoods. In the late 1800's this was a grocery store. He showed photos of neighboring buildings to provide context of the built environment. He displayed a map delineating property and neighboring parking providing parking easement. He displayed the sketch plan site plan and noted the changes made since then. The building has been scaled back by some 4,000 sf. The 3-story addition is stepped back. The 2-story portion provides a transition in scale to neighboring buildings. The parking lot is consistent with the agreement with Burlington College for access points. He also

noted the small reduction in impervious surface onsite and the introduction of new landscaped areas. 33 parking spaces will be provided. The minimum requirement is 29 spaces.

B Duncan overviewed the proposed building elevations. The elevator shaft will provide a separation between what is existing versus new. He noted where apartments, office space, and day station will be located. Windows are grouped in the new addition – grouped in 3's versus groups of 2 in the existing. The aluminum storefront will be removed. The pediment will be restored. The elevator shaft will project a bit above the roofline. He demonstrated building height and scale in cross section with neighboring buildings. He displayed a perspective view from North Avenue looking northwest. He noted that the rooftop equipment is included in the perspective – it is not visible from this vantage point. He explained two wall sections of the proposed construction.

B Duncan overviewed the landscaping plan. The city arborist approved the elms that are Dutch elm disease resistant. He noted the asphalt to green space conversion on a portion of the site. Existing 85% lot coverage will be reduced to 80.4% as proposed. B Duncan noted the enhanced open space provided by bringing a portion of the rear addition back from the street. He touched briefly on lighting. Illumination levels are compliant with applicable standards.

B Duncan mentioned that the Conservation Board has reviewed the proposed stormwater management plan. Stormwater will be collected and infiltrated onsite – 50% of the proposed roof area. Presently, there is no onsite management.

B Duncan reviewed the proposed boundary line adjustment.

B Rabinowitz, is there any landscaping on the Haswell Street side? B Duncan no. It will be building, sidewalk, and green belt. B Rabinowitz, is the green belt too narrow for trees? B Duncan, that's what the City Arborist told us at TRC review.

B Rabinowitz, are these typical rental units? B Duncan, all of them would qualify as inclusionary units.

J Stevens asked if the applicant had any questions relative to the staff report. B Duncan said he's not sure what's meant by making the North Avenue entrance more prominent. K Lerner said that an awning may be appropriate.

Public Comment:

Patricia Ferrera, thanks COTS for being so mindful of the neighborhood. Feels has been sensitive to the neighborhood's needs.

___ Makley thinks the project is marvelous. Supports the project. Is balanced with the surrounding built environment. Can't imagine how anybody could have a problem with it.

Linda Tierney, lives on Lakeview Terrace. She does not oppose COTS. She is very concerned. With Packard Lofts at one end of the street and this at the other, the character of the neighborhood is changing. She's very concerned about the parking. Lots of times parking at this site spills on to the street. With the 14 units of housing and the day station, parking problems will be worse. Traffic will also increase. In 2010, COTS represented that the project would just be for office use. Our sweet neighborhood is being surrounded by large development.

Eli Lessor-Goldsmith, lives on Lakeview Terrace. Supports the project. He's for progress and for the city evolving and growing and being more prosperous. It's the way this town is moving, and he's excited about it. The proposed building is within the scale of its surroundings. He also noted his denial of cement fiberboard whereas it's now routinely approved.

Frank Gillot, lives nearby. Noted the transformation of the subject building since he originally moved to the neighborhood. The project is a fine evolution of the building's design. He's impressed with the reduction in lot coverage.

Mark Demers, was a close neighbor of the day station at 25 Buell Street. COTS communicated with him in a very timely manner. Hopefully this past performance will assuage neighbors' concerns.

Letters submitted to Board.

B Rabinowitz, how is the parking lot controlled? B Duncan, control will really be up to COTS. Signage may be used. Parking for employees or guests of COTS. B Rabinowitz, how are deliveries made? B Duncan, the primary delivery is the lunch for the day station. Trash will be brought out to the curb.

M Long, none of the units are market rate? B Duncan, correct. They are all affordable. M Long, will that impact the number of cars? B Duncan, yes.

AJ LaRosa, what's being done with the other half of the parking lot owned by Burlington College? B Duncan, we can't do anything with it. Hopefully, if we make ours nicer, they will make theirs nicer.

B Rabinowitz, are any of the inclusionary units being offered to other developers to meet their requirements? B Duncan, no.

VI. Other Business

VII. Adjournment 7:15 pm.

Deliberative scheduled for Monday, December 22, 2014 at 5:00 pm.

A. Hart - Chair, Development Review Board

Date

Scott Gustin, AICP, Senior Planner

Department of Planning and Zoning

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Scott Gustin, AICP, Senior Planner
Mary O'Neil, AICP, Senior Planner
vacant, Zoning Clerk
Elsie Tillotson, Department Secretary



TO: Development Review Board
FROM: Scott Gustin *SG*
DATE: January 6, 2015
RE: 15-0451CA/MA; 234-240 College Street

Note: These are staff comments only; decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.

Zone: DT Ward: 3

Owner/Representative: Sisters & Brothers Investment Group / G4 Design Studios

Request: Demolish rear portion of building, construct new five story addition at rear for 9 units. Results in change from 18 residential units and 1 commercial unit to 25 residential units.

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 & Replacement Housing), Article 11 (Planned Unit Development)

Background Information:

The applicant is seeking approval to remove an existing rear addition containing 3 residential units from the fire-damaged apartment building at 234-240 College Street and to replace it with a new, larger addition. The exterior of the existing building fronting College Street, known as the Messier Building, will remain unchanged. Replacement windows throughout were approved under separate permit. The building was internally damaged by fire June 24, 2014 and is undergoing substantial interior renovation. The building contains 19 units (18 residential and 1 commercial); as proposed, it will contain 25 dwelling units with the new rear addition. The addition will be 5 stories tall and will essentially double the building mass, yet it will be largely hidden from view.

The Development Review Board initially reviewed this project December 16, 2014. Significant items remained to be addressed including resolution of the side yard setback per Sec. 4.4.1 (d) 3, improvement of the pedestrian alley per Sec. 6.2.2 (j), provision of a roof plan per Sec. 6.3.2 (h), clarification of parking per Sec. 8.1.8, provision of bike parking details per Sec. 8.2.5, and provision of inclusionary housing details per Article 9. The Board continued the public hearing to allow the applicant additional time to address these items. Revised and new application materials have been submitted to address most of these items. Only the side yard setback per Sec. 4.4.1 (d) 3 has not been addressed.

The Design Advisory Board reviewed this project October 14, 2014. The Board unanimously recommended approval of the project subject to the following conditions:

- Alleyway should be a true pedestrian alley.

- Curb cut onto College Street to be closed allowing a new street parking space.
- Door provided onto alley should have some fenestration, not a security door.
- Indoor bike storage to accommodate access to alleyway.
- Bike storage must be accessible to internal elevator.

Revised plans have been submitted in response to the DAB's recommendation and following the initial review by the DRB.

The Conservation Board reviewed the project December 1, 2014 and recommended approval on a 5-1-2 vote. The Board requested that soils information be forwarded to them when the onsite geotechnical analysis is complete. The applicant has agreed to do so.

Previous zoning actions for this property are listed below.

- 8/5/14, Approval to replace windows lost to fire damage
- 10/12/12, Approval of parallel sign
- 8/24/09, Approval for change in use from office to retail
- 4/18/02, Approval of parallel sign on entry door

Recommendation: Denial as per the adverse findings for Sec. 4.4.1 (d) 3 and Sec. 6.3.2 (a) 3.

I. Findings

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 require additional water and sewer service. Adequate capacity is available; however, written confirmation from the Department of Public Works is needed. A State of Vermont wastewater permit will be required. **(Affirmative finding if conditioned)**

2. The character of the area affected;

The subject property is located north of the city's downtown core within the Downtown Transitional zone, one of several Downtown Mixed Use zones. The immediate vicinity reflects the diversity of uses allowed within the Downtown Mixed Use zones and contains office space, multi-family apartments, the YMCA, a movie theatre, and the Fletcher Free Library. With the exception of the library, all surrounding properties are at, or near, 100% lot coverage. The built environment is densely developed but not quite as intensely as the downtown core to the south. The proposed addition will intensify the degree of development on this parcel, but its scale will remain within that already established in this neighborhood. The proposed development is consistent with the intent and character of the Downtown Transitional zone. **(Affirmative finding)**

3. Traffic on roads and highways in the vicinity;

No traffic information has been provided; however, the net increase of just 6 units on the edge of the city's downtown and within the established urban street grid is expected to have minimal traffic impacts. Further, the property is located along a CCTA bus route and is easily accessible via foot and bicycle. **(Affirmative finding)**

4. Bylaws then in effect;

The project is not in compliance with all applicable bylaws as reflected in these findings.

(Adverse finding)

5. Utilization of renewable energy resources;

The utilization of alternative energy has not been incorporated into this proposal. The proposed addition does not preclude such utilization in the future. **(Affirmative finding)**

6. Cumulative impacts of the proposed use;

The expansion of the existing multi-family apartment building is permitted in the DT zone. As a result, this criterion requires that cumulative impacts be considered negligible. **(Affirmative finding)**

7. Functional family;

This criterion does not apply in the DT zone and thus not to the subject permit request.

8. Vehicular access points;

The property currently has one vehicular access point from College Street. As the parking spaces served by this driveway are being lost to the addition, the Design Advisory Board recommended closing the curb cut and turning the remaining driveway into a pedestrian alley. The project plans depict a closed curb cut along College Street with a restored green belt. A new concrete walkway to the new side door is depicted in revised project plans. The property appears to remain accessible at the rear by way of an alley of sorts that runs between South Winooski Avenue and South Union Street. This alley is private and not owned by the applicant, and rights of access are not noted in the application. It is advisable, but not required, that the applicant seek permission to use this alley for residents when they move into or out of the apartments. **(Affirmative finding if conditioned)**

9. Signs;

No signs are included in this proposal.

10. Mitigation measures;

The proposed development is not expected to generate any noxious effects such as excessive noise, glare, or emissions. **(Affirmative finding)**

11. Time limits for construction;

The project is to be constructed within the standard 2-year time frame. **(Affirmative finding if conditioned)**

12. Hours of operation and construction;

Hours of operation do not apply to the residential units. No construction schedule is proposed. Other development projects within the DT zone have been permitted construction activity Monday to Friday from 7:00 AM – 6:00 PM. Limited work may extend outside this schedule to extend to Saturday 9:00 AM – 5:00 PM only after obtaining approval from the Development Review Board through correspondence rather than a scheduled hearing. No construction activity can occur on Sunday. **(Affirmative finding if conditioned)**

13. Future enlargement or alterations;

As with anything else, any future enlargement or alteration to the development will require zoning review under the regulations in effect at that time. **(Affirmative finding)**

14. Performance standards;

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

15. Conditions and safeguards;

Approval of this project will be conditioned to implement the purposes of the zoning regulations. **(Affirmative finding)**

(b) Major Impact Review Standards

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

A stormwater management plan has been submitted (see Sec. 5.5.3). No significant air or noise pollution is anticipated as a result of this residential development. **(Affirmative finding)**

2. Have sufficient water available for its needs;

Sufficient municipal water service is available to serve the development. Written confirmation of capacity to serve is required from the Department of Public Works as is a State of Vermont wastewater permit. **(Affirmative finding if conditioned)**

3. Not unreasonably burden the city's present or future water supply or distribution system;
See item 2 above.

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) 3 for traffic information. The expanded apartment building is not expected to generate unreasonable congestion or unsafe conditions on nearby roadways, waterways, railways, the bike path, public sidewalks, or other means of transportation. The project is centrally located, and multiple modes of transportation are readily available. **(Affirmative finding)**

6. Not cause an unreasonable burden on the city's ability to provide educational services;
The proposed apartment building addition will result in a net increase of just 6 dwelling units. While there may be some school age children, no unreasonable impact on the city's ability to provide educational services is expected. Impact fees will be paid to help offset what impacts there are. **(Affirmative finding if conditioned)**

7. Not place an unreasonable burden on the city's ability to provide municipal services;
The proposed development will generate some additional impacts on city services; however, those impacts can be accommodated. Impact fees will be paid to help offset impacts generated. **(Affirmative finding if conditioned)**

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

The subject property contains no rare, irreplaceable, or significant natural areas. The original front portion of the existing building is historically significant. See Sec. 5.4.8 for details. Generally; however, the proposed addition will not have an undue adverse impact on this historic building. There are no known archaeological resources on the property. The existing soils are largely fill within what used to be a large ravine. **(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 will replace a couple of existing parking spaces with new residential units. The property is located in an area intended for relatively intense urban development and will have no adverse impact on the city's present or future growth patterns. **(Affirmative finding)**

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

The proposed development is compliant with the MDP in a number of ways.

The project is located within a downtown mixed use zone where higher density development is encouraged (Sec. I, Land Use Policies and Sec. IX, Housing Plan Policies).

While not within the Old North End, the property is nonetheless located within the Old North End Enterprise Community district. This area is targeted for renewed investment and, in particular, an upgrade of its housing stock (Sec. I, Land Use Policies).

In light of the project's location proximate to the downtown, alternative means of transportation will be readily available (Sec. V, Stressing Other Modes of Travel).

The project will at least meet the city's current energy efficiency standards (Sec. VIII).

The proposed development can be found to be in conformance with the City's MDP.
(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 will provide new housing units in an area of the city targeted for new, improved housing opportunities. Its construction will have no adverse impact on the present or projected housing needs of the city. **(Affirmative finding)**

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

Moderate impacts on the city's park and recreation needs are anticipated as a result of the project. Impact fees will be paid to help offset these impacts. **(Affirmative finding if conditioned)**

Article 4: Maps & Districts

Sec. 4.4.1, Downtown Mixed Use Districts:

(a) Purpose

(2) Downtown Transition District (DT)

(C) DT South

The subject property is located in the Downtown Transition (DT) District. As noted previously, the Downtown zones are intended to form part of the primary urban center of the city with a diversity of uses and intensive development. The proposed building addition is consistent with this purpose. **(Affirmative finding)**

(b) Dimensional Standards & Density

A FAR of 4 is allowed in the DT South zone. No FAR calculation is evident in the application. The proposed addition is 9,660 sf and about doubles the size of the building. Assuming a total building area of 19,320, the FAR would be less than 4 (4 FAR would be 22,228 sf). A FAR calculation is required to confirm compliance.

There is no lot coverage limit in the DT zone. As proposed, lot coverage will remain at nearly 100%.

No setbacks per Table 4.4.1-4, *Dimensional Standards & Intensity*, apply. The property is wholly within the DT zone and does not border any residential zone. See criterion (d) 3 below for site specific setbacks.

The minimum building height in the DT zone is 30' and three stories. The maximum height without bonuses is 45'. The proposed building addition is 39.2' tall as measured from grade at College Street. It contains 5 stories but is based well below the street grade. **(Affirmative finding if conditioned)**

(c) Permitted & Conditional Uses

The proposed multi-family residential addition is permitted in the DT zone. The project, as a major impact application, is subject to conditional use review. **(Affirmative Finding)**

(d) District Specific Regulations

1. Use Restrictions

A. Ground Floor Residential Uses Restricted

Not applicable to the subject property.

2. Public Trust Restrictions

The subject property is not located within the Public Trust.

3. Facades and Setbacks on Side and Rear Property Lines

The revised project plans show the proposed addition set back 10' 1" from the western side property line and 7' from the eastern side property line. The addition will be set back 2' 7" from the rear property line. As a result, windows are proposed, and allowed, on both sides and the rear of the addition.

This criterion also requires a 10' setback in the event that neighboring buildings with doors or windows are built within 5' of a shared property line. Such is the case here. The neighboring building to the west is built to the shared property line. It has windows along the full length and width of the east-facing façade. As noted above, the revised site plan shows a 10' 1" setback for the proposed addition along this shared property line. Approximately the rear third of the neighboring building to the east is built within 5' of the shared property line. It has windows and doors along the full length and width of the west-facing façade. The revised site plan shows a 7'

setback along this shared property line. The proposed addition does not comply with the 10' minimum setback. While the city's building code may allow for the proposed building placement, this zoning criterion simply does not. This provision is consistent with Sec. 5.2.5, *Setbacks*, (b) *Exceptions to Yard Setback Requirements*, 1 that specifically cites this 10' setback as an exception in districts where setbacks are otherwise not required. **(Adverse finding)**

4. Building Height Setbacks

A. Principal View Corridors

College Street is a principal view corridor; however, the proposed rear addition will have no impact on existing east/west views.

B. Church Street Buildings

The subject property is not located along the Church Street Marketplace.

C. Side Street Building Height

Not applicable to the subject property.

5. Lake Champlain Waterfront Setbacks

The subject property is not located along the Lake Champlain waterfront.

6. Development Bonuses/Additional Allowances

None are sought.

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.1 (b) above.

Sec. 5.2.4, Buildable Area Calculation

This criterion does not apply to properties in the DT zone.

Sec. 5.2.5, Setbacks

See Sec. 4.4.1 (b) above.

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.1 (b) above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.4.1 (b) above.

Part 4, Special Use Regulations

Sec. 5.4.8, Historic Buildings and Sites

(b) Standards and Guidelines

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

The original historic brick structure and the rear stucco addition have always been used as residential apartments with some commercial space on the ground floor. The proposed rear addition will retain and expand this same use, albeit with just apartments. **(Affirmative finding)**

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.*

The original building will be retained. No exterior alterations are proposed. Window sashes have been replaced under separate permit. Only the existing rear addition will be removed and replaced with a new rear addition. **(Affirmative finding)**

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.*

No conjectural features or elements will be added. There will be no false sense of historical development. The proposed construction is clearly a modern addition. **(Affirmative finding)**

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

The age of the existing rear addition is not evident in the historical documentation for the building. The addition is relatively small and set in from the sides of the original structure. Built behind the existing historic building, it is nearly invisible from College Street. There is nothing to suggest that this existing addition is historically significant in its own right. **(Affirmative finding)**

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

As noted previously, nearly all exterior features, materials, and finishes of the original historic structure will be retained. **(Affirmative finding)**

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

No replacement of exterior building features is proposed. **(Affirmative finding)**

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

No information pertaining to this criterion is evident in the application. There will be no such treatments made to the original building. **(Affirmative finding)**

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

The subject property is located along a filled ravine that used to cut through this area of Burlington. Should artifacts be uncovered during excavation, it is the owner's responsibility to contact the Vermont Division for Historic Preservation for further guidance. **(Affirmative finding if conditioned)**

9. *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features,*

size, scale, and proportion, and massing to protect the integrity of the property and its environment.

The new addition is located behind the original historic structure and will be well hidden from College Street. The new addition is clearly distinct from, and deferential to, the historic building. The integrity of the existing historic structure will be retained and preserved. **(Affirmative finding)**

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

If removed in the future, the proposed rear addition will leave the essential form and integrity of the historic building intact. **(Affirmative finding)**

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

New outdoor lighting is fairly limited. Fixture cutsheets and locations have been included in the application. The lights are acceptable cutoff fixtures and will be used to illuminate the eastern alleyway and new entrance. **(Affirmative finding)**

Sec. 5.5.3, Stormwater and Erosion Control

The property is presently 100% impervious with no onsite stormwater management measures. As proposed, the property will remain 100% impervious, but new stormwater management measures are proposed. Given the tight site, grades, and existing stormwater flow patterns, the applicant proposes to capture stormwater on the roof of the proposed addition. Referred to as a “blue roof,” the proposed system is designed to capture stormwater from the 1 year storm event. Overflow will run down roof drains and onto the ground where it will flow into an existing catch basin and into the city’s combined sewer system. As noted to the Conservation Board, the proposed blue roof will result in a reduced rate of discharge for the 5-year and 10-year storm event. No soils analysis has yet been done, and the applicant chose not to pursue any onsite infiltration to achieve a reduction in stormwater volume. As a result, the Conservation Board’s recommendation of approval was less than unanimous. The applicant indicated that soils analysis would be done prior to construction, and the Board requested seeing results of that analysis. As always, final review and approval of the stormwater system is subject to review and approval of the Stormwater Administrator.

As required, an erosion prevention and sediment control plan has been submitted. Like the stormwater management system, that EPSC plan is subject to review and approval by the Stormwater Administrator. **(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

The project site contains no significant natural features. The project site consists of building and asphalt parking area. **(Affirmative finding)**

(b) Topographical alterations

No significant topographical alterations are proposed. The site slopes steeply away from College Street and reflects the ravine that used to traverse the city here. The new addition essentially sits in a hole as viewed from College Street. Existing grades will remain essentially unchanged.

(Affirmative finding)

(c) Protection of important public views

College Street is an identified view corridor. As the proposed construction will be set behind the existing building, it will not infringe on the important east/west public views along this corridor.

(Affirmative finding)

(d) Protection of important cultural resources

The site itself is not of any known archaeological significance. The building, however, is historically significant as noted under Sec. 6.3.2 (b) below. **(Affirmative finding)**

(e) Supporting the use of alternative energy

The application notes no use of alternative energies. While the “blue roof” on the addition likely precludes any solar installation, solar should be considered for the roof of the existing building.

(Affirmative finding if conditioned)

(f) Brownfield sites

The property is not an identified brownfield per the VT DEC Hazardous Site List. **(Affirmative finding)**

(g) Provide for nature's events

See Sec. 5.5.3 for stormwater management. The single doorway into the proposed addition will be sheltered under a canopy. **(Affirmative finding)**

(h) Building location and orientation

The proposed construction amounts to a rear addition. It will have no effect on the existing building's orientation towards College Street. **(Affirmative finding)**

(i) Vehicular access

See Sec. 3.5.6 (a) 8.

(j) Pedestrian access

The front entry of the building remains readily accessible from the public sidewalk along College Street. The proposed addition will also be accessible by way of new entrance onto the easterly alleyway. The new side door contains a window as recommended by the Design Advisory Board. Also as recommended by the DAB, vehicular access to the easterly alleyway has been cutoff. The revised site plan depicts a new concrete walkway connecting this new side door to the public sidewalk. **(Affirmative finding)**

(k) Accessibility for the handicapped

There is no indication on the project plans as to whether any of the new dwelling units will be handicap accessible. If any are proposed, they must be duly noted. It is the applicant's responsibility to comply with all applicable ADA requirements. The 2012 Vermont Access Rules require that all of the proposed dwelling units be "adaptable." **(Affirmative finding if conditioned)**

(l) Parking and circulation

The applicant asserts that there is no onsite parking; however, there are vehicles parked behind the existing building, and a "private parking" sign is affixed to the rear fire escape. This small area of parking will be replaced by the proposed rear addition. All parking will be provided for offsite. See Article 8 for details. **(Affirmative finding)**

(m) Landscaping and fences

Along College Street, the closed curb cut will be accompanied by restoration of the green belt. Closure of the curb cut and restoration of the green belt will require the review and approval of the Department of Public Works and the City Arborist. The revised site plan depicts several small sections of bark mulch between the new concrete sidewalk and the exterior building wall. Shade tolerant shrubs should be planted in these areas to introduce at least a small amount of green to this alleyway. **(Affirmative finding if conditioned)**

(n) Public plazas and open space

No public plazas or open space are proposed.

(o) Outdoor lighting

See Sec. 5.5.2.

(p) Integrate infrastructure into the design

No new ground-mounted mechanical equipment is proposed. Trash containers will be enclosed within a small closet accessible from the eastern alleyway. In light of the number of dwelling units and the relatively small capacity of the trash containers, frequent trash pick-ups may be needed. **(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 addition essentially doubles the size of the existing building. It is 5 stories tall and 1,932 sf per floor. Its massing, scale, and height are similar to that of the existing building. Like so many other new buildings in Burlington, the proposed addition is boxy in appearance and utilizes fenestration and rectangular geometry to define smaller exterior components within the building's exterior sheathing to break up its mass. The overall scale of the completed building remains consistent with that of neighboring buildings along this stretch of College Street. The height of the addition is several feet taller than the existing building; however, it will be imperceptible from College Street. **(Affirmative finding)**

2. Roofs and Rooflines

The addition will have a flat roof. This roof form is consistent with that of the existing and neighboring buildings. **(Affirmative finding)**

3. Building Openings

Window styles within the addition will vary from those in the original building but remain essentially consistent. Proposed fenestration in the rear of the addition is significant and breaks up the apparent mass of the rear elevation. Revised elevation plans significantly reduce fenestration on the eastern and western elevations. No explanation is given. As both the eastern and western elevations will be set back more than 5' from the side property lines, the prohibition of windows and doors under this criterion does not apply. As revised, the fenestration pattern on the western and eastern elevations is inconsistent with that of the original building and leaves large unbroken expanses of building wall. If privacy is a concern, there is opportunity to use glass block or other translucent materials to enable the introduction of more natural light into the building while also maintaining a consistent fenestration pattern throughout. **(Adverse finding)**

(b) Protection of important architectural resources

The existing building was built circa 1897 and is included in the National Register of Historic Places. The exterior of this existing building will remain unchanged. Window sashes were replaced under separate zoning permit. See Sec. 5.4.8 for details. **(Affirmative finding)**

(c) Protection of important public views

As noted above, the property is located along the College Street view corridor. The proposed rear addition will have no impact on east/west public views along this corridor. **(Affirmative finding)**

(d) Provide an active and inviting street edge

The street edge is defined by the existing historic building and will remain essentially unchanged. **(Affirmative finding)**

(e) Quality of materials

Windows in the new addition will be metal. Exterior siding will consist of ribbed metal siding of various colors at vertical or horizontal angles. The foundation will be split face concrete block. In light of the new construction and its largely hidden location, these building materials are acceptable. Roofing and cornice materials are not noted and must be. **(Affirmative finding if conditioned)**

(f) Reduce energy utilization

No extraordinary energy conservation measures are noted in the application materials. At the very least, the new construction must comply with the current energy efficiency requirements of the City and of the State of Vermont. **(Affirmative finding if conditioned)**

(g) Make advertising features complimentary to the site

No outdoor signs are included in this application.

(h) Integrate infrastructure into the building design

Utility meters are depicted along the western side of the existing building. They are set back far from College Street and are minimally visible.

No exterior mechanical equipment is proposed. All of it will be contained within the building. A roof plan has been provided as required. **(Affirmative finding)**

(i) Make spaces safe and secure

All building and life safety codes, as defined by the building inspector and fire marshal, shall be implemented in the construction of this building. Building entries will be illuminated as noted above. An intercom system for residents should be incorporated into the project. **(Affirmative finding if conditioned)**

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

The property is located within the Downtown Parking District. There are presently 2 onsite parking spaces behind the building. These 2 spaces will be lost to the addition.

The 18 residential apartment units and 1 commercial (retail) unit presently requires 18 parking spaces (1 space per residential unit & 0 for the retail unit). With just 2 spaces onsite, there is a 16-space deficiency.

The proposed 25 residential apartments require 25 parking spaces (1 space per unit). Sec. 8.1.5, *Existing Structures – Change or Expansion of Use*, requires that current parking requirements be applied for increased demand. The existing deficiency, however, may be carried over insofar as existing conditions are carried over. In other words, additional parking is required only for those changes/additions that result in a higher parking demand. The end result is that 9 parking spaces are needed (25 total based on total unit count, minus the pre-existing 16-space deficiency). Total parking to be provided is not noted in the application; however, the applicant has stated that spaces required per this criterion will be provided at the offsite parking garage noted below.

While not considered as part of the minimum off-street parking requirements, it bears noting that the revised site plan depicts the street space in front of the newly closed curb cut as a tenant drop-off spot (i.e. 15-minute parking space). Such designation is subject to the review and approval by the Public Works Commission; however, the applicant is advised that this space currently serves as a CCTA bus stop. **(Affirmative finding if conditioned)**

Sec. 8.1.2, Limitations, Location, Use of Facilities

(a) Offsite parking facilities

The applicant proposes offsite parking spaces to serve the apartment building. The offsite parking would be located in the Corporate Plaza parking garage on College & St. Paul Streets. This garage is about 750' from the subject property and within the maximum allowable 1,000'. A lease agreement between the parties has been provided. The number of leased spaces will need to be increased to 9 per Sec. 8.1.8 above; however, the provisions of the lease otherwise appear to be adequate. Review and approval of the lease provisions by the City Attorney will be required to insure the long-term perpetual availability of the required spaces. **(Affirmative finding if conditioned)**

Sec. 8.2.5, Bicycle Parking Requirements

The net new 6 residential units require 2 long term and just 1 short term bike parking spaces (1 per 4 units and 1 per 10 units, respectively). The applicant has noted long term bike parking will be provided for in the secured storage in the basement. This secured storage space is noted in the basement floor plan. As recommended by the DAB, the secured storage space is located in easy proximity to the elevator and to the alleyway. The revised site plan proposes a bike rack in front

of the apartment building in the green belt. Such location has been used previously, particularly in downtown locations with no appropriate location available onsite. This location will require an encumbrance permit from the City Council in consultation with the Department of Public Works. Preliminary comment from Public Works is that the location may be acceptable but that the proposed bike rack style (wave style) needs to be changed to a U-rack, bollard, or Triton. **(Affirmative finding if conditioned)**

Article 9: Inclusionary & Replacement Housing

The provisions of Article 9 require that the net new 6 dwelling units contain 1 (i.e. 15%) affordable dwelling unit. Revised application materials denote the 1 proposed inclusionary dwelling unit and include housing subsidy language previously used to satisfy inclusionary housing requirements in the city. The inclusionary housing provisions will be subject to final review and approval by the manager of the city's Housing Trust Fund. **(Affirmative finding if conditioned)**

Article 11: Planned Development

As a single building with more than 5 residential units, this project qualifies as a minor Planned Unit Development and is exempt from the requirements and standards of this Article. The project is, however, subject to inclusionary housing requirements per Article 9 above. **(Affirmative finding)**

II. Conditions of Approval

If the Development Review Board finds that approval is warranted, the following conditions are proposed:

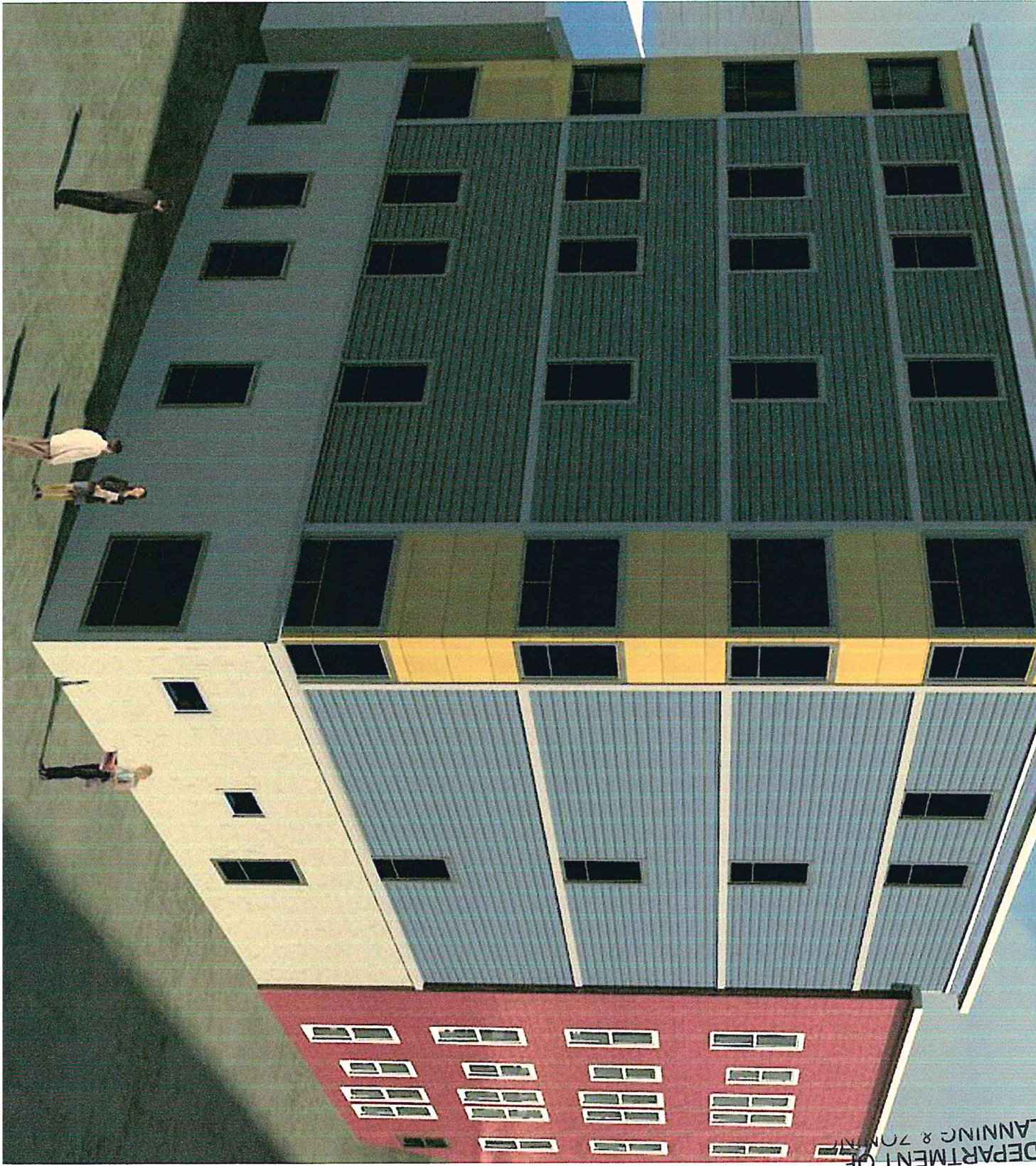
1. **Prior to release of the zoning permit**, the applicant shall obtain written confirmation of adequate wastewater capacity from the Department of Public Works.
2. **Prior to release of the zoning permit**, a FAR calculation for the entire development (new and retained structure) shall be submitted, subject to staff review and approval.
3. **Prior to release of the zoning permit**, revised project plans depicting the following shall be submitted, subject to staff review and approval:
 - a. Shade tolerant plantings in the designed "bark mulch" areas between the new concrete walkway and the eastern building wall;
 - b. Revised western and eastern building elevations (of the addition) with additional windows to reflect the fenestration pattern of the existing building. Alternative measures such as glass blocks or other architectural treatments may be acceptable. The intent is to break up the large expanses of undifferentiated building wall presently depicted;
 - c. Roofing and cornice materials noted on project plans; and,
 - d. Revised eastern building addition footprint that is at least 10 feet from the eastern property line.
4. **Prior to release of the zoning permit**, the proposed off-site parking lease shall be reviewed and approved by the City Attorney to insure the long-term perpetual availability of the required spaces. Nine (9) parking spaces shall be provided.
5. **Prior to release of the zoning permit**, written confirmation from the City's Housing Trust Manager shall be included in the zoning file concurring with IZ compliance.
6. **Prior to release of the zoning permit**, the applicant shall obtain written approval of the Erosion Prevention and Sediment Control Plan from the Stormwater Administrator.

7. **Prior to the release of the zoning permit**, the applicant shall obtain the written approval of the Stormwater Management Plan from the Stormwater Administrator.
8. **Prior to issuance of a certificate of occupancy**, the project engineer must certify in writing that, among other things, the project EPSC plan as approved by the Department of Public Works has been complied with and final site stabilization has occurred. This certification shall be filed with the Department of Planning & Zoning.
9. **At least 7 days prior to issuance of a certificate of occupancy**, impact fees calculated on the net new square footage of the development shall be paid to the Department of Planning & Zoning. Impact fees may be reduced as determined by the manager of the City's Housing Trust Fund for the provision of inclusionary housing units.
10. Days and hours of construction shall be Monday-Friday 7:00 am – 6:00 pm. Limited work may extend outside this schedule to extend to Saturday 9:00 AM – 5:00 PM only after obtaining approval from the Development Review Board through correspondence rather than a scheduled hearing. No construction on Sunday.
11. Closure of the College Street curb cut requires the review and approval of the Department of Public Works and the City Arborist.
12. Provision of a tenant drop-off space (i.e. 15-minute parking) in front of the building on College Street requires the review and approval of the Public Works Commission.
13. Installation of the bike rack within the green belt requires an encumbrance permit issued from the City Council in consultation with the Department of Public Works. The bike rack provided shall be a U-rack, bollard, or Triton style.
14. A State Wastewater Permit is required. It is the obligation of the owner/applicant to seek this and any other required additional permits.
15. The proposed structure shall comply with Burlington's current energy efficiency standards and with Burlington's current egress and ADA requirements as established by Burlington Electric Department and Burlington Public Works, respectively.
16. Upon completion of the onsite soils analysis, results shall be provided to the Conservation Board in writing.
17. In the event that artifacts are uncovered during excavation, it is the applicant's responsibility to contact the Vermont Division for Historic Preservation for further guidance.
18. The applicant is advised, but not required, to seek permission to use the rear alley for tenants when they move into or out of the apartments.
19. Provision of an intercom system for use by tenants and guests is encouraged.
20. The applicant is encouraged to install rooftop solar photovoltaics if feasible.
21. Standard Permit Conditions 1-15.



DEPARTMENT OF
PLANNING & ZONING

DEC 23 2014



DEC 23 2014

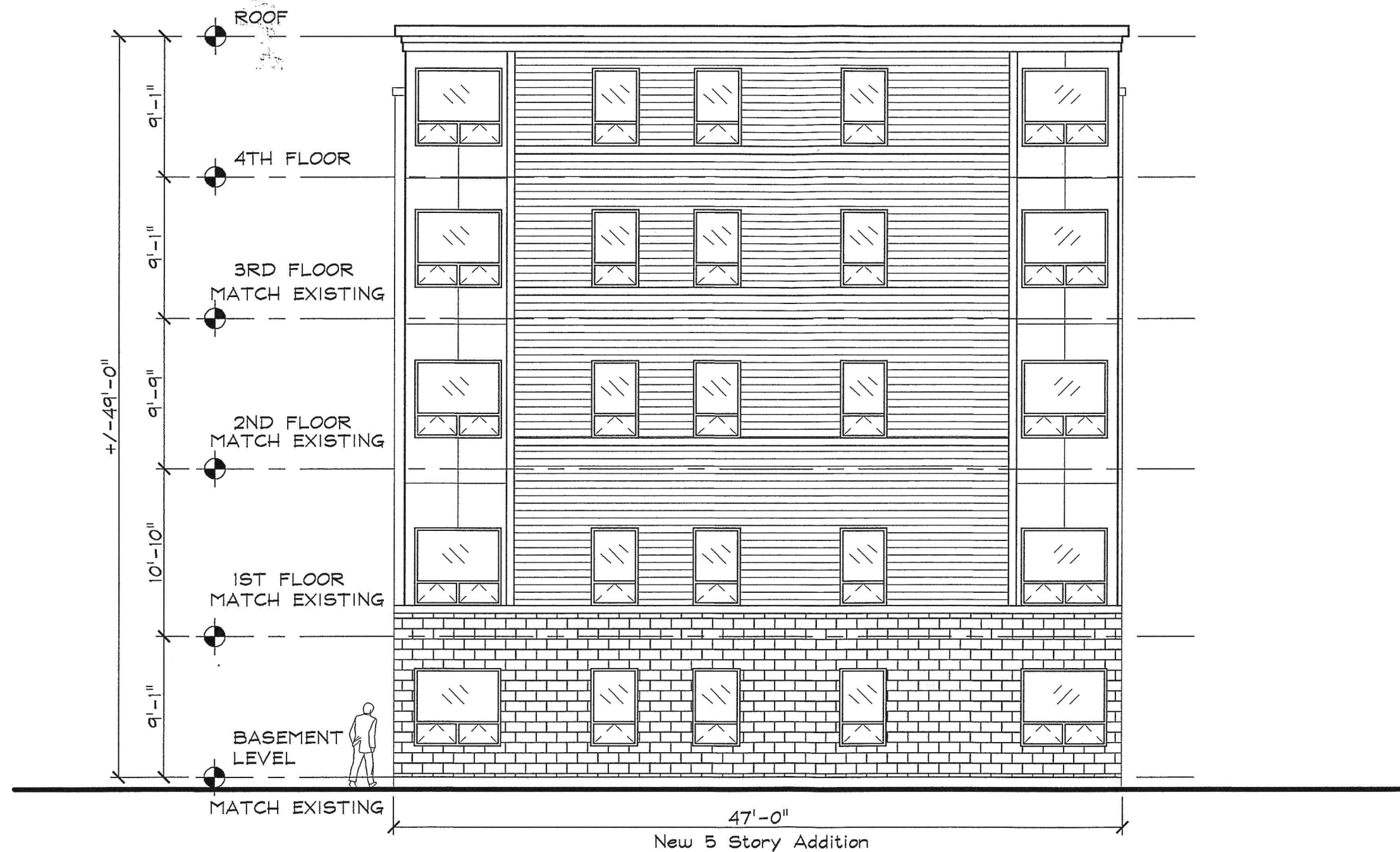
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North Elevation

SCALE: $\frac{1}{8}'' = 1'-0''$

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EMAIL: steve@stevegulldesign.com

236 COLLEGE STREET

UNIT #10 RENOVATIONS
BURLINGTON, VERMONT

SHEET TITLE:
ELEVATION

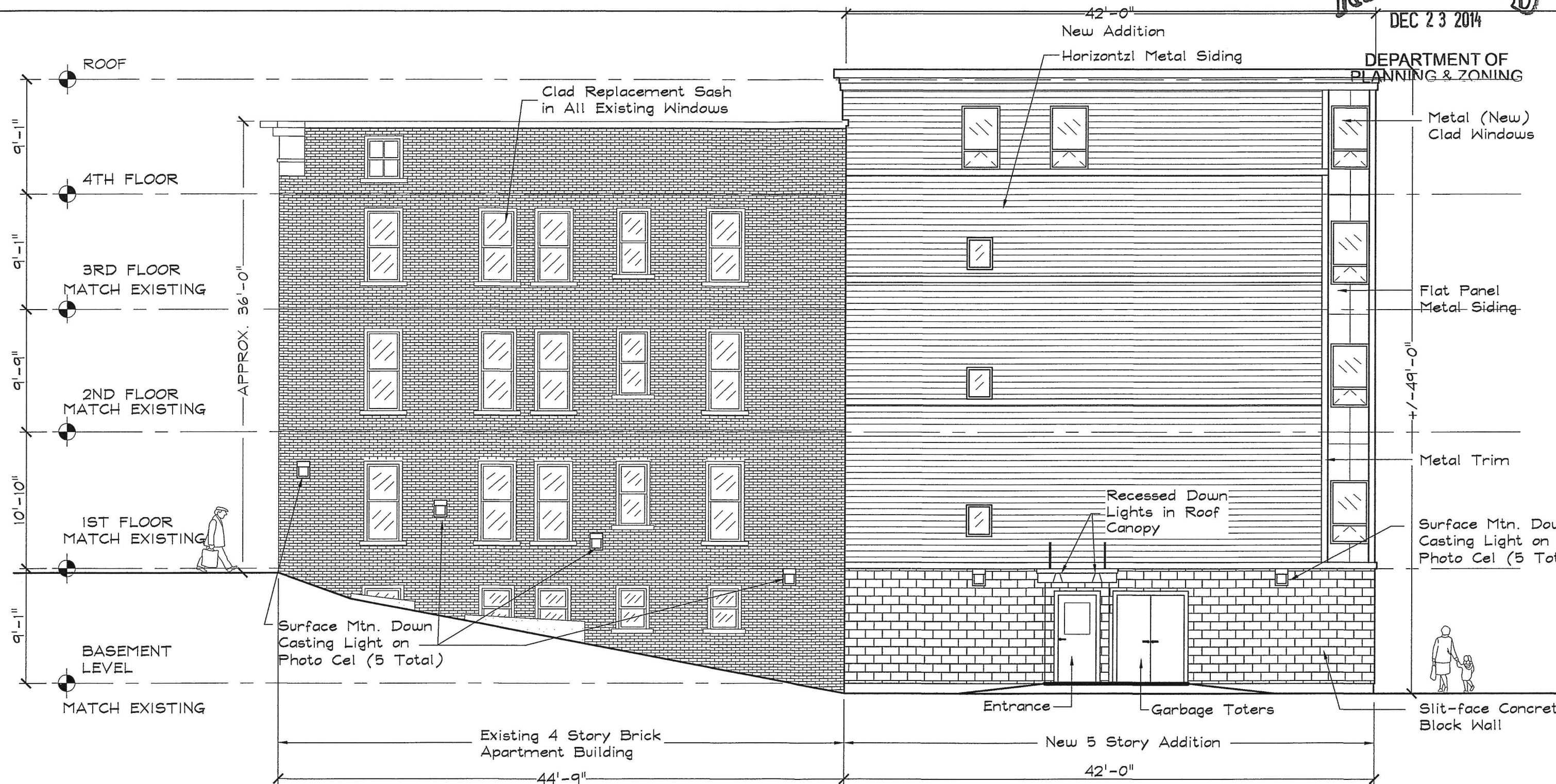
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East Elevation

SCALE: 1/8" = 1'-0"

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236 COLLEGE STREET

UNIT #10 RENOVATIONS
BURLINGTON, VERMONT

SHEET TITLE:
ELEVATION

DESIGN/DEVELOPMENT
DRAWINGS 12/17

DRAWING

AN



East Elevation

SCALE: $\frac{1}{8}" = 1'-0"$

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236 COLLEGE STREET

UNIT #10 RENOVATIONS
BURLINGTON, VERMONT

SHEET TITLE:
ELEVATION

DESIGN/DEVELOPMENT
DRAWINGS 12/22/14

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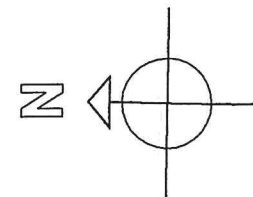
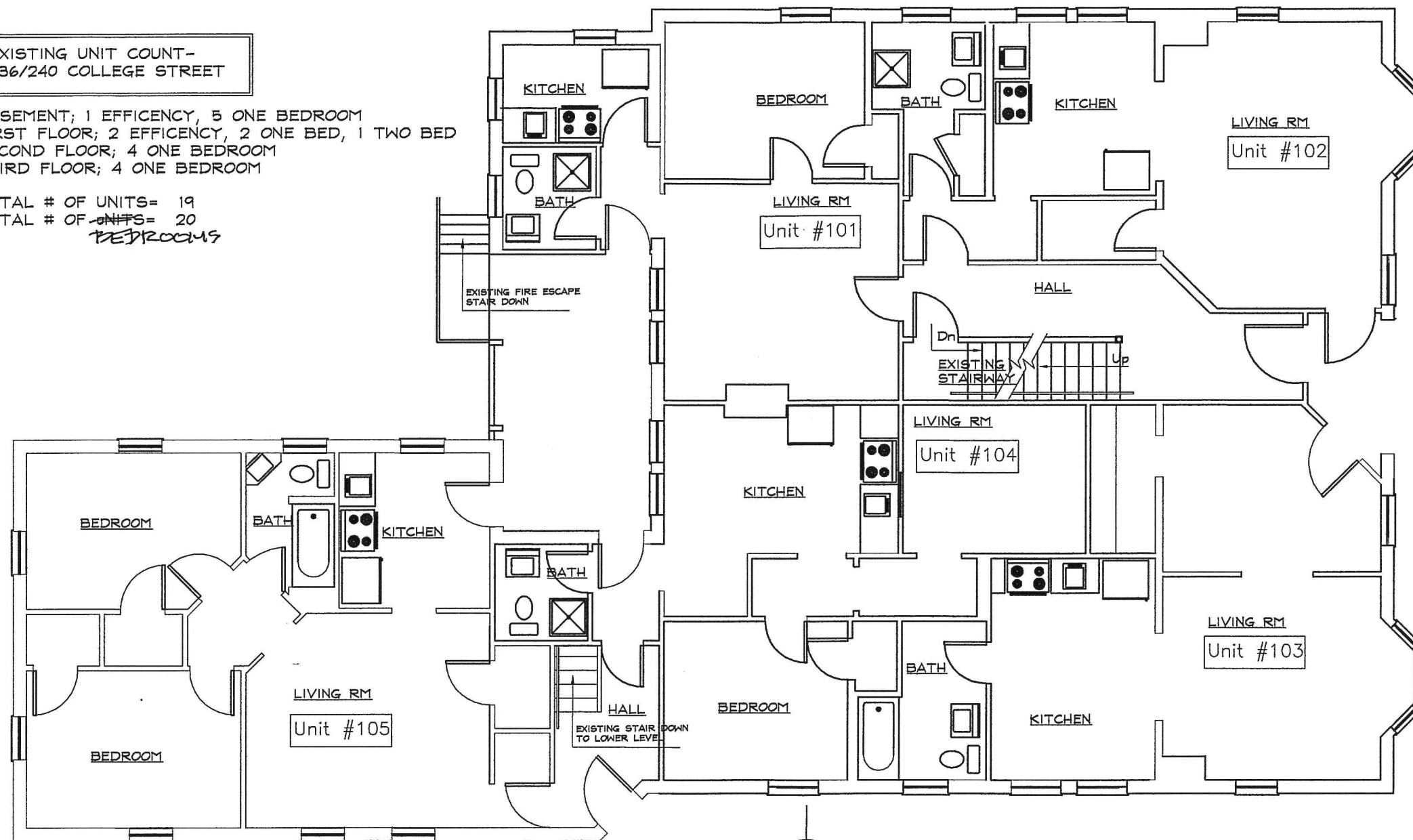
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COLLEGE STREET

EXISTING UNIT COUNT-
236/240 COLLEGE STREET

BASEMENT; 1 EFFICIENCY, 5 ONE BEDROOM
FIRST FLOOR; 2 EFFICIENCY, 2 ONE BED, 1 TWO BED
SECOND FLOOR; 4 ONE BEDROOM
THIRD FLOOR; 4 ONE BEDROOM

TOTAL # OF UNITS= 19
TOTAL # OF ~~UNITS~~ = 20
BEDROOMS



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

236-240 COLLEGE STREET, EXISTING UNITS & BEDROOMS, 12/17/14

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234/240 COLLEGE STREET

RENOVATION/ADDITION
BURLINGTON, VERMONT

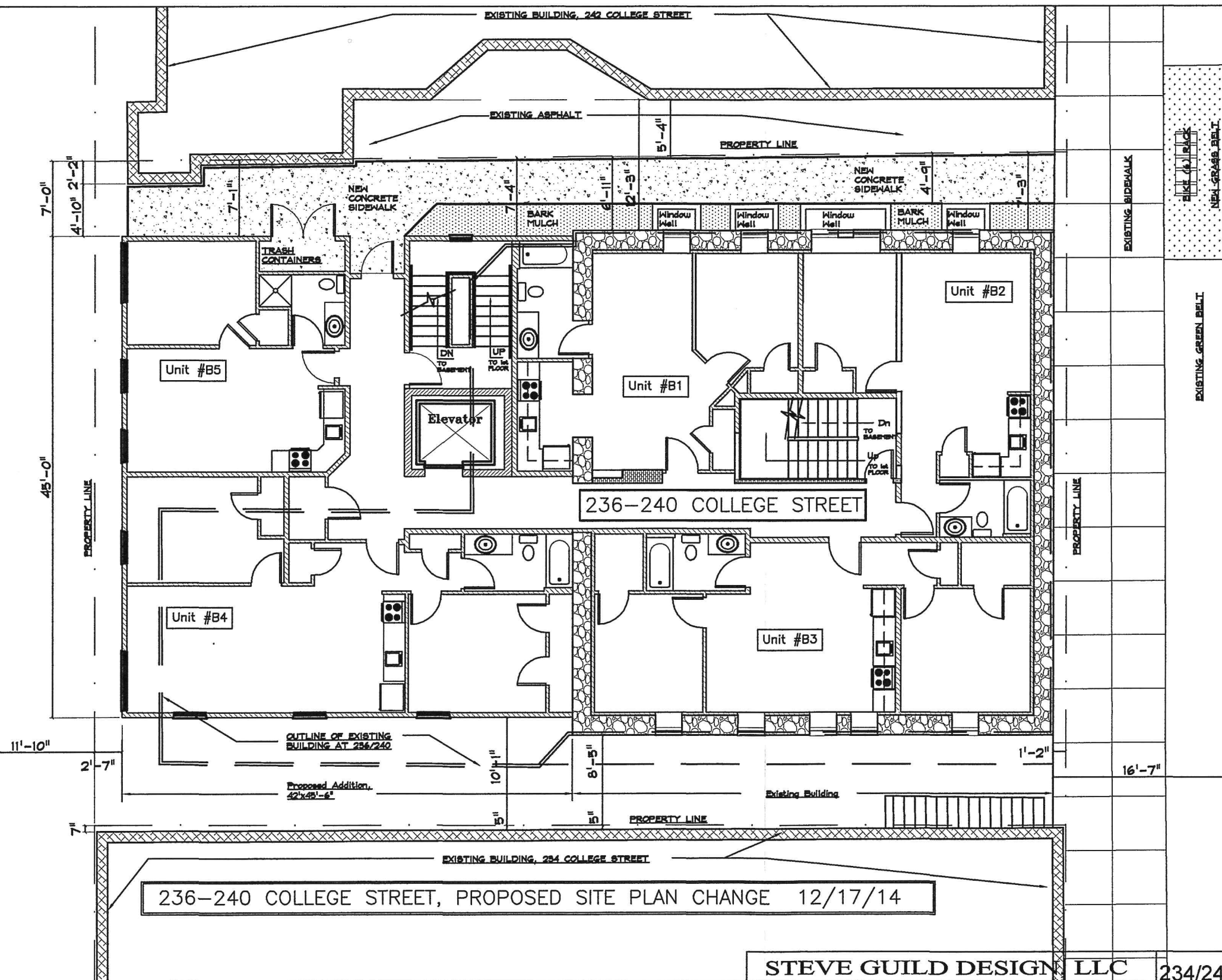
DESIGN/DEVELOPMENT
DRAWINGS 12/17/14

SHEET TITLE:
FLOOR PLAN

RECEIVED
DEC 22 2014

DEPARTMENT OF
PLANNING & ZONING

EXISTING WOOD RETAINING WALL



B BASEMENT FLOOR PLAN
SCALE: 3/16" = 1'-0"

DESIGN/DEVELOPMENT
DRAWINGS 12/17/14

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234/240 COLLEGE STREET

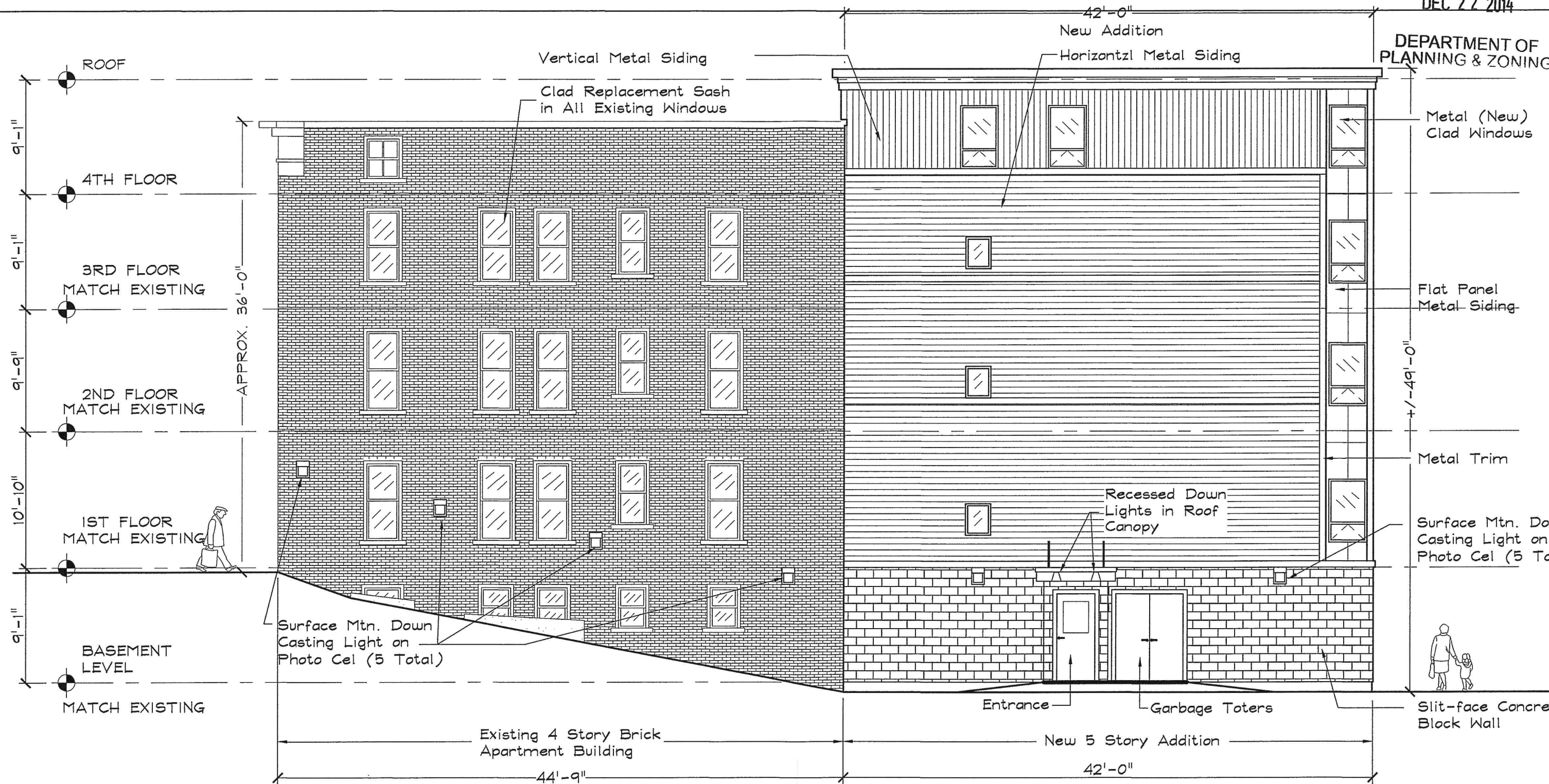
RENOVATION/ADDITION
BURLINGTON, VERMONT

SHEET TITLE:
ROOF PLAN

RECEIVED

DEC 22 2014

DEPARTMENT OF
PLANNING & ZONING



East Elevation

SCALE: $\frac{1}{8}" = 1'-0"$

STEVE GUILD DESIGN, LLC

ONE STEELE STREET, BURLINGTON, VT 05401

PHONE: 802-363-1482

EMAIL: steve@stevegulldesign.com

236 COLLEGE STREET

UNIT #10 RENOVATIONS
BURLINGTON, VERMONT

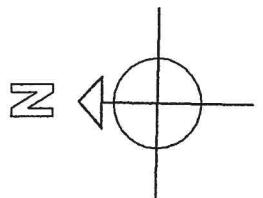
SHEET TITLE:
ELEVATION

DRAWN

A

DEC 22 2014

COLLEGE STREET



A blue roof is a roof design that is intended to store rainfall and detain it temporarily before discharging through the roof drains, and into the City stormwater system. The system proposed for the project consists of a single roof drain that has a constricted outlet, reducing the peak flow from the proposed roof surface. Scuppers will be installed one inch above the roof level to allow ponding, and provide an overflow for larger storm events. The design for this site will reduce peak flow rates of stormwater runoff from the entire project parcel 32% from the current condition.

236-240 COLLEGE STREET, ROOF PLAN 12/17/14

SHEET TITLE:	
ROOF PLAN	

RECEIVED
DEC 22 2014

HOUSING SUBSIDY COVENANT

DEPARTMENT OF
PLANNING & ZONING

~~123 MAIN STREET UNIT #5~~

234-240 College
Unit B2

BURLINGTON, VERMONT 05401

sisters & Brothers Investment Corp

1. OWNER: ~~ABC, INC.~~, a Vermont corporation company with a principal place of business in Burlington, Vermont 05401 (the "Owner," which term shall also apply to the current owner of the Property, his heirs, successors and assigns).

2. AUTHORIZING STATUTE: This instrument is created as a "housing subsidy covenant" within the meaning of 27 V.S.A § 610, as it may be amended or superseded (the "Statute") and within the meaning of a legally binding agreement and/or deed restriction set forth in Appendix A, Sec. 9.1.17 of the Code of Ordinances of the City of Burlington. This instrument is to be construed and interpreted in accordance with the Statute and Article 9 of Appendix A of the Code of Ordinances of the City of Burlington, as it may be amended or superseded (the "Ordinance").

3. PROPERTY DESCRIPTION. The real property (the "Property") to which this covenant applies and the use of which is hereby restricted is that land and premises located at ~~123 Main Street~~, Burlington, Vermont. Specifically, Unit ~~#5~~ is subject to the restrictions of this Covenant. The Property is a portion of the land and premises conveyed to George Washington, Trustee of the ABC, Inc. by Warranty Deed of John Adams dated July 4, 1776 and recorded in Volume 1, Page 1-6 of the City of Burlington Land Records.

4. AUTHORIZING CONTRACT. This housing subsidy covenant ("Covenant") is created as a condition of Zoning Permit #~~1976-CA~~. This Covenant is a contract made by and between the Owner and the City of Burlington, a political subdivision of the State of Vermont acting through the Housing Trust Fund, and its successors and assigns, who are the parties benefited by this Covenant. This Covenant is intended to provide legal assurance that the Property is developed, conveyed and maintained as an "affordable housing" unit within the meaning of Sec. 9.1.4 of the Ordinance. The contract embodied by this, Covenant is further evidenced by the Certificate of Inclusionary Housing Compliance issued by the manager of the Housing Trust Fund.

5. RESTRICTIONS. Subject to the terms and conditions hereof, and pursuant to Sec. 610 (b) of the Statute, and Sec. 9.1.4 of the Ordinance, the rent or resale price to be charged by the Owner in selling, renting, subletting or reselling the Property shall be restricted in accordance with the definitions of "affordability" contained in Sections 6 and 7, below. Whenever the Property is offered for sale or resale, the Housing Trust Fund shall have an exclusive option to purchase the Property, as set forth in Section 8, below. These restrictions shall run with the title to the Property and shall be binding upon the Owner's heirs, successors and assigns for the term set forth in Section 9 below.

6. DEFINITIONS. The following terms have the following meanings in this Covenant:

6.1 “Affordable housing” or “affordable” shall refer to a housing that is owned or rented by its inhabitants whose gross annual household income does not exceed 80 percent of the county median income or 80 percent of the standard metropolitan statistical area (MSA) income, as defined by the US Department of Housing and Urban Development, and the total cost of the housing, including principal, interest, taxes and insurance and condominium association fees, if owned housing, or the total cost of the housing, including rent, utilities and condominium association fees, if rental housing, is not more than thirty per cent (30%) of the household’s gross annual income.

6.2 “Housing Trust Fund” shall refer to a special revenue account established by the Burlington City Council for purposes related to the creation, promotion and preservation of long-term affordable housing for very low, low or moderate income households.

6.3 “Housing Trust Fund Administrative Committee” shall refer to an administrative committee consisting of the Manager of the Housing Trust Fund, an appointee of the City Council President and a designee of the Mayor responsible for the administration of the HTF by resolution of the City Council.

6.4 “Manager of the Housing Trust Fund” or “Manager” shall be the Director of the City’s Community and Economic Development Office, unless otherwise designated by the City Council by resolution.

6.5 “Median Income” shall refer to the income for the Burlington Metropolitan Statistical Area set forth in or calculated by regulations promulgated by the United States Department of Housing and Urban Development, pursuant to Section 8 of the Housing Act of 1937, as amended by the Housing and Community Development Act of 1974. The Median Income consists of all households in the geographic area. The median is the middle value when all are arranged from highest to lowest. The median income that is current on the first day of March of any year shall be used throughout the subsequent twelve (12) months in calculating the general requirements for affordable housing under this article.

7. AFFORDABILITY. Subject to the terms and conditions hereof, and pursuant to the Statute and Ordinance, the Owner shall sell, resell, rent or sublet the Property as Affordable Housing at an Affordable price consistent with Section 9.1.4 of the Ordinance. The Affordable price shall be calculated as follows:

7.1 The following provisions shall apply to the calculation of rents, selling prices and carrying charges for Affordable housing, and to the relationship between unit

size and household size:

(a) Inclusionary rental units shall be rented at a price which is affordable for a household with an annual income that is sixty-five percent (65%) of median income adjusted for household size: maximum rent without utilities for 2012 is \$972 or the Burlington Housing Authority Section 8 Voucher Payment Standard for a 2-Bedroom unit with a high-efficiency utility allowance rating;

(b) Inclusionary units for sale, including co-operative units and the carrying costs associated therewith, shall be sold at a price which is affordable for a household with an annual income that is seventy-five percent (75%) of median income adjusted for household size;

(c) In calculating the rents or carrying charges of inclusionary units, the following relationship between unit size and household size shall apply:

Unit Size	Household Size Equivalent
Efficiency Units	1 Person Household
One-Bedroom Units	1.5 Person Household (average of one and two-person household incomes)
Two-Bedroom Units	3 Person Household
Three-Bedroom Units	4.5 Person Household (average of four and five-person household incomes)
Four-Bedroom Units	6 Person Household

7.2 Sale prices for inclusionary units shall be calculated on the basis of:

(a) An available fixed-rate thirty-year mortgage, consistent with a “blended rate” for Burlington, Vermont banks plus the Vermont Housing Finance Agency as determined and declared semi-annually (January and July) by the Housing Trust Manager. A lower rate may be used in calculating affordable prices if the developer can guarantee the availability of a fixed-rate thirty-year mortgage at this lower rate from the Vermont Housing Finance Agency for all of the inclusionary units required for the covered project;

(b) A down payment of no more than five percent (5%) of the purchase price;

(c) Annual property taxes; and

(d) Homeowner insurance or homeowner association fees or condominium fees. Homeowner association fees shall be calculated in the same manner as fees of market units in the same development.

7.3 In the event of a resale of an inclusionary unit the equity appreciation shall not exceed twenty-five (25%) of the increase in the inclusionary unit's value, as determined by the difference between the fair market appraisal at the time of purchase of the property by the seller and a fair market appraisal at the time of resale, with such adjustments for improvements made by the seller and necessary costs of sale as may be approved by the Manager, with a recommendation from the Administrative Committee of the Housing Trust Fund.

7.4 The subletting price for rent shall not exceed that which is affordable for a household with an annual income that is seventy five percent (75%) of Median Income for the county or the city, whichever is less, consistent with the relationship between unit size and household size set forth in Section 9.1.12 of the Ordinance.

7.5 Annual rent increases shall be limited to the percentage increase in the median household income within the Burlington Metropolitan Statistical Area (MSA), except to the extent that further increases are made necessary by hardship or other unusual conditions, and no rent increase shall take effect until it has received the approval of the Housing Trust Fund Administrative Committee in writing.

8. DURATION. This Covenant shall run with the title to the Property for a period of 99 years commencing from the date of initial occupancy of the unit.

9. PURCHASE OPTION. The Housing Trust Fund Administrative Committee or its designee shall have the exclusive option to purchase the inclusionary unit when it is offered for sale or resale for a period of one hundred twenty (120) days from the date on which the Housing Trust Fund Administrative Committee is notified of the availability of the unit.

10. ENFORCEMENT. This Covenant may be enforced in accordance with its terms by the Manager of the Housing Trust Fund, or upon assignment of the right of enforcement by instrument duly recorded in the City of Burlington Land Records, by any other entity who is an assignee under such recorded assignment and is authorized to enforce the same under the provisions of the Statute. At any time, however, only one entity (the "Enforcing Entity"), who shall be the most recent assignee of record, shall be

entitled to enforce the provisions of this Covenant. The Owner acknowledges that the Property is impressed with a Public interest and that money damages to the Enforcing Entity in the event of a violation are likely to be difficult or impossible to calculate. Accordingly, but without limitation, this Covenant may be enforced through an equitable decree appropriate to the case, including a decree of specific performance. No action for enforcement may be brought unless the Enforcing Entity has first delivered to the Owner a written notice of violation hereof, and such violation has not been remedied or a written plan for remedy reasonably satisfactory to the Enforcing Entity within sixty (60) days after the date of delivery of such notice. In addition to all other available remedies, if the Enforcing Entity is required to pursue legal action to enforce this Covenant, the Enforcing Entity shall be entitled to recover from Owner its reasonable attorney's fees incurred in such action.

11. MODIFICATION. This Covenant may be modified or terminated prior to its expiration only upon the written consent of the Owner and the Housing Trust Fund, which consent shall be executed, acknowledged and recorded in the manner provided by law for the execution, acknowledgement and recording of deeds. Modification or termination of this Covenant shall be permitted only if such modification or termination is not inconsistent with the affordability requirements for the property provided for in Section 7, and required by the Ordinance, at the time of the modification or termination.

12. NOTICE. All notice, demands, or other writings required to be given by the parties hereto pursuant to this Covenant shall be sufficient if mailed certified mail, return receipt requested, and addressed as follows:

Owner:

Name:

George Washington

Address:

123 Main St.
Burlington, VT 05401

SISTER & BROTHERS
INVESTMENT CORP
75 S. WINDSOR AVE
BURLINGTON, VT.

Housing Trust Fund:

Assistant Director for Housing
Community and Economic Development Office
City Hall
149 Church Street, Room 32
Burlington, VT 05401

Or to such other address as the parties may provide to one another by a writing conforming to this notice provision. Each party hereby agrees to notify the other of any successors and changes in address, it being understood, however, that a conveyance of the Property effected by deed recorded in the Burlington Land Records shall be an effective notice of the transfer of the Property, and the Housing Trust Fund shall be entitled to rely upon the accuracy of Owners' address listed in the Burlington Grand List unless otherwise instructed by the Owner in a writing conforming to this notice provision. IN WITNESS WHEREOF, the Owner has caused the foregoing Covenant to be executed

this ____ day of _____, 2013 at _____, Vermont.

IN THE PRESENCE OF

ABC, Inc.

Witness

By: _____
George Washington,
Duly Authorized Agent

STATE OF VERMONT)
CHITTENDEN COUNTY, SS.)

At _____, Vermont this ____ day of _____, 2013, George Washington, duly authorized agent of ABC, Inc. personally appeared and he acknowledged this instrument, by him sealed and subscribed, to be his free act and deed and the free act and deed of ABC, Inc.

Before me, _____
Notary Public
My Commission Expires: 2/10/15

IN WITNESS WHEREOF, _____, Housing Trust Fund Manager and the duly authorized agent for the Housing Trust Fund and pursuant to appropriate authority, hereunto sets his/her hand and seal this ____ day of _____, 2012.

IN THE PRESENCE OF

HOUSING TRUST FUND

Witness

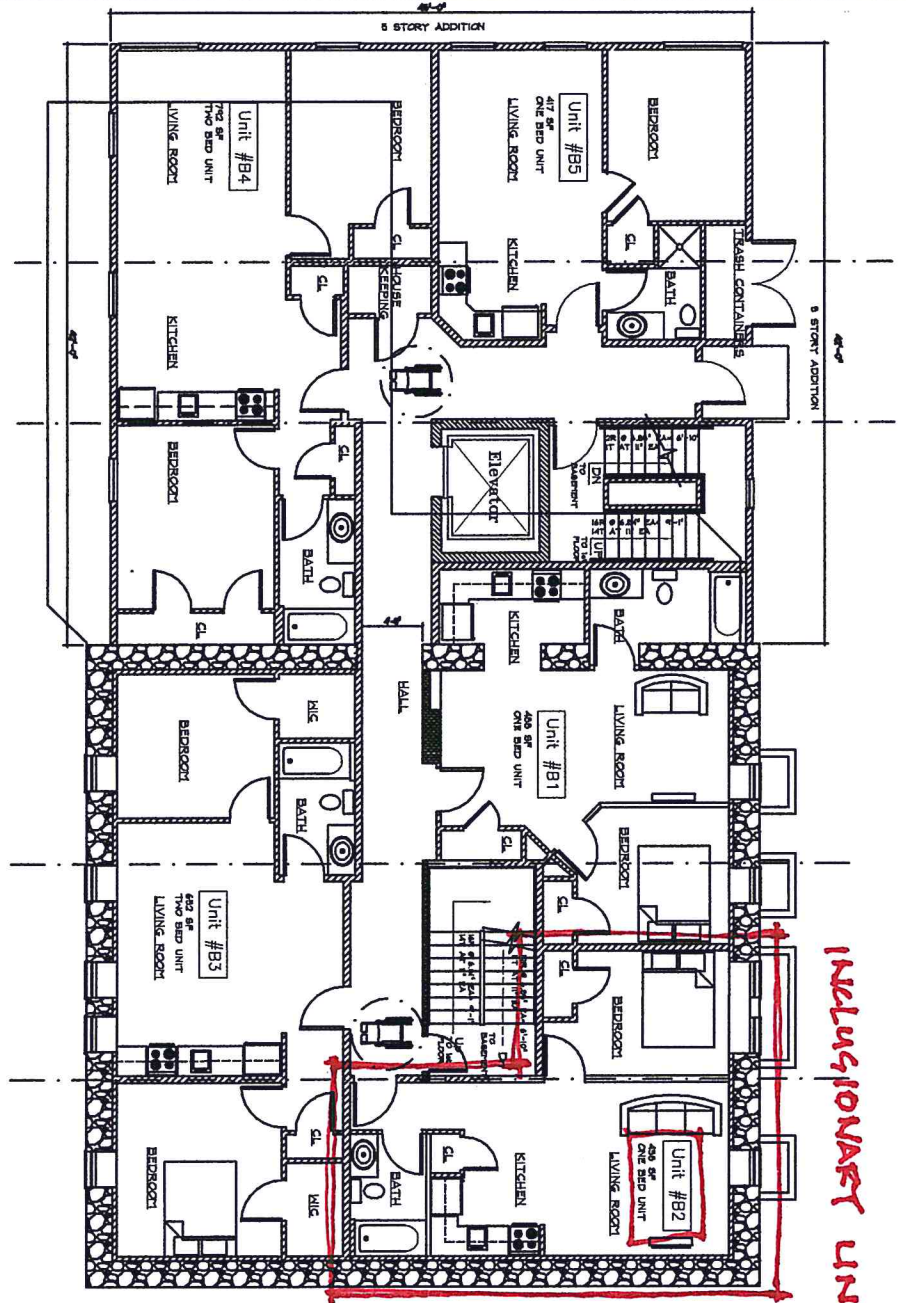
By: _____

Duly Authorized Agent

STATE OF VERMONT)
CHITTENDEN COUNTY, SS.)

At _____, Vermont this ____ day of _____, 2013, _____, personally appeared and he/she acknowledged this instrument, by him/her sealed and subscribed, to be his/her free act and deed and the free act and deed of the HOUSING TRUST FUND.

Before me, _____
Notary Public
My Commission Expires: 2/10/15



INCLUSIONARY UNIT

COLLEGE STREET

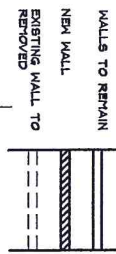
UNIT COUNT -
236-240 COLLEGE STREET, 12/17/14

EXISTING BUILDING, 2,120SF
1st FLOOR, 1,200SF
5 FLOORS - 9,555SF

5- LOWER LEVEL, 3 ONE BED UNIT, 2 TWO BED UNIT
5- FIRST FLOOR, 3 ONE BED UNIT, 2 TWO BED UNIT
6- SECOND FLOOR, 3 ONE BED UNIT, 1 TWO BED UNIT
7- THIRD AND FOURTH FLOOR, 4 ONE BED UNIT, 2 TWO BED UNIT, 1 THREE BED UNIT

TOTAL # OF UNITS = 23 ONE & TWO BEDROOMS
TOTAL OF 52 BEDS

WALL KEY



LOWER LEVEL FLOOR PLAN

SCALE: 1/4" = 1'-0"
TOTAL FIVE UNITS

DESIGN DEVELOPMENT
DRAWINGS 12/17/2014

NO.	DATE	REVISION

LL

234 COLLEGE STREET
ALTERATIONS TO HALLWAYS & ENTRY DOORS
BURLINGTON, VERMONT

G4 DESIGNSTUDIOS
77 COLLEGE STREET BURLINGTON, VT 05401
PHONE 802-497-0888 FAX 802-491-1321 Email: g4designstudios@comcast.net

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Scott Gustin

From: Nicole Losch
Sent: Monday, December 22, 2014 11:45 AM
To: Scott Gustin; Ronald Gore
Cc: Norm Baldwin; 'Frank Naef'
Subject: RE: 234-240 College St

Thanks, Scott.

A couple of comments/questions:

1. The wave-style rack is always popular, but isn't actually in line with the Design Guidelines. On that page, the u-rack, bollard, or Triton would work. Frank, feel free to follow up with me if you have questions about the problems with the wave-rack design.
2. Is the rack in the greenbelt being placed to meet the short-term parking requirements in the zoning ordinance? If so, there are more approvals that will be necessary (likely City Council).
3. Conceptually the 15-minute parking space doesn't seem like an issue, but please be aware that this require a decision by the Public Works Commission. When the plans are finalized, we can connect y with our Engineering Technician to talk about the process for getting this to our Commission.

Nicole Losch, PTP
Transportation Planner
645 Pine Street Suite A
Burlington VT 05401
802.865.5833 direct // 802.863.0466 fax
nlosch@burlingtonvt.gov
www.burlingtonvt.gov/DPW

From: Scott Gustin
Sent: Monday, December 22, 2014 11:25 AM
To: Ronald Gore; Nicole Losch
Cc: Norm Baldwin; 'Frank Naef'
Subject: 234-240 College St

Ron & Nicole,

Attached, please see a revised site plan for Joe Handy's proposed addition at 234-240 College St. In it, you will find proposed curb cut closure and a related proposed "tenant drop-off" space (i.e. a posted 15-minute parking space). A bike rack is proposed w/in the green belt. This application will be before the Development Review Board on January 2015. Let me know of any questions, concerns, or other comments relative to these couple of items. I've cc'd the applicant's architect, Frank Naef, for correspondence.

Thank you.

Scott

Scott Gustin, AICP, CFM
Senior Planner
Dept. of Planning & Zoning
149 Church Street
Burlington, VT 05401
(802) 865-7189

Scott Gustin

From: Nicole Losch
Sent: Wednesday, December 24, 2014 8:54 AM
To: Scott Gustin; Ronald Gore
Cc: Norm Baldwin; 'Frank Naef'; Damian Roy
Subject: RE: 234-240 College St

Bus stops do not always have adjacent parking removed, but that may be the case here if there are no other gaps between parked cars. If the space in question is currently "no parking" to allow someone to leave the sidewalk and access the bus stop, that may take precedence.

Also, I've spoken with Frank and clarified the following information:

1. They're looking at 2 bollard-style bike racks now, which do meet the design guidelines.
2. Given the site constraints for redeveloping this building they can continue to look at the greenbelt to accommodate their short-term bike parking needs. However, they will need to work with Ron to obtain long-term ownership through an easement, license, or whatever Ron suggests. This will likely require a process beyond a staff decision, usually at City Council.
3. They will work with Ron for the process to remove the existing curb cut.

Nicole Losch, PTP
Transportation Planner
645 Pine Street Suite A
Burlington VT 05401
802.865.5833 direct // 802.863.0466 fax
nlosch@burlingtonvt.gov
www.burlingtonvt.gov/DPW

From: Scott Gustin
Sent: Tuesday, December 23, 2014 2:37 PM
To: Nicole Losch; Ronald Gore
Cc: Norm Baldwin; 'Frank Naef'
Subject: RE: 234-240 College St

I noticed earlier today that the requested 15-minute parking space is currently posted as a CCTA stop. I imagine that status precludes use as a 15-minute spot. Please advise.

Thank you.

Scott

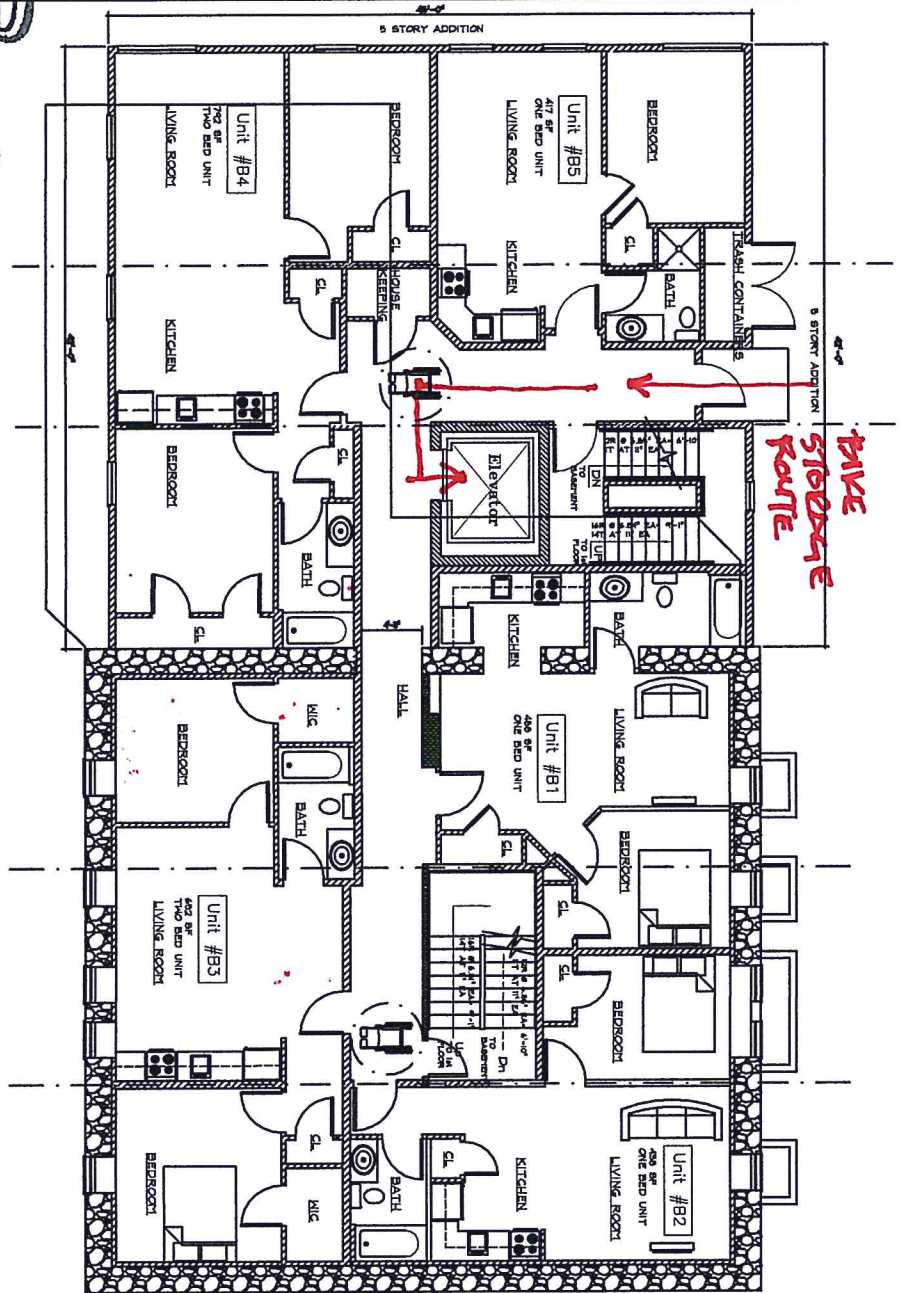
Scott Gustin, AICP, CFM
Senior Planner
Dept. of Planning & Zoning
149 Church Street
Burlington, VT 05401
(802) 865-7189

From: Nicole Losch
Sent: Monday, December 22, 2014 11:45 AM
To: Scott Gustin; Ronald Gore

RECEIVED

DEC 22 2014

DEPARTMENT OF
PLANNING & ZONING



COLLEGE STREET

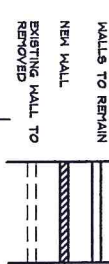
UNIT COUNT -
236-240 COLLEGE
STREET, 12/17/14

EXISTING BUILDING, 2,100SF
PER FLOOR, 42x46/4ADDITION,
1,115SF PER FLOOR,
5 FLOORS - 9,555SF

- B- LOWER LEVEL; 3 ONE BED UNIT, 2 TWO BED UNIT
- B- FIRST FLOOR; 3 ONE BED UNIT, 2 TWO BED UNIT
- B- SECOND FLOOR; 3 ONE BED UNIT, 1 TWO BED UNIT
- B- THIRD AND FOURTH FLOOR 4 ONE BED UNIT, 2 TWO BED UNIT, 1 THREE BED UNIT

TOTAL # OF UNITS = 23 ONE & TWO BEDROOMS
TOTAL OF 32 BEDS

WALL KEY



B) LOWER LEVEL FLOOR PLAN

SCALE: 1/4" = 1'-0"
TOTAL FIVE UNITS

DESIGN DEVELOPMENT
DRAWINGS 12/17/2014

NO.	DATE	REVISION

LL
DRAWING NO.
LOWER LEVEL
FLOOR PLAN

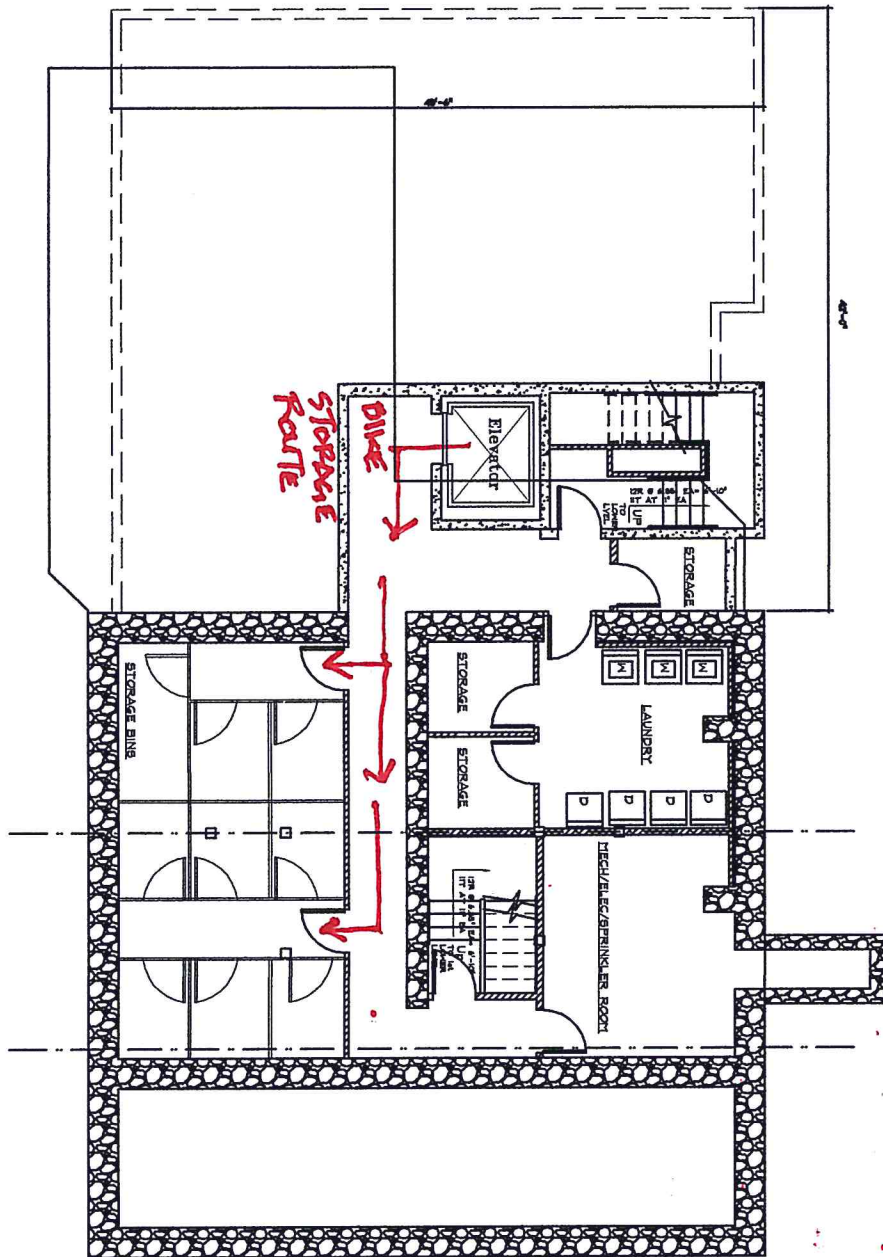
234 COLLEGE STREET
ALTERATIONS TO HALLWAYS & ENTRY DOORS
BURLINGTON, VERMONT

G4 DESIGNSTUDIOS

77 COLLEGE STREET BURLINGTON, VT 05401

PHONE: 802-497-0888 FAX: 802-491-1331 EMAIL: g4designstudios@gmail.com

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GUIDO

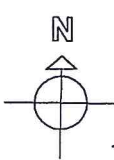
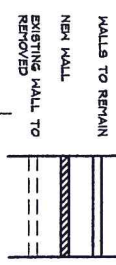


COLLEGE STREET

UNIT COUNT -
281,240 COLLEGE
STREET, 12/7/14
EXISTING BUILDING, 2,120SF
PER FLOOR, 42'x46' ADDITION,
1,415SF PER FLOOR,
5 FLOORS - 6,155SF

- B- LOWER LEVEL, 3 ONE BED UNIT, 2 TWO BED UNIT
- B- FIRST FLOOR, 3 ONE BED UNIT, 2 TWO BED UNIT
- B- SECOND FLOOR, 5 ONE BED UNIT, 1 TWO BED UNIT
- 7- THIRD AND 4 ONE BED UNIT, 2 TWO BED UNIT, 1 THREE BED UNIT
- TOTAL # OF UNITS - 28 ONE & TWO BEDROOMS
- TOTAL OF 32 BEDS

WALL KEY



B BASEMENT FLOOR PLAN
SCALE: 1/4" = 1'-0"

DESIGN DEVELOPMENT
DRAWINGS 12/7/2014

NO.	DATE	REVISION

Basement
Floor Plan
B1

234 COLLEGE STREET
ALTERATIONS TO HALLWAYS & ENTRY DOORS
BURLINGTON, VERMONT

G4 DESIGNSTUDIOS
77 COLLEGE STREET BURLINGTON, VT 05401
PHONE: 802-482-0888 FAX: 802-481-1331 EMAIL: steve@g4designstudios.com

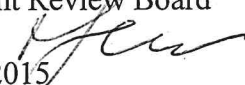
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Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)

David White, AICP, Director
Ken Lerner, Assistant Director
Sandrine Thibault, AICP, Comprehensive Planner
Jay Appleton, GIS Manager
Scott Gustin, AICP, Senior Planner
Mary O'Neil, AICP, Senior Planner
Nic Anderson, Zoning Clerk
Elsie Tillotson, Department Secretary



TO: Development Review Board
FROM: Ken Lerner 
DATE: January 6, 2015
RE: 15-0675CU, 298 College 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: RH Ward: 2

Date application accepted: December 5, 2014

Applicant/Owner: Champlain Valley Office of Economic Opportunity (CVOEO)/Champlain College

Request: Conditional use to change the use of 3,275 sq. ft. of an existing membership club in order to establish a 31 bedroom seasonal Community House.

Background:

The existing building was constructed in 1980 and included the demolition of a structure that it replaced. The site is a through block fronting on both College and Bradley streets. It contains a large parking area on Bradley Street. While the building has frontage and address on College, access is from the parking lot. The building is a brick structure that really has no relationship in design or siting to other neighboring structures. It has been use in the recent past as a membership club. The current request is only for use of this structure with no changes to the building or site.



Other than the 1980 permit for the demolition and construction of the building there are only zoning permits for minor building modifications and signs on file.

Recommendation: Approval, per the following findings and conditions:

I. Findings

ARTICLE 3: APPLICATIONS AND REVIEWS

Part 3, Impact fees

As new residential use, the project is subject to the payment of residential impact fees less the impact fee value for the existing use (categorized as “other”) based on the square footage. However, as all of the units are affordable to individuals earning less than 50% of median income, the project is eligible for a full 100% waiver of residential impact fees as per *Sec. 3.3.3(c), Exemptions and Waivers* for affordable housing. **(Affirmative finding)**

Part 5, Conditional Use & Major Impact Review:

Note that given the size of the project it is not subject to Major Impact Review, but only to the standard Conditional Use criteria.

Sec. 3.5.6, Review Criteria

(a) Conditional Use Review Standards

1. The capacity of existing or planned community facilities;

The establishment of the community house in this developed neighborhood in an existing building will have a small net increase in demand on community facilities. The building may require a state wastewater permit based on the new use. Impact fees to mitigate any impacts on facilities based on the new square footage of the residential use are required. **(Affirmative finding as conditioned)**

2. The character of the area affected;

The property is located within the Residential High Density zone. The Residential High Density (RH) district is intended primarily for high density attached multi-family residential development. Development is intended to be intense with high lot coverage, large buildings, and buildings placed close together. A community house is allowable as a conditional use in this zone. The immediate area reflects the district with multi-family and single family residences mainly on the Bradley Street side. There are some residential uses as well as office uses in the vicinity, notably with an office on each side, east & west, of the site. **(Affirmative finding)**

3. Traffic on roads and highways in the vicinity;

Traffic patterns will slightly change, adding a few vehicles accessing the on-site parking lot associated with the community house use. **(Affirmative finding)**

4. Bylaws then in effect;

As proposed and conditioned, the application can be found compliant with applicable bylaws. **(Affirmative finding as conditioned)**

5. Utilization of renewable energy resources;

Nothing within the application will prohibit the use of alternative or renewable energy resources. No new exterior construction is proposed. **(Affirmative finding)**

6. *Cumulative impacts of the proposed use;*

As a housing facility to provide shelter for homeless individuals, this provides a housing resource that will be seasonally available. Community houses are required by ordinance, based on occupancy, to locate a minimum distance from each other thereby limiting any potential for an adverse cumulative impact. **(Affirmative finding)**

7. *in considering a request relating to a greater number of unrelated individuals residing in a dwelling unit within the RL, RL-W, RM, RM-W and RH districts.* **(Not Applicable for a Community House)**

8. *may control the location and number of vehicular access points to the property, including the erection of parking barriers.* No change to the large parking lot that is onsite is proposed. **(Not Applicable)**

9. *may limit the number, location and size of signs.* No signage is proposed. Any signage would require a separate permit. **(Affirmative finding as conditioned)**

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.* There are no specific measures needed as there are no changes to the existing site. In addition there will be at least two staff members present on site at all times. **(Affirmative finding)**

11. *may specify a time limit for construction, alteration or enlargement of a structure to house a conditional use. And 12. may specify hours of operation and/or construction to reduce the impact on surrounding properties.* Construction is limited and addressed in the standard permit conditions of approval. The operation will be from 6:00 pm to 7:00 am every night of the week when in operation, which is from January to April 30. Doors will close at 10 PM with quiet times from 10 PM weeknights and 11 PM on weekends. **(Affirmative finding as conditioned)**

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.* This is a requirement under the CDO. **(Affirmative finding as conditioned)**

14. *may consider performance standards, should the proposed use merit such review.* This is at the discretion of the DRB although given the residential use and the presence of the onsite caretakers none are necessary. **(Affirmative finding)**

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.* Approval of the building inspector and the conditions of approval herein are reasonable requirements that will provide the necessary safeguards. **(Affirmative finding as conditioned)**

ARTICLE 5: CITYWIDE GENERAL REGULATIONS

Sec. 5.4.4 Community House Community houses shall be considered a conditional use in any residential district and subject to all applicable provisions of Art 3, Part 5, and the site and design review standards in Art 6. In addition to conditional use standards, proposals for new community houses shall also comply with the following requirements:

- (a) Density shall not exceed 1 person per two hundred (200) square feet of gross floor area;
- (b) All dimensional standards for the underlying zoning per the requirements of Art. 4 shall be applicable; and,
- (c) The minimum distance (lot line to lot line) between any two community houses shall not exceed the following:

<i>Total Occupancy (beds)</i>	<i>Distance (feet)</i>
<i>6 or less</i>	<i>0</i>
<i>7 – 12</i>	<i>500</i>
<i>13 – 20</i>	<i>1,000</i>
<i>21 or more</i>	<i>1,500</i>

The proposed community house is requesting 35 beds, thus the minimum distance applicable is 1500 sq. ft. In reviewing existing community houses with the property boundaries buffered, the distances from the proposal indicate that there are three existing community houses which are less than 1500 feet minimum distance for a community house sized as proposed. However, except as noted below, as all existing approved community houses are more than 1000 ft. from the subject site, the proposed community house can be approved but with a maximum of 20 occupied beds. Note that the Ronald MacDonald House is just within the 1000 feet, but this facility existed well before the community house definition was adopted and thus was never approved as a community house or was any specific determination made as to its use. **(Affirmative finding as conditioned)**

ARTICLE 8: PARKING

Minimum off-street parking requirements are based on Table 8.1.8-1. The community house is located in a Neighborhood District and thus requires 1 space per dwelling unit. Using the 1 housing unit = 4 “rooming unit” equivalency calculation from the Article 13 definition of “rooming unit”, the following parking requirements apply to the proposal:

The proposed 35 beds require 9 spaces;

The conditioned 20 beds require 5 spaces.

There are 58 parking spaces that exist on site that adequately can accommodate the required parking for the number of beds proposed or as conditioned for 20 beds. **(Affirmative finding)**

Part 2: Bicycle Parking

Table 8.2.5-1 Bicycle Parking Requirements

Bike parking is required at 1 per 20 rooms (long-term parking) and 2/20 rooms for short term. Information is needed to determine if sufficient bike parking has been provided as required.

(Affirmative finding as conditioned)

ARTICLE 13 DEFINITIONS

Community House: *A community house is a residential dwelling unit where individuals are not handicapped as per the Federal Fair Housing Act but where, due to the particular needs of the resident individuals, a joint living arrangement is necessitated and where the individuals are under sponsorship or care of a public, nonprofit, or for profit agency where the sponsor or caretaker provides, or arranges for, the provision of varying degrees of personal supervision and/or care in a residential environment, such as a halfway house, a personal care residence, a community transitional facility, or any other such facility that provides such services. The following are not considered community houses: group homes, fraternities, sororities, dormitories, convents, communes, apartments, boarding and rooming houses, tourist homes, and hotels and motels. See Article 5 for specific provisions.*

The project is being proposed to operate as a community house as defined herein.

II. Conditions of Approval

1. The proposed community house shall be limited to a maximum occupancy of 20 beds.
2. Any signs will require a separate permit.
3. Bicycle parking spaces as required shall be indicated for both long-term and short term, and are subject to review and approval by staff.
4. If required the building shall obtain a state wastewater permit based on the new use.
5. Standard Permit Conditions 1-15.

**Champlain Valley Office of Economic Opportunity
Burlington Warming Shelter
Operational Plan**

RECEIVED
DEC - 8, 2014

Rationale:

DEPARTMENT
PLANNING & ZONING

The state of Vermont has been spending 2 Million Dollars on hotel rooms for the homeless every year for past two years in the Chittenden County region. There is a less than .5 vacancy rate in housing in Burlington area. There is a desperate need for affordable and subsidized housing. Funding from hotel stay appropriated to permanent housing would begin to address the housing need. There needs to be a safe comfortable alternative to hotel rooms giving true service to those in need in a transitional phase. A low barrier shelter does not exist in the region. A temporary, well planned Warming Shelter could meet these needs.

1) Applicant Name, Address, Telephone

**Champlain Valley Office of Economic Opportunity (CVOEO)
PO Box 1603
Burlington, VT 05402
802-862-2771 Ext. 740
Owner of Property
Champlain College**

2) Contact Person, Telephone and Email

**CVOEO - Jan F. Demers, 802-862-2771 Ext. 740, jdemers@cvoeo.org
Champlain College – Marvin Williams**

3) Name of Shelter and Shelter Address

**Burlington Warming Shelter – Ethan Allen Club
298 College Street
Burlington, VT 05401**

4) Shelter Contact Person, Telephone & Email

Jan F. Demers, 802-862-2771 Ext. 740, jdemers@cvoeo.org

5) The request for funding will support the following emergency shelter capacity:

of emergency shelter beds: 35

Months of the year the shelter will be open: 4 months – January 15, 2015 – April 30, 2015

Hours the shelter will be open: 6 p.m. through 7 a.m.

CVOEO is one of five Community Action Agencies in the State of Vermont. We provide emergency, stabilization and out of poverty programs for individuals and families who have low to moderate income. CVOEO has nine distinct programs covering Addison, Chittenden and Franklin Grand Isle Counties. CVOEO has been operating continuously since 1965. We have strong multifaceted programs within our nine departments. There are 12 Board Members who represent three sectors of society: Public (Elected Officials), Private (Business and specific areas of expertise) and Community (the voice of those we serve). Staffing for this endeavor will include a Full Time Shelter Director and Volunteer Coordinator and several Part-time Case Managers for occasional night-time relief responsibilities.

CVOEO's Board of the Directors has governance authority. CVOEO's administration has day-to-day decision making authority. CVOEO has a well-established Housing Assistance Program. The mission of CVOEO is to address fundamental issues of economic, social, and racial justice and works with people to achieve economic independence. Our vision is: Bridging gaps, building futures. This vision meshes

perfectly with providing temporary emergency housing for the homeless as permanent housing solutions are put into place.

Proposed plan

Location: - Residential - High Density

Safe, comfortable open space at the 298 Ethan Allen Club on College Street in Burlington

- Square footage - 3,275
- There are three distinct spaces all within visual sight of each other. The room for cots has three sections divided by two low walls which all have visual access for staff and volunteers. There is space for cots
- There is an open area as you first enter the space for check-in. Couches, comfortable chairs and television equipped with a VCR is located in this area. The person(s) at the desk can see the sleeping rooms and the entrance to the bathrooms from this location.
- There are two separate bathrooms for women and men. The women's room has a large outer room.

Opening date: January 15, 2015

Closing date: April 30, 2015

Open every night of the week

Hours of operation: 6:00 p.m. to 7:00 a.m.

Doors close: 10:00 p.m.

Quiet time: 10:00 p.m. on week nights; 11:00 on Weekends

Staffing: Job descriptions available

- Center Director
- Volunteer Coordinator
- Mental Health Clinician
- 2 Volunteers at all times - possibly two shifts through the night
- Clean up crew to clean up and wipe down cots in the morning

Laundry service: Provided through the University of Vermont Medical Center - Pick up at 7 a.m. each day

Security:

- Locked doors
- Placement of desk and staff for visual review
- While doors are open an every ½ hour sweep around the building and in the bathrooms
- (not confirmed yet) A drop in each night by Champlain College Security and Burlington Police Department
- Log to be kept from shift to shift
- Shelter rules posted in prominent places throughout the building

Training for staff:

- Rapid Assessment training for substance abuse and mental health
- De-escalation training
- Blood borne pathogen training
- Orientation to services
-

Shelter rules: provided

Groups consulted:

COTS - Rita Markley

Charter House - Middlebury - Doug Sinclair

Kris Lukens - CVOEO DVI Shelter

Pam Favreau - Former COTS Family Shelter Director

Neighbors of the Ethan Allen Club

Ward One Neighborhood Planning Assembly

Champlain College



298 College St

Hungerford Terrace

© 2014 Google

Imagery Date: 5/19/2012 44°28'39.89" N

RECEIVED

DEC - 8 2014

DEPARTMENT OF
PLANNING & ZONING





Google earth

feet
meters

20
6



Department of Planning and Zoning

149 Church Street
Burlington, VT 05401

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

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Scott Gustin, AICP, CFM, Senior Planner

Mary O'Neil, AICP, Senior Planner

Vacant, Zoning Clerk

Elsie Tillotson, Department Secretary



MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Senior Planner *M. O'Neil*
Date: January 6, 2014
RE: ZP15-0468CA; 166 East Avenue

Note: These are staff comments only.

Decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.



File: ZP 15-0468CA

Location: 166 East Avenue

Zone: RL **Ward:** 1

Date application accepted: October 6, 2014

Revised plans received: December 14, 2014

Applicant/ Owner: Germain Mopa

Request: Addition to existing duplex.

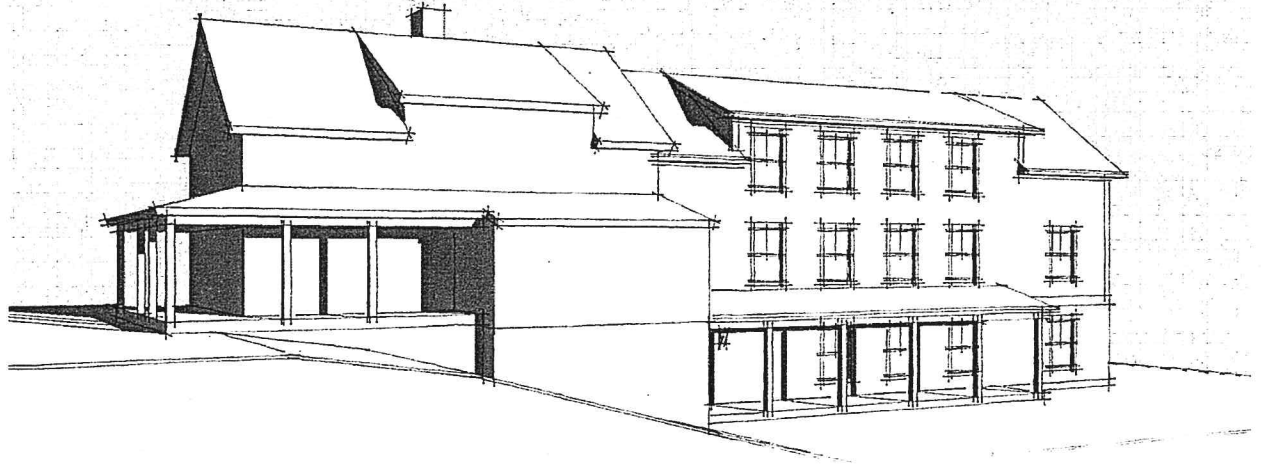
Estimated Construction Cost: \$205,000

Background:

- **Zoning Permit 12-1081CA;** replace one window. Approved May, 2012.
- **Letter from Code Enforcement Office to owner Edith Turner dated June 5, 2001.** Determination by CE based on information provided by applicant that the single family house was converted to 2 units c. 1965, and the use is now a duplex.
- **Zoning Permit 77-126;** erect a new porch foundation and replace some floor joists, enclose a portion of the porch. July 1976.

Overview: 166 East Avenue is a residential structure with 2 dwelling units. The application includes removal of a small (14' x 24') attached rear garage/addition from this c. 1880 structure and replacement with a three story, 54' x 20' addition with a 6' x 37' entrance porch. The use is proposed to remain a duplex.

The house is on the Vermont State Register of Historic Resources.



The **Design Advisory Board** reviewed the application at their October 28, 2014 meeting, and voted to move the application to the Development Review Board with the following comments and recommendations for revisions to the plan:

1. Include walkway to city sidewalk, distinct from the driveway, providing a material difference or vertical or horizontal separation from the driveway.
2. Parking plan must show 4 cars.
3. Illustrate a curbing plan as a parking barrier.
4. The DAB recognizes bicycle storage in existing basement.

The DAB recommendation for approval is subject to

5. A recommendation to change the roofline; examining opportunities to minimize or eliminate the continuation of the plane of the eaves. Such revisions may be forwarded to the DRB after staff review and approval.
6. All plans submitted to the DRB shall include specifications of siding, trim, walkway and driveway materials.

Vote 5-0. Motion passed.

The applicant has submitted revised plans (12/14/2014) in which the roofline of the rear addition is dropped to 1'9" lower than the existing building ridge line; and the eaves of the addition are no longer continuous with the front building. Parking and a walkway are now illustrated, and materials defined.

Recommendation: Table for revisions to meet required setbacks, provide additional plans and recommendations to minimize the scale of the addition; per the following findings:

I. Findings:

Article 3: Applications, Permits, and Project Reviews

Section 3.2.7 Administrative Review and Approval

- (a) *The administrative officer is hereby authorized to undertake the review and approval of all of the following types of applications:*

10. Simple renovations in design control districts such as door and window changes, re-siding, re-roofing, enclosing porches, adding a shed or garage, and **additions no greater than 500 square feet in size** that otherwise comply with all applicable dimensional standards of Article 4 and the development review criteria of Article 6.

The proposed addition is greater than 500 sq. feet in size (1080 sq. ft. x 3 floors = 3240 sq. ft.), and therefore is not under Administrative Review. As a Level II application, the DRB has authority for review and decision.

Part 3: Impact Fees

Section 3.3.3 Exemptions and Waivers

(a) **Exemptions:** *The following types of development are exempt from this Part:*

1. *Additions to existing dwelling units provided such additions are for residential purposes.*

The proposed addition does not create any additional dwelling units, and is intended for residential purposes. **Not applicable.**

Article 4 Zoning Maps and Districts

Section 4.4.5, Residential Districts

Section 4.4.5 (a) Dimensional Standards and Density

Table 4.4.5-1 Minimum Lot Size and Frontage: RL

The property meets the minimum lot size (10,000) for a duplex in the RL zoning district with a lot size of 10,890. It meets the minimum frontage of 60' (66'); and therefore is a conforming lot. **Affirmative finding.**

Table 4.4.5-2; Base Residential Density

No change in the number of units is included within this application. This is an existing duplex; the addition is proposed to house one unit and the 2nd unit will expand into the existing structure. **Affirmative finding.**

Table 4.4.5-3 Residential District Dimensional Standards

Zoning District	Max. Lot Coverage	Front	Setbacks Side	Rear	Max. Height
RL	35%	Min/Max: Ave. of 2 adjacent lots on both sides +/- 5-feet	Min: 10% of lot width Or ave. of side yard setback of 2 adjacent lots on both sides	Min: 25% of lot depth but in no event less than 20' Max required: 75-feet	35-feet
Proposal	25.77% existing 34.23% proposed	No change.	11' proposed on north, 3' proposed on south. Does not meet minimally required 5' side yard setback on south.	Walkway + buildings = 105' depth; 165-105 = proposed 60' rear yard setback. Required: 25% of 165' = 41.25'.	Proposed addition is less than existing building height.

Adverse finding for meeting minimally required side yard setbacks on south.

Section 4.4.5 (c) Permitted and Conditional Uses

This is an existing duplex, recognized in 2001 (see “Background”, above.)

Duplex is a Conditional Use in the RL zone; however no changes to the number of units are proposed. The use will remain a duplex. **Affirmative finding.**

Section 4.4.5 (d) District Specific Regulations

1. Setbacks

A. Encroachment for Residential Driveways

This standard allows for encroachment on existing, developed, nonconforming lots containing single family homes. This is a conforming lot (> 10,000 sq. ft. for a duplex) and is not a single family home. The provision to allow for encroachment for residential driveways is not extended to this parcel due to its use. The proposed 3’ south side yard setback is not in conformance with the CDO.

Standard not applicable to subject parcel. **Adverse finding** for noncompliance with setback.

B. Encroachment into the Waterfront Setback

Not applicable.

2. Height

The proposed addition height is less than the existing building height, as measured from the street front. **Affirmative finding.**

3. Lot Coverage

See Table 4.4.5 -3.

4. Accessory Residential Structures and Uses

The existing accessory structure (160 sq. ft.) will be removed for this development. No other accessory structures are proposed. **Affirmative finding.**

5. Residential Density

A. Additional Unit to Mult-Family.

The applicant has not requested an additional residential unit, as it is improbable that 2 additional conforming parking spaces could be identified on the plan. Not applicable.

B. Additions to Existing Residential Structures

No request for an addition to an existing structure shall be considered or imply approval of an additional unit, unless requested specifically on the zoning permit application form.

See above. While the applicant has an interest in identifying space for a parent, the inability to isolate an additional 2 parking spaces on the site plan prevent the request for a third unit.

Accessory units may only be considered within single family homes. (This is a duplex.)

The use will remain a duplex. **Affirmative finding as conditioned.**

C. Residential Occupancy Limits

In all residential districts, the occupancy of any dwelling unit is limited to members of a family as defined in Article 13.

All Provisions and limitations of the Functional Family ordinance shall remain in effect. Not more than 4 unrelated adults may occupy any dwelling unit. **Affirmative finding as conditioned.**

6. Uses

No change to use. The property remains a duplex. **Affirmative finding as conditioned.**

7. Residential Development Bonuses

Not applicable.

Article 5: Citywide General Regulations

Section 5.1.2 Structures

(a) Lot Coverage

See Table 4.4.5-3, above.

(b) Exceptions to Lot Coverage

The overall development falls within the allowable coverage limitations of the zoning district. See Table 4.4.5-3, above. Not applicable.

Section 5.2.4 Buildable Area Calculation

The property is not 2 or more acres in size. Not applicable.

Section 5.2.5 Setbacks

(a) Setbacks Required.

See Table 4.4.5-3, above. **Adverse finding** for south sideyard setback.

(b) Exceptions to Yard Setback Requirements:

4. Accessory Structures and parking areas: Accessory structures no more than 15 feet in height, parking areas, and driveways may project into a required side and rear yard setback provided they are no less than five (5) feet from a side or rear property line where such a setback is required.

The proposed driveway/parking area is illustrated 3' from the side (south) property line, and therefore not conforming to this standard. See Table 4.4.5-3 for required setback standards. **Adverse finding.**

Section 5.2.6 Building Height Limits

The proposed addition will not exceed the height of the existing building as measured from the public sidewalk or street. **Affirmative finding.**

Section 5.2.7 Density and Intensity of Development Calculations

No changed is proposed to the use. The structure shall remain a duplex. **Affirmative finding as conditioned.**

Part 3: Non-Conformities

Not applicable.

Part 4: Special Use Regulations

Section 5.4.5 Accessory Dwelling Units

Although the applicant has asked about the potential to create a third floor accessory dwelling unit for a parent, this provision only applies to single family dwellings. And ADU cannot be considered for a duplex. Therefore, this application cannot include an accessory dwelling unit. The property shall remain a duplex. Not applicable.

Sec. 5.4.8 Historic Buildings and Sites

(a) Applicability:

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

166 East Avenue is listed on the Vermont State Register of Historic Resources. See attached listing.

(b) Standards and Guidelines:

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

The property was a single family home until approximately 1965 (information given to Code Enforcement Office in 2001) when the use was changed to a duplex. This application proposes the continued use as a duplex; however the proposed size of the addition and the number of new bedrooms introduces the potential for much greater intensity of use. The new addition threatens the modest residential usage customary to the site and within the Low Density (RL) zoning district. Spatially the proposed addition alters the character of the dwelling.

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.*

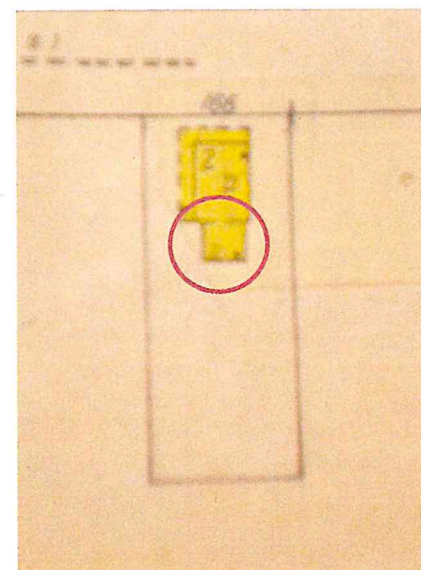
The application will present a significant alteration of the spatial relationship that characterizes the structure, in conflict with this standard.

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 addition of such enormity conflicts with the character of the structure and deviates from the essential, modest residential character of the existing building.

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

The rear addition, constructed prior to 1926, has historic merit in its own right. Of note are the garage shed and doors, which appear to be original and contribute to the character of the



1926 Sanborn detail

structure. The DAB, however, could support the addition with the recommendations for revisions as noted.

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

Although not defined in the application, the significant porch and trim details on the existing house should be retained as they are important features of the primary dwelling. See historic register listing for specific details of slot posts and scroll sawn curvilinear brackets.

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.*

The proposed removal of the small rear addition will eliminate an element that contributes to the building's character; but is not related to deterioration or material failure.

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

No chemical treatments are understood within this plan; partial demolition will alter the building's character. The DAB, however, could support the addition with the noted revisions.

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

No archaeological resources have been identified; however if any are disturbed during development, appropriate authorities shall be contacted and consulted for suitable treatment of artifacts.

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.*

While there is some agreement between the existing structure and the proposed addition (roof form, dormers, porches), the overwhelming impact is that of the scale and size. The proposed addition negatively alters the spatial relationship of the dwelling on the site. The addition is challenging in its mass, although the abrupt attachment to the historic structure has been softened by lowering the ridge and eavelines. While the first floor benefits from falling into the grade change, the breadth of the rear addition overwhelms the existing structure. In volume, the addition is nearly double the size of the residence (197% of existing floor area), and therefore is incompatible with the character of the existing historic 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.*

While unlikely, it is possible to consider the future elimination of the proposed addition with the majority of the historic house discernable. The existing 2 story rear addition, however, would be lost. **Adverse finding** for compatibility of mass and scale.

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

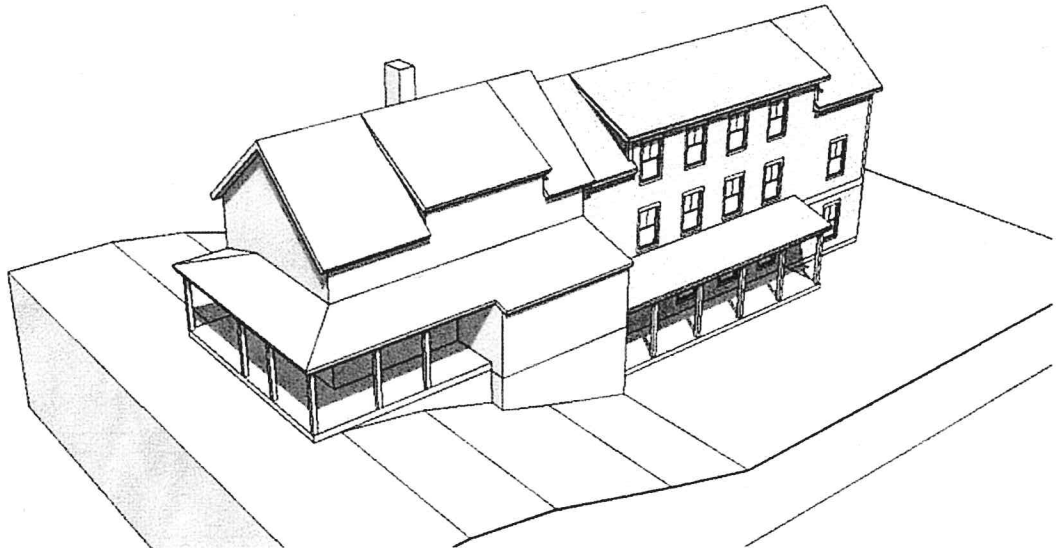
(a) Protection of Important Natural Features:

The landscape, existing terrain and any significant trees and vegetation shall be preserved in their natural state insofar as practicable in keeping with the objectives of the underlying zoning district.

From submitted photographs and ortho views, there is at least one mature tree in the location of the proposed addition. The applicant has not provided a plan reflecting existing conditions, a proposed landscaping plan, or a tree protection plan as part of the submission material. All are required. **Adverse finding** for no landscaping or tree protection plan.

(b) Topographical Alterations:

The proposed addition takes advantage of the grade change to maximize new habitable area. Any additional grading or site alterations should be noted on plans. A modeling study suggests the grade change, but no contours have been provided on plans. An EPSC plan has been approved by the Stormwater Engineer, however. **Affirmative finding.**



(c) Protection of Important Public Views:

There are no protected public views from this 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.

(e) Supporting the Use of Renewable Energy Resources:

The large southerly exposure of the proposed addition will likely provide solar gain via the extensive windows proposed on all three floors.

A solar shadow study has not been prepared to understand any adverse impact on neighbors due to the increased building volume. Some shadow effects may be expected on the residential property to the north.

All development is required to meet energy efficiency standards as defined by Burlington Electric, and appropriate state energy efficiency codes now in effect. **Affirmative finding as conditioned.**

(f) Brownfield Sites:

None identified.

(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.

An EPSC plan has been submitted and approved by the City Stormwater administrator.

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.

A canopy has been provided on the southerly façade of the addition to provide some refuge from inclement weather. **Affirmative finding.**

(h) Building Location and Orientation:

This is an application to replace an existing structural addition with a much larger building volume. The rear addition is identified on the 1926 Sanborn Map. It retains the apparent original garage doors, which are noted in the Vermont State Register listing (see attached.) The addition is located behind the original dwelling, and extends into the rear of the lot.

Affirmative finding.

(i) Vehicular Access:

This is an existing duplex with a single curb cut. The site plan proposes no change from the existing; however aerial photos do not match the existing driveway/parking pattern that is illustrated on the site plan. See comments about parking, below.

Driveways for commercial properties may require a traffic study to identify the impacts of the movement of traffic to and from the property, and design for safe access. Access for service and loading areas should be located behind buildings or otherwise screened from streets or public ways with landscaping or other barriers.

As this is proposed to continue use as a duplex, no increase in the volume of traffic at the site is anticipated. **Affirmative finding.**

(j) Pedestrian Access:

Pedestrians shall be provided one or more direct and unobstructed paths between a public sidewalk and the primary building entrance. Well defined pedestrian routes shall be provided through parking areas to primary building access points and be designed to provide a physical separation between vehicles and pedestrians in a manner that minimizes conflicts and improves safety. Where sidewalks and driveways meet, the sidewalk shall be clearly marked by differentiated ground materials and/or pavement markings.

Walkways are illustrated between the parking area and the existing house and proposed new addition. **Affirmative finding.**

(k) Accessibility for the Handicapped:

Fully accessible units are not a mandate, although *standards of visitability* may apply. The applicant's design team is encouraged to work with appropriate officials to determine the level of accessibility for this new development per Vermont's 2012 *Adaptable & VISIBLE Standards for Dwellings*. **Affirmative finding.**

(l) Parking and Circulation:

The submitted site plan for existing conditions does not match aerial and historic ortho views of the parking pattern on the property. Since 1978, it is clear that the parking has moved away from a circulation pattern to the rear garage, toward a curved pattern that appears to cross property lines to the south.



1978



2000



2004

The applicant asserts that the development of the abutting, southerly site (Burlington Co-Housing) has altered the parking pattern to what is detailed in the “existing” site plan, as submitted. There are no permits for the parking area as illustrated in the above images.

The city did not recognize the duplex until 2001, so parking for 2 vehicles would have been expected.

As a duplex, 4 parking spaces are required. The large parking area observable in photographs is excessive for the use, and it was not permitted via the zoning process. It certainly seems to extend beyond the property boundaries.

All parking areas shall provide a physical separation between moving and parked vehicles and pedestrians in a manner that minimizes conflicts and gives pedestrians a safe and unobstructed route to building entrance(s) or a public sidewalk.

As noted, small walkways between the parking area and the structure are illustrated on the proposed site plan.

A revised site plan submitted 12/14/2014 shows parking for four vehicles; however it encroaches into a required side yard setback. A minimum 5' setback is required for parking areas.

Where bicycle parking is provided, access shall be provided along vehicular driveways or separate paths, with clearly marked signs indicating the location of parking areas. Where bicycle parking is located proximate to a building entrance, all shared walkways shall be of sufficient width to separate bicycles and pedestrians, and be clearly marked to avoid conflicts. All bicycle parking areas shall link directly to a pedestrian route to a building entrance. All bicycle parking shall be in conformance with applicable design & construction details as provided by the dept. of public works.

Both long term and short term bicycling parking are recommended. Section 8.2.3 exempts this development from providing bicycle parking. As the use continues to include a rental unit, some short term bike parking is strongly recommended, especially as the shed is proposed to be removed. The applicant proposes all bike parking to be in the basement.

Adverse finding for parking area setback.

(m) Landscaping and Fences:

No landscaping details have been provided, and are required.

Additionally, some barrier will be required to specifically define the parking area and to prevent parking lot creep, as is evident in ortho photos from 1978. Revised plans include paving of the new driveway. Some method to contain the parking must be provided.

No finding possible.

(n) Public Plazas and Open Space:

A large part of the rear yard will remain open and available to resident recreational use.

New structures and additions to existing structures shall be shaped to reduce shadows on public plazas and other publicly accessible spaces. In determining the impact of shadows, the following factors shall be taken into account: the mass of area shaded, the duration of shading, and the importance of sunlight to the utility of the type of open space being shadowed. Proposed development shall be considered for solar impact based the sun angle during the Vernal and Autumnal equinox.

No shadow study has been submitted that will provide information about potential adverse impacts on the neighboring property to the north; however this standard pertains to shadow cast on public plazas and publically accessible space. The northerly property is not a public space.

Affirmative finding.

(o) Outdoor Lighting:

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

Although fixtures are illustrated on building elevations, no lighting information has been submitted and must be. **No finding possible.**

(p) Integrate infrastructure into the design:

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

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

Submission materials do not define exterior storage areas, machinery and equipment installations, service and loading areas, utility meters and structures, mailboxes, and similar accessory structures. Similarly, no dumpster or recycling area is defined. All shall be described so an assessment may be made for the need of screening, enclosures, or other mitigation to minimize their auditory and visual impact on the public street and neighboring properties.

No finding possible.

PART 3: ARCHITECTURAL DESIGN STANDARDS

Sec. 6.3.2 Review Standards

(a) Relate development to its environment:

Proposed buildings and additions shall be appropriately scaled and proportioned for their function and with respect to their context. They shall integrate harmoniously into the topography, and to the use, scale, and architectural details of existing buildings in the vicinity.

The following shall be considered:

1. Massing, Height and Scale:

While architectural styles or materials may vary within a streetscape, proposed development shall maintain an overall scale similar to that of surrounding buildings, or provide a sensitive transition, where appropriate, to development of a dissimilar scale.

In low and medium density residential districts, the height and massing of existing residential buildings is the most important consideration when evaluating the compatibility of additions and infill development.

Buildings should maintain consistent massing and perceived building height at the street level, regardless of the overall bulk or height of the building. Buildings should maintain a relationship

to the human scale through the use of architectural elements, variations of proportions and materials, and surface articulations. Large expanses of undifferentiated building wall along the public street or sidewalk shall be avoided. The apparent mass and scale of buildings shall be broken into smaller parts by articulating separate volumes reflecting existing patterns in the streetscape, and should be proportioned to appear more vertical than horizontal in order to avoid monotonous repetition.

The proposed addition, with a 1080 sq. ft. footprint is 196% of the existing house (including the rear addition.) The Assessor's records show 1645 sq. ft. of finished area in the existing dwelling. With three floors of habitable area proposed, that is an additional 3240 sq. ft. of new living space.

The changing grade benefits the rear addition, in that there is a minor amount of reduction in the visibility of the mass. However the sheer volume of the proposed new area overwhelms the original historic house, and is out-of-character for the duplex lot. Although the Co-Op housing is immediately to the south, the larger buildings are separate from the historic house that fronts East Avenue, and the building volumes are set off from the road frontage.

Revised plans have lowered the rear roofline and dormer height, minimizing the apparent building addition height.

In mass, breadth and scale, the proposed addition challenges typical residential building additions and is generally inconsistent with the low density residential character of the street.
Adverse finding.

2. Roofs and Rooflines.

New buildings should incorporate predominant roof forms and pitches within the existing neighborhood and appropriate to the context. Large expanses of undifferentiated roof forms shall be avoided. This can be achieved by incorporating dormers or some variation in the roof form to lessen the impact of the massing against the sky. While flat roofs can be a reasonable architectural solution, pitched roof forms and architectural elements that enhance the city's skyline are strongly encouraged. Roof eaves, parapets, and cornices should be articulated as an architectural detail. Roof-top mechanicals shall be screened from view from the public street, and should be incorporated into and hidden within the roof structure whenever possible.

A gabled roof is proposed, with a full height dormer on the south elevation. Both of these features are present on the existing house (although in much smaller scale.)

Solar panels, light colored ballast or roof membranes, split roof clerestories, planted or "green" roof technologies (with a clearly articulated maintenance plan) and "gray water" collection are encouraged. Active rooftop uses are also encouraged to add to the visual complexity and activity of the city's skyline, and afford public access to otherwise unseen views of the city and surrounding landscape.

None are proposed.

Affirmative finding.

3. Building Openings

Principal entrances shall be clearly defined and readily identifiable from a public street whether by a door, a canopy, porch, or other prominent architectural or landscape features. People with physical challenges should be able to use the same entrance as everyone-else and shall be provided an “accessible route” to the building. Attention shall also be accorded to design features which provide protection from the affects of rain, snow, and ice at building entrances, and to provisions for snow and ice removal or storage.

An entrance is proposed on the lower level of the first floor; however it is largely hidden from view due to topographical changes, the existing enclosed porch structure and under the canopy. Those approaching from the parking area should be able to identify the entrance, however.

Window openings shall maintain consistent patterns and proportions appropriate to the use. The window pattern should add variety and interest to the architecture, and be proportioned to appear more vertical than horizontal.

Window pattern on the southern elevation are rhythmic in their placement, and centered under the full dormer. Paired double hung sash are illustrated in the east elevation; the north elevation has only a handful of windows on the first and 2nd floor; none on the third. Presumably this is to provide privacy from the immediate neighbors. **Affirmative finding.**



(b) Protection of Important Architectural Resources:

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

See Section 5.4.8, below.

(c) Protection of Important Public Views:

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

(d) Provide an active and inviting street edge:

The original house will continue to present the street face; however the sheer volume of the addition has the potential to influence observation by the public.

The proposed materials (vinyl siding, asphalt roofing) will reference the existing structure, although the original material there is wood clapboard.

Affirmative finding for presentation of original building to streetscape.

(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.

Plans define materials thus: "Siding, trim, gable and eave details to match existing." Supplemental information informs that vinyl siding and trim are proposed for the addition. The Assessor's files define existing materials as wood clapboard with an asphalt shingle roof. Vinyl is not considered to be a durable material; however it has been permitted for new construction and building additions. Encouragement is offered to provide sheathing choice that will retain its function and appearance for a longer period of time.

Affirmative finding.

(f) Reduce energy utilization:

See 6.2.2. (e).



Existing street view of 166 East Avenue.
Note visibility of rear addition area from the street.

(g) Make advertising features complementary to the site:

No signage is proposed. Any signs will require a separate sign permit.

(h) Integrate infrastructure into the building design:

See Section 6.2.2. (p).

(i) Make spaces secure and safe:

Spaces shall be designed to facilitate building evacuation, accessibility by fire, police or other emergency personnel and equipment, and, to the extent feasible, provide for adequate and secure visibility for persons using and observing such spaces. Building entrances/entry points shall be visible and adequately lit, and intercom systems for multi-family housing should be incorporated where possible, to maximize personal safety.

All development is required to follow building and life safety codes as defined by Burlington's building inspector and the fire marshal.

Adequate lighting at building entrances will be required. No lighting information has been submitted, and will be required to meet Lighting Standards as defined in Section 5.5.2 of the ordinance. **Affirmative finding as conditioned.**

Article 8: Parking

Table 8.1.8-1 requires 2 parking spaces for each residential unit within the Neighborhood Parking District. Although the revised site plan illustrates 4 spaces (for 2 units), meeting the requirement for the parking district, the parking area encroaches into a required side yard setback. See Table 4.4.5-3, above. **Adverse finding** for parking area encroachment into setback.

Part 2: Bicycle Parking

Section 8.2.3 Existing Structures

Any expansion or change of use proposed for an existing structure where four (4) bicycle spaces or less would be required shall be exempt from providing those spaces.

Under this standard, the proposed development is exempt from providing bicycle parking. It is recommended that bicycle parking be provided, as one unit is a rental. **Affirmative finding.**

Article 13: Definitions

Family: (excerpt)

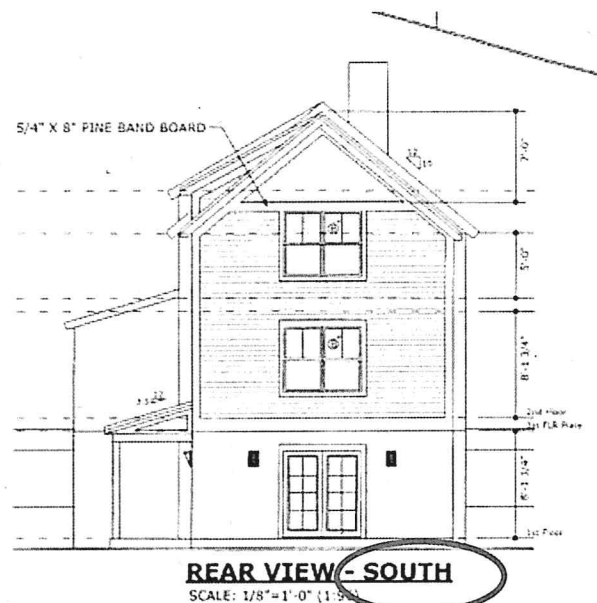
(e) No more than four unrelated adults and their minor children.

For purposes of this definition of family, a group of adults living together in a single dwelling unit and functioning as a family with respect to those characteristics that are consistent with the purposes of zoning restrictions in residential neighborhoods shall be regarded as a "functional family unit", and shall also qualify as a family hereunder. (See Article 13 for full definition.)

II. If considered for approval, recommended Conditions of Approval

1. No request for an addition to an existing structure shall be considered or imply approval of an additional unit. The property shall remain a duplex.

2. The applicant will be required to identify any mature plantings on the existing conditions site plan. A **tree protection plan** (if appropriate) and a **proposed landscaping plan** must be provided **prior to release of any zoning permit**.
3. The proposed parking area must meet a minimum 5' side yard setback.
4. Both long and short term bicycle parking is recommended. [The DAB has accepted long term bicycle parking in the basement.]
5. **Parking barriers** shall be identified and installed to specifically define the parking area and to prevent parking lot creep.
6. A **lighting plan**, including fixture spec sheets and lumens measurement is required **prior to release of the zoning permit**.
7. **Revised plans** depicting exterior storage areas, machinery and equipment installations (HVAC), service and loading areas, utility meters and structures, mailboxes, recycling areas and refuse location (dumpster) are required and subject to staff review and approval **prior to release of the zoning permit**.
8. The East elevation is mis-identified as the south elevation on plans. This needs to be corrected.
9. All development is required to meet energy efficiency standards as defined by Burlington Electric, and appropriate state energy efficiency codes now in effect.
10. If archaeological resources are disturbed during development, appropriate authorities shall be contacted and consulted for suitable treatment of artifacts.
11. Encouragement is offered to provide sheathing material that will retain its function and appearance for a longer period of time.
12. Standard Permit Conditions 1-15.



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

Address feedback from Design Advisory Board

1) Plans revised to include:

Walkway from 2nd apartment

4 parking spots defined

Use existing bicycle parking – We are currently storing both our bicycles and our daughter bicycle in our basement where there is ample space.

2) Changed the roofline to eliminate continued plan of eaves

3) Specifications:

Vinyl trim and siding

Pave driveway and walkway with asphalt



STATE OF VERMONT
Division for Historic Preservation
Montpelier, VT 05602

HISTORIC SITES & STRUCTURES SURVEY
Individual Structure Survey Form

COUNTY: Chittenden
TOWN: Burlington
LOCATION: 166 East Avenue
Four lots from south corner of
Bilodeau Court
COMMON NAME:
FUNCTIONAL TYPE: House
OWNER: Edith Turner
ADDRESS: 166 East Avenue
Burlington
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 ☐ Asbestos Shingle ☐ 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 ☒ Bay Window ☐ 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: 1½
Number of Bays: 3 x 3
Approximate Dimensions: 16' x 22'
- Entrance Location: Gable front right

THREAT TO STRUCTURE:

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

SURVEY NUMBER:

0402

NEGATIVE FILE NUMBER:

83-A-115

UTM REFERENCES:

Zone/Easting/Northing

18/643840/4926320

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

Burlington 7.5

PRESENT FORMAL NAME:

Edith Turner House

ORIGINAL FORMAL NAME:

PRESENT USE: House

ORIGINAL USE: --

ARCHITECT/ENGINEER:

Unknown

BUILDER/CONTRACTOR:

Unknown

PHYSICAL CONDITION OF STRUCTURE

Excellent ☐ Good ☒

Fair ☐ Poor ☐

STYLE: vernacular

DATE BUILT: c.1880

LOCAL ATTITUDES:

Positive ☐ Negative ☐

Mixed ☐ Other:



RECEIVED
OCT 10 1971

DEPARTMENT OF
PLANNING & ZONING

166

RECEIVED

OCT 06 2014

DEPARTMENT OF
PLANNING & ZONING





Front of Property
Noisy Area

RECEIVED
OCT 05 2011



RECEIVED

OCT 06 2014

DEPARTMENT OF
PLANNING & ZONING

12032



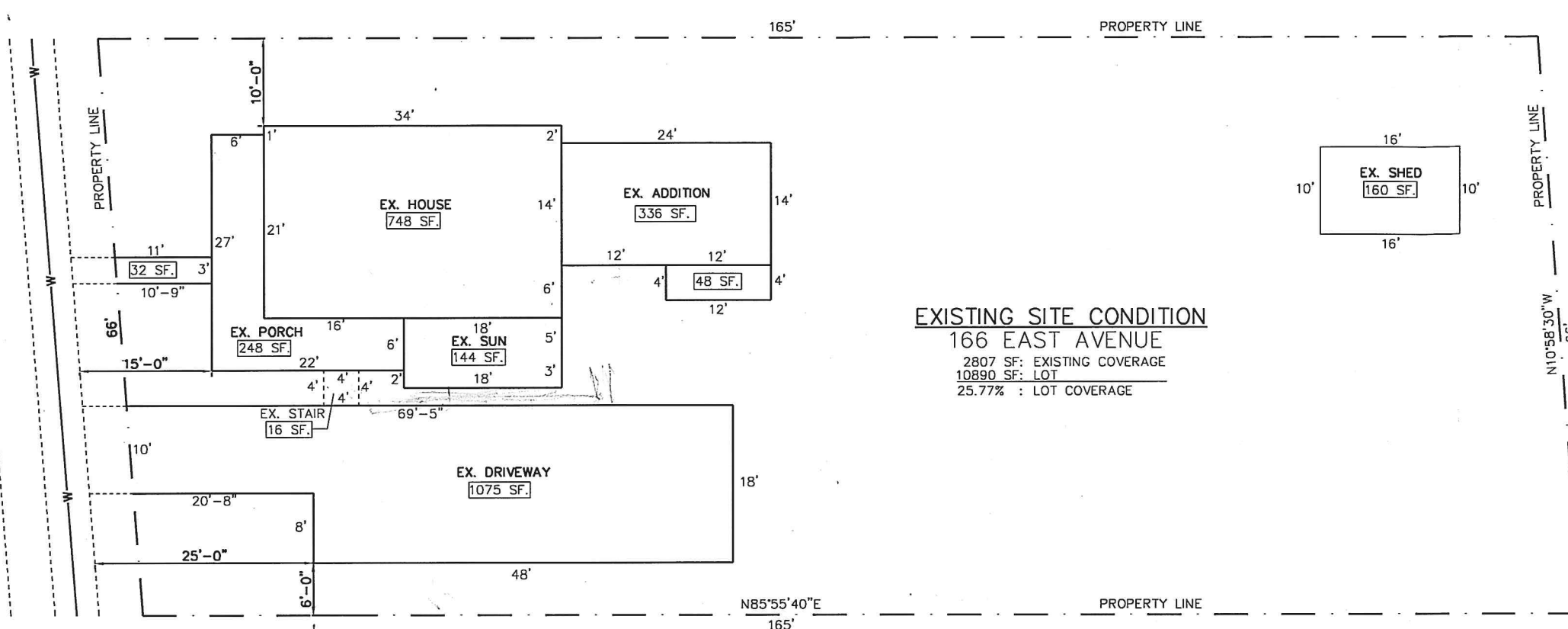


RECEIVED

OCT 06 2014

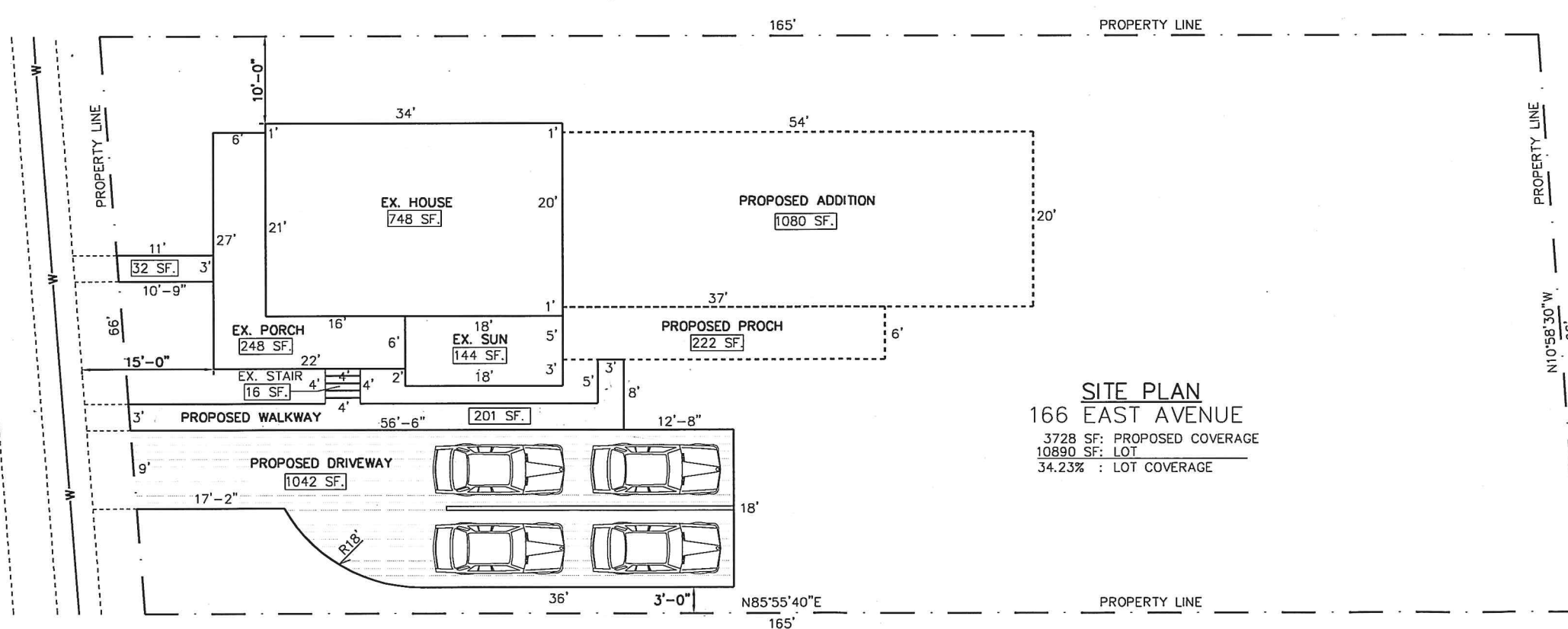
DEPARTMENT OF
PLANNING & ZONING

EAST AVENUE

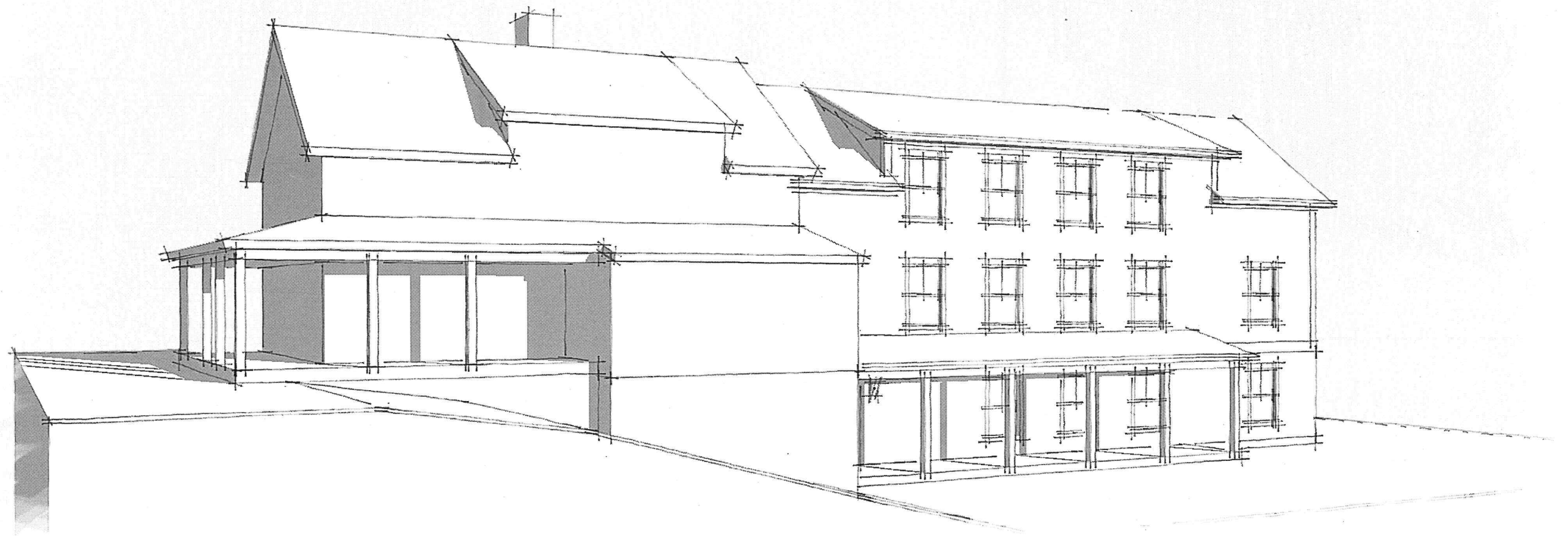


EXISTING SITE CONDITION
166 EAST AVENUE
2807 SF: EXISTING COVERAGE
10890 SF: LOT
25.77% : LOT COVERAGE

EAST AVENUE



SITE PLAN
166 EAST AVENUE
3728 SF: PROPOSED COVERAGE
10890 SF: LOT
34.23% : LOT COVERAGE



Mopa Addition

166 East Ave.
Burlington, Vermont
05401



THESE DRAWINGS ARE INTENDED TO BE USED FOR DESIGN DEVELOPMENT, BUILDING DEPARTMENT REVIEW, ESTIMATING, AND AS CONSTRUCTION GUIDELINES.

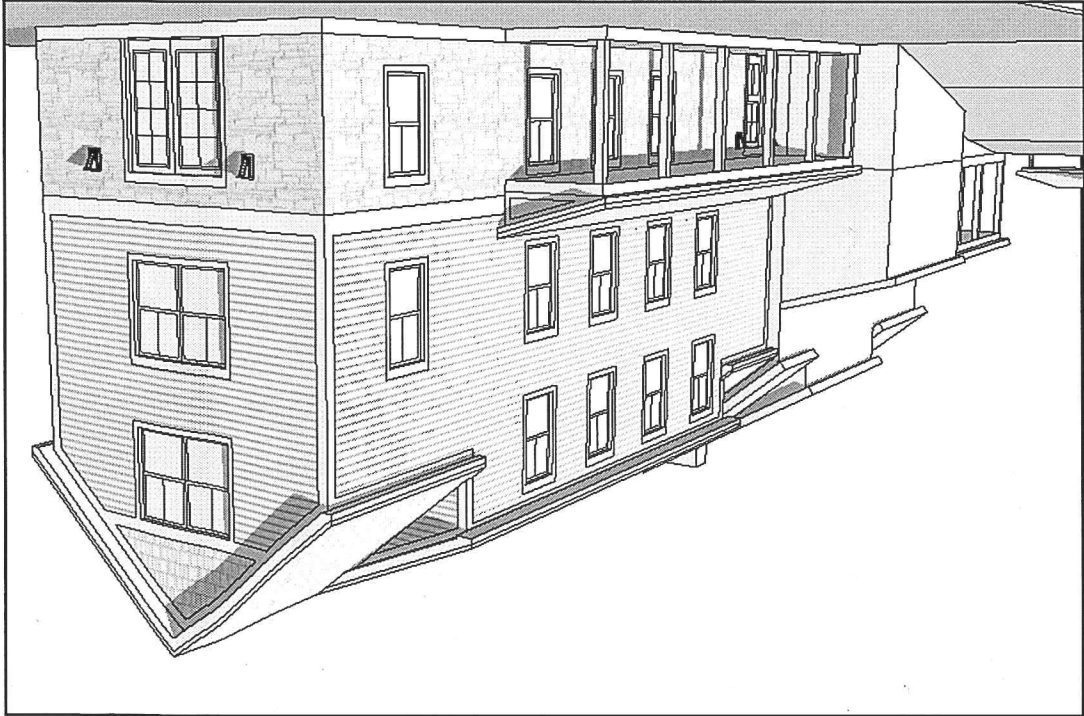
CONSTRUCTION DETAILS ARE INTENDED AS AS SUGGESTIONS ONLY.

VERIFICATION OF EXISTING & SITE CONDITIONS DOES NOT FALL WITHIN THE SCOPE OF THESE DRAWINGS.

THIS HOUSE DESIGN & DRAWINGS ARE TO BE USED FOR THE CONSTRUCTION OF THE MOPA RESIDENCE ONLY

802.578.7007
rbweigand@gmail.com
www.rbwdesign.com

Mopa Renovation



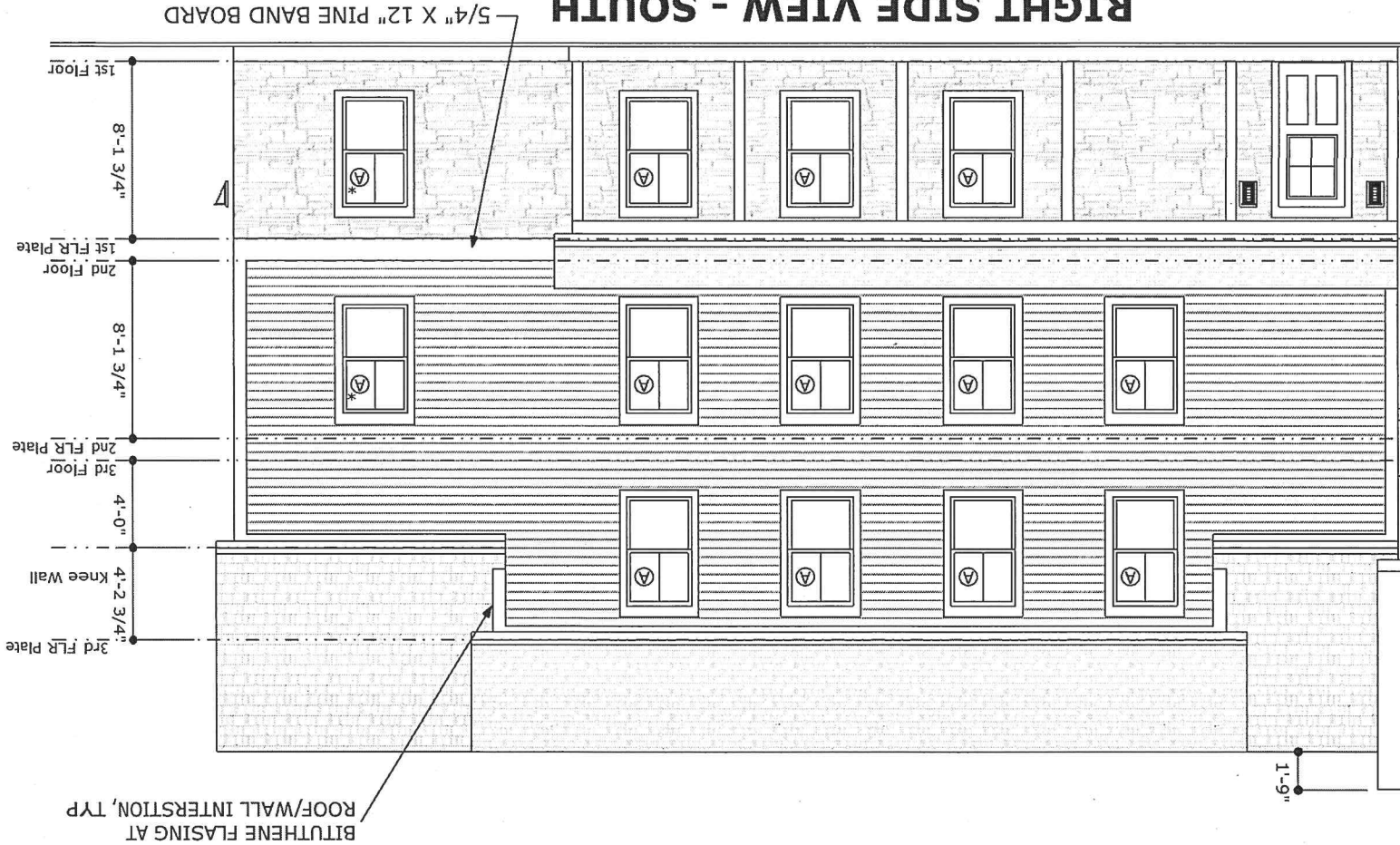
NOTE:
SIDING, TRIM, GABLE & EAVE
DETAILS TO MATCH EXISTING

NO	WXH	TYPE
A	3'-0" X 5'-0"	DOUBLE HUNG
B	6'-0" X 5'-0"	DOUBLE HUNG (2-WIDE)
C	3'-0" X 3'-0"	CASEMENT

WINDOW SCHEDULE

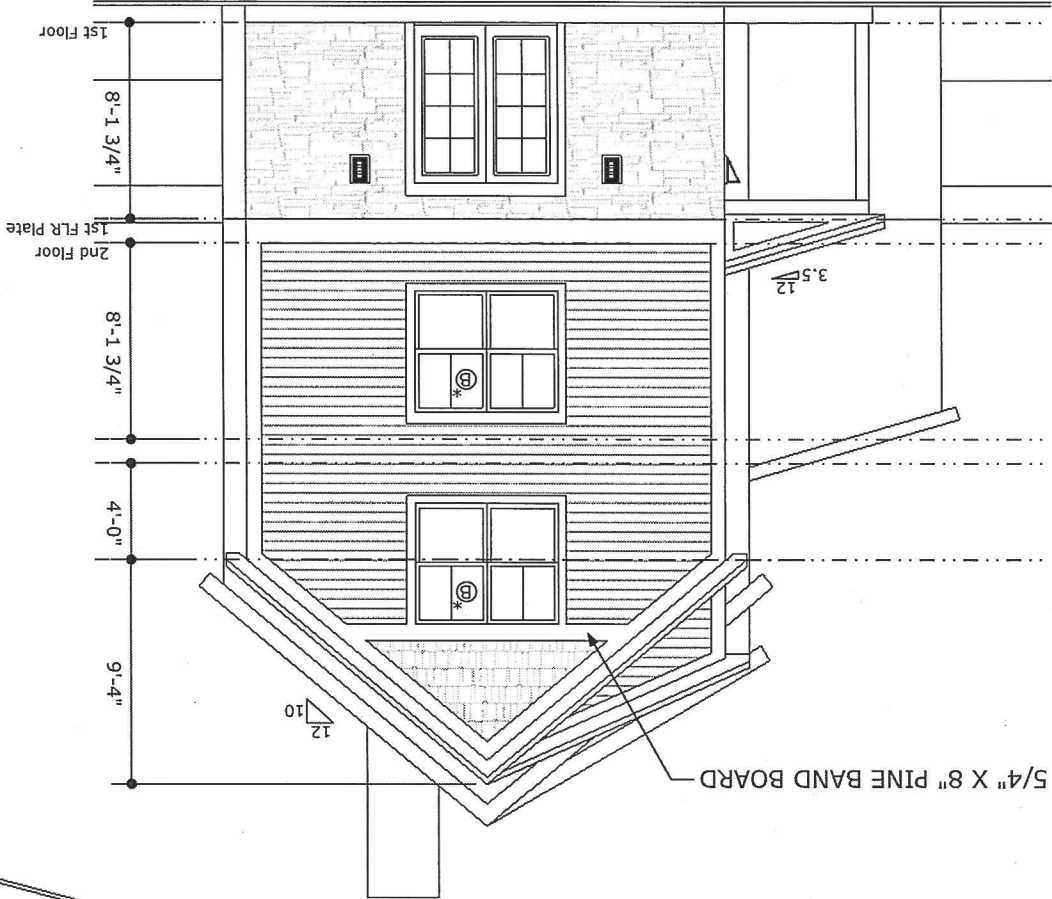
RIGHT SIDE VIEW - SOUTH

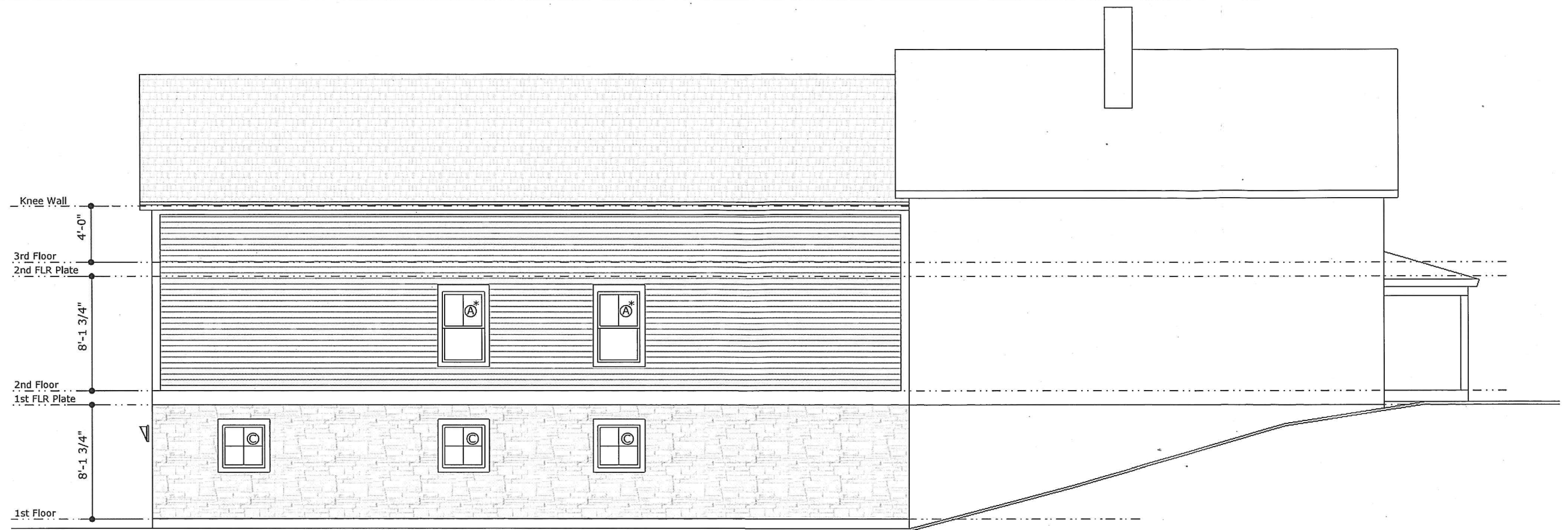
SCALE: 1/8"=1'-0" (1:96)



REAR VIEW - SOUTH

SCALE: 1/8"=1'-0" (1:96)

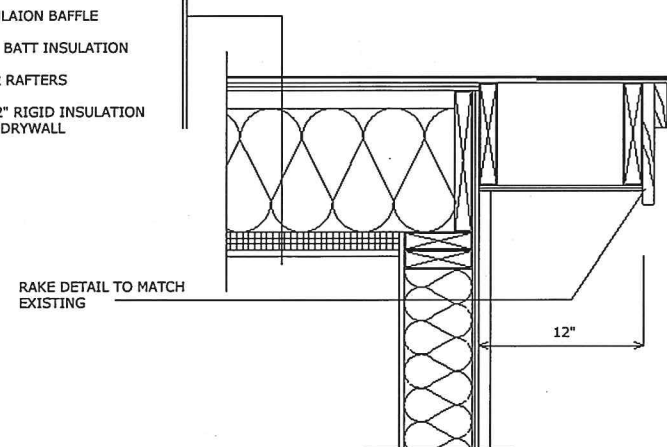




LEFT SIDE VIEW - NORTH

SCALE: 1/8"=1'-0" (1:96)

ROOFING ON 30 LB ROOFING
FELT
5/8" EXT GRADE PLYWD ROOF
SHEATHING T&G OR 'CLIP'
INSULATION BAFFLE
R-27 BATT INSULATION
2X12 RAFTERS
1 1/2" RIGID INSULATION
1/2" DRYWALL



GABLE DETAIL

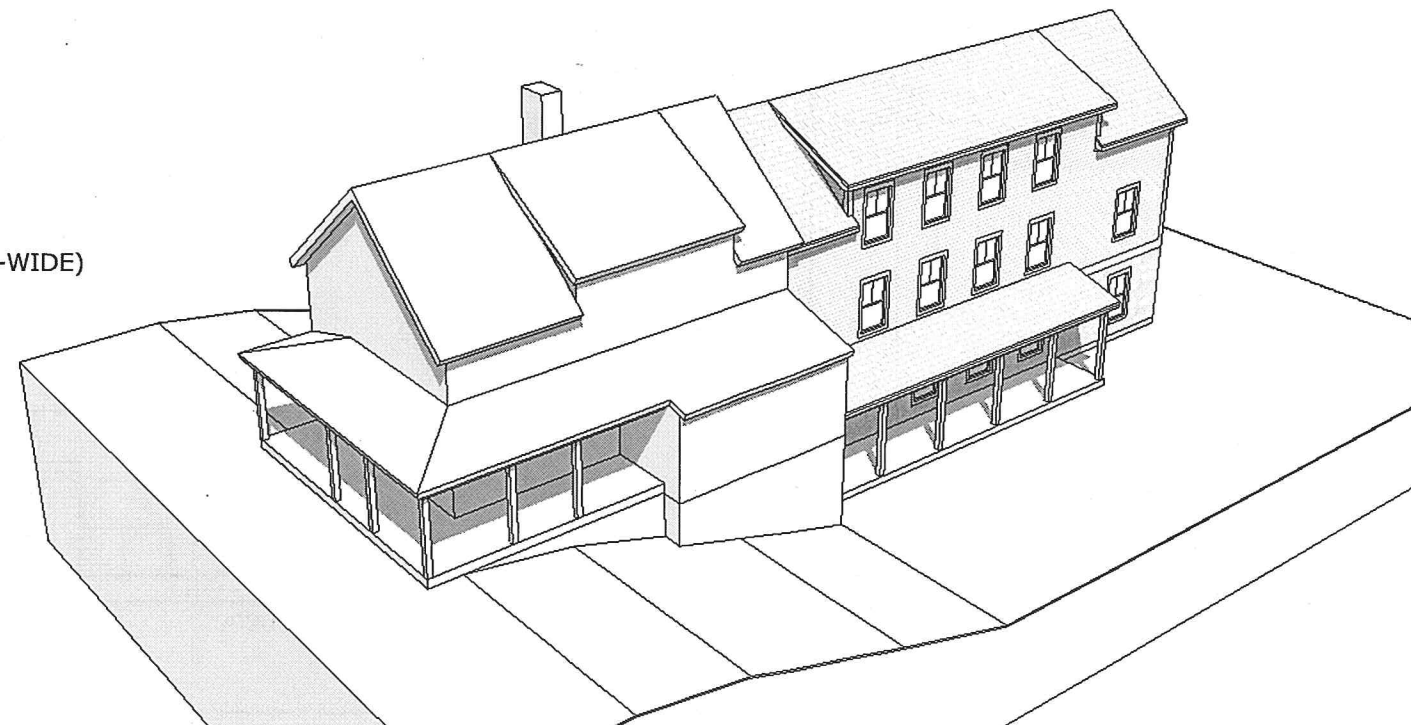
SCALE: 3/4"=1'-0" (1:16)

WINDOW SCHEDULE

NO	WXH	TYPE
A	3'-0" X 5'-0"	DOUBLE HUNG
B	6'-0" X 5'-0"	DOUBLE HUNG (2-WIDE)
C	3'-0" X 3'-0"	CASEMENT

NOTE:

SIDING, TRIM, GABLE & EAVE
DETAILS TO MATCH EXISTING

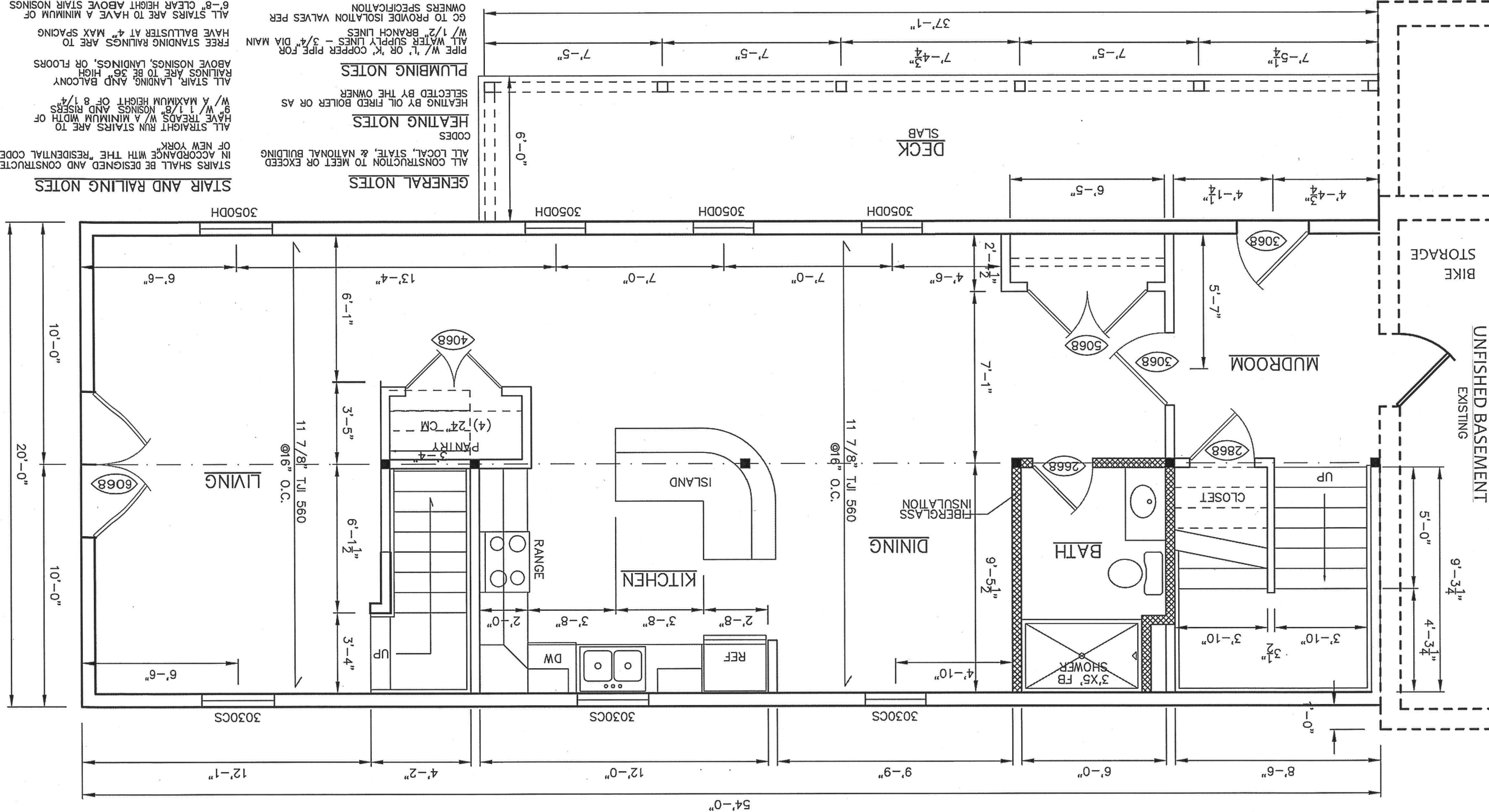


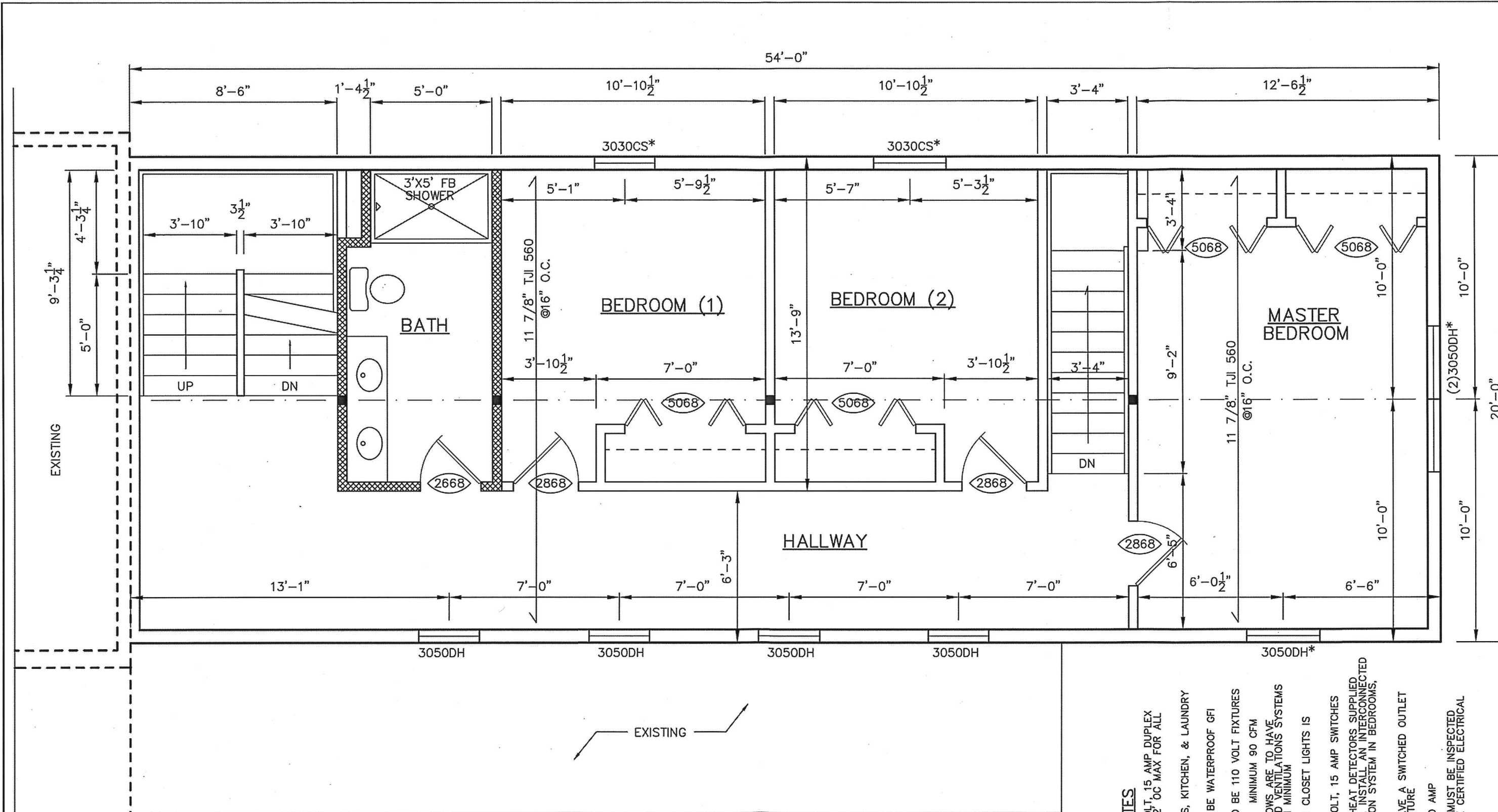
GENERAL NOTES
ALL CONSTRUCTION TO MEET OR EXCEED ALL LOCAL, STATE, & NATIONAL BUILDING CODES
HEATING BY OIL FIRED BOILER OR AS SELECTED BY THE OWNER
PIPE W/ 1/2" OR 3/4" COPPER PIPE FOR MAIN W/ 1/2" BRANCH LINES - 3/4" DIA MAIN GC TO PROVIDE ISOLATION VALVES PER OWNERS SPECIFICATION

PLUMBING NOTES
ALL STAIR, LANDING AND BALCONY RAILINGS ARE TO BE 36" HIGH ABOVE NOSINGS, LANDINGS, OR FLOORS
FREE STANDING RAILINGS ARE TO HAVE BALLUSTER AT 4" MAX SPACING
ALL STAIRS ARE TO HAVE A MINIMUM OF 6'-8" CLEAR HEIGHT ABOVE STAIR NOSINGS
HANDRAILS SHALL BE PROVIDED ON AT LEAST ONE SIDE OF EACH STAIRWAY
THE HAND-GRIP SHALL HAVE A ROUND A MINIMUM OF 2" BETWEEN 1 1/4" AND 2"

DOOR NOTES
ALL INTERIOR EGRESS DOORS ARE TO BE A MINIMUM OF 2'-8" WIDE AND 6'-8" HIGH
ALL EXTERIOR EGRESS DOORS ARE TO BE A MINIMUM OF 3'-0" WIDE AND 6'-8" HIGH

STAIR AND RAILING NOTES
STAIRS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE "RESIDENTIAL CODE OF NEW YORK"
ALL STRAIGHT RUN STAIRS ARE TO HAVE TREADS W/ A MINIMUM WIDTH OF 9" W/ 1 1/8" NOSINGS AND RISERS W/ A MAXIMUM HEIGHT OF 8 1/4"



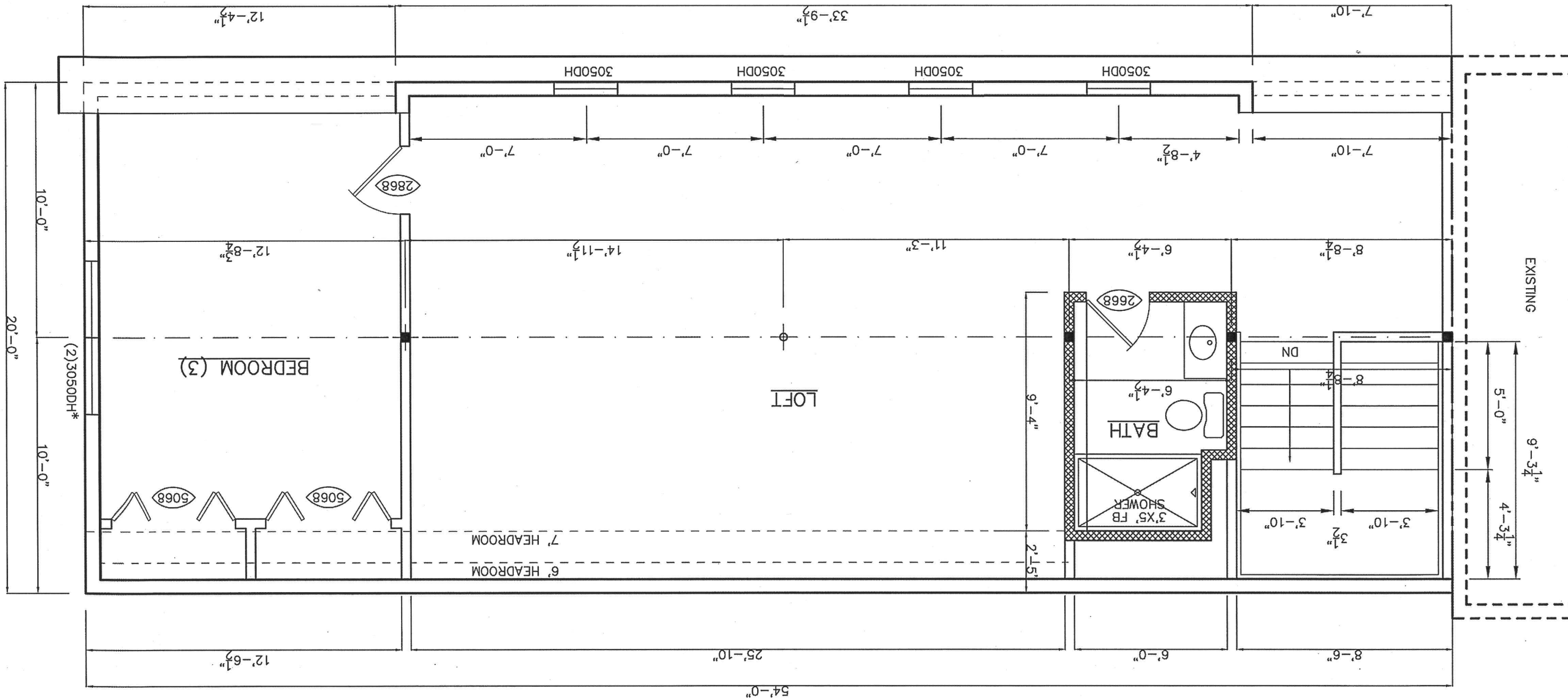


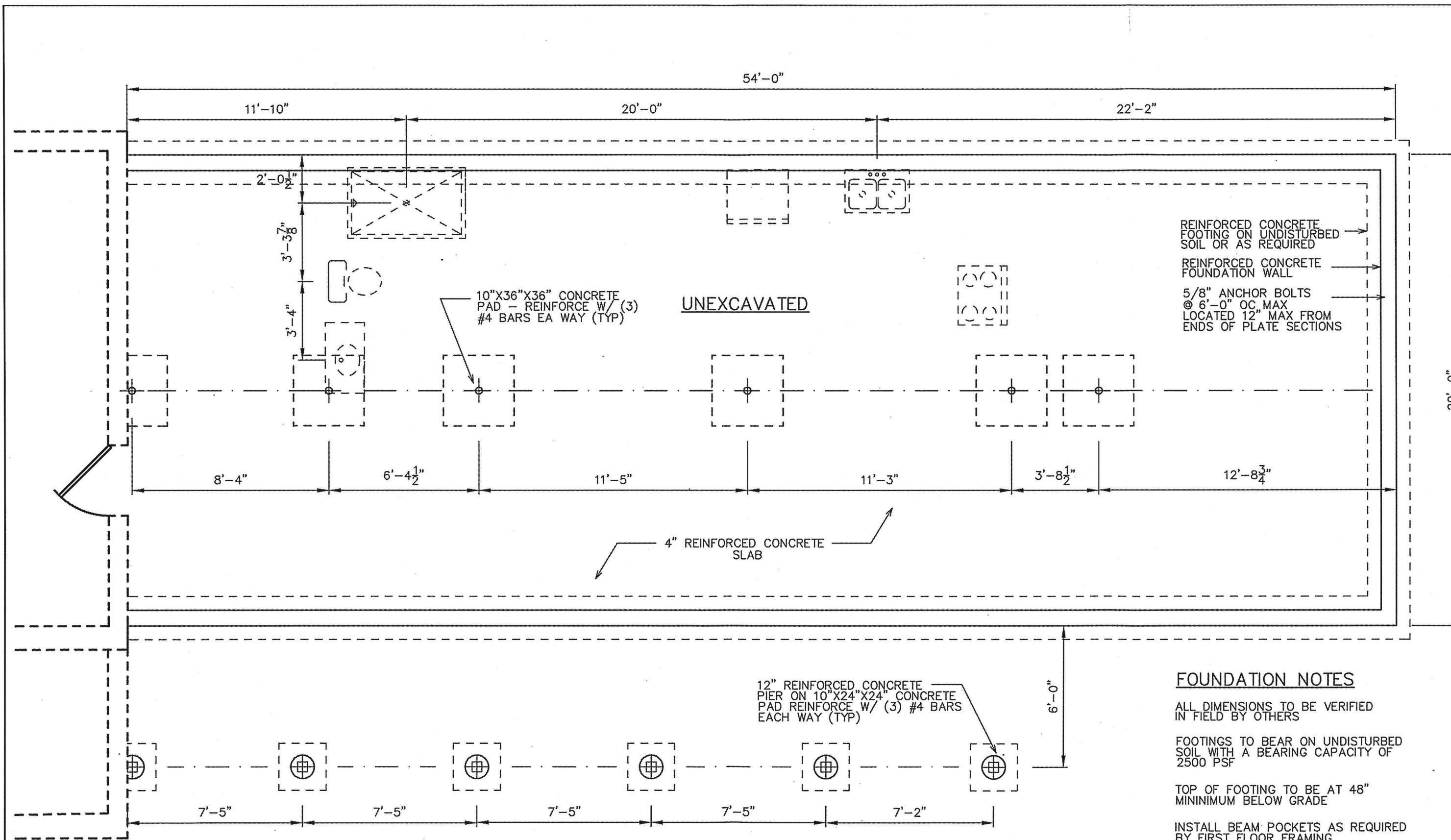
Second Floor Plan
SCALE: 1/4"=1'-0" (1:48)

ELECTRICAL NOTES

- OUTLETS TO BE 110 VOLT, 15 AMP DUPLEX OUTLETS LOCATED @ 12' OC MAX FOR ALL INTERIOR ROOMS
- OUTLETS IN BATHROOMS, KITCHEN, & LAUNDRY TO BE GFI OUTLETS
- EXTERIOR OUTLETS TO BE WATERPROOF GFI OUTLETS
- LIGHT FIXTURES ARE TO BE 110 VOLT FIXTURES
- FANS TO BE 110 VOLT, MINIMUM 90 CFM
- BATHROOMS W/O WINDOWS ARE TO HAVE ARTIFICIAL LIGHTING AND VENTILATIONS SYSTEMS W/ A RATE OF 50 CFM MINIMUM
- MAXIMUM WATTAGE FOR CLOSET LIGHTS IS 40 WATTS
- SWITCHES TO BE 110 VOLT, 15 AMP SWITCHES
- 110 VOLT SMOKE AND HEAT DETECTORS SUPPLIED W/ BATTERY BACK-UP. INSTALL AN INTERCONNECTED FIRE & SMOKE DETECTION SYSTEM IN BEDROOMS, LOFT, LIVING, KITCHEN
- ALL ROOMS ARE TO HAVE A SWITCHED OUTLET OR SWITCHED LIGHT FIXTURE
- MAIN PANEL TO BE 200 AMP
- ALL ELECTRICAL WORK MUST BE INSPECTED BY A NEW YORK STATE CERTIFIED ELECTRICAL INSPECTOR

Third Floor Plan
SCALE: 1/4"=1'-0" (1:48)





FOUNDATION NOTES

ALL DIMENSIONS TO BE VERIFIED IN FIELD BY OTHERS

FOOTINGS TO BEAR ON UNDISTURBED SOIL WITH A BEARING CAPACITY OF 2500 PSF

TOP OF FOOTING TO BE AT 48" MINIMUM BELOW GRADE

INSTALL BEAM POCKETS AS REQUIRED BY FIRST FLOOR FRAMING

THE LOCATIONS AND HEIGHTS OF STEPPING IN THE FOUNDATION WALL DEPENDS ON THE EXISTING GRADE

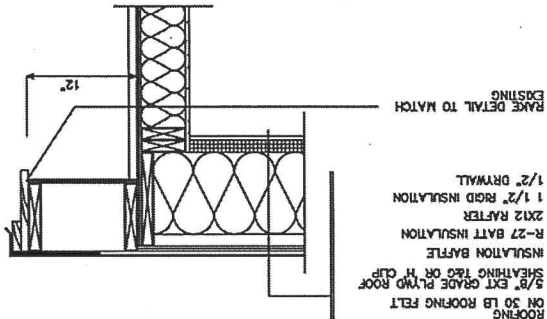
Foundation Plan

SCALE: 1/4"=1'-0" (1:48)

PRELIMINARY FOUNDATION PLAN - NOT FOR CONSTRUCTION

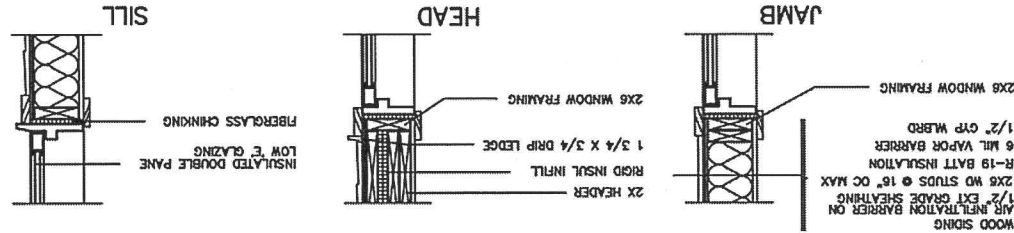
GABLE DETAIL

SCALE: 1"=1'-0"



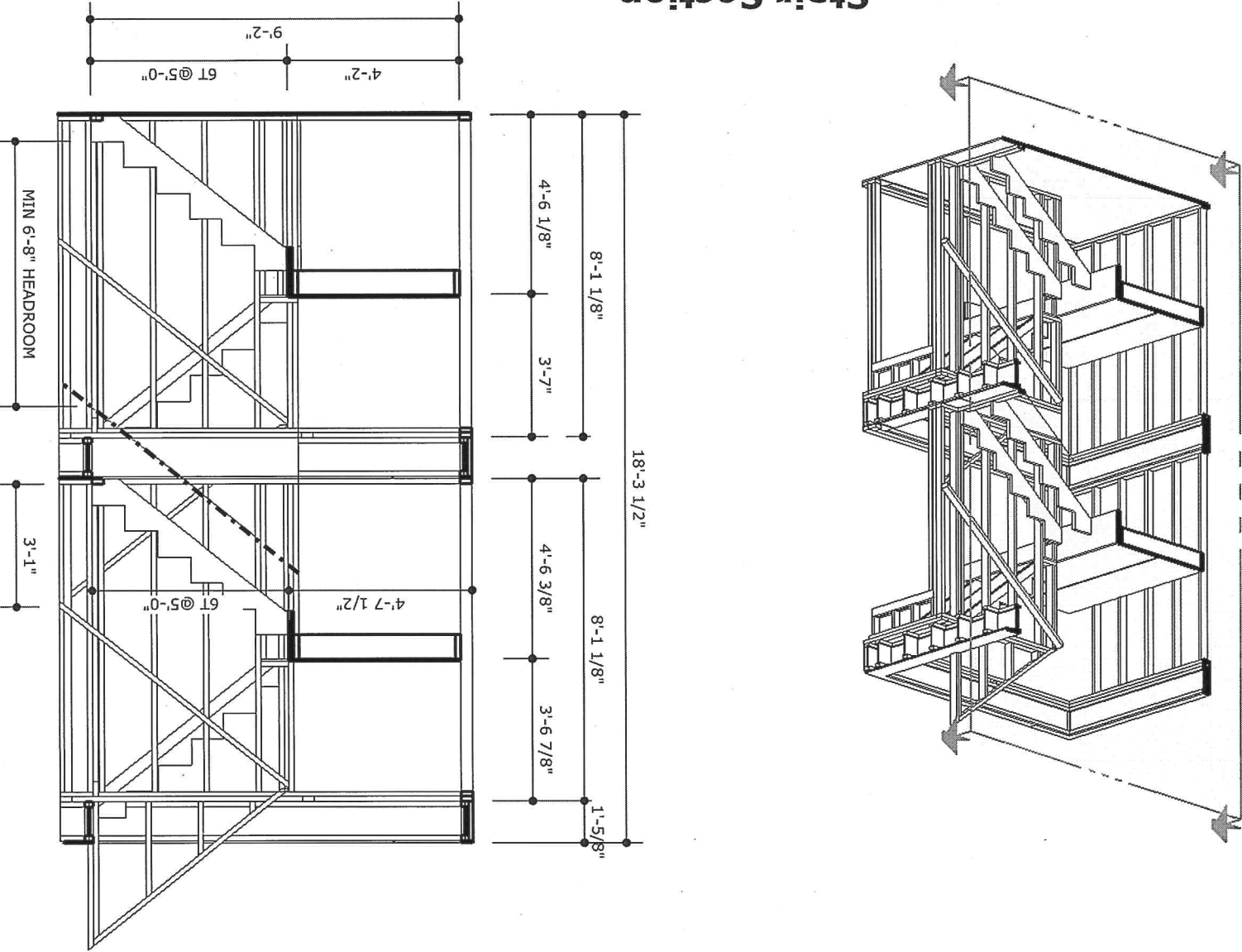
WINDOW DETAILS

SCALE: 1"=1'-0"



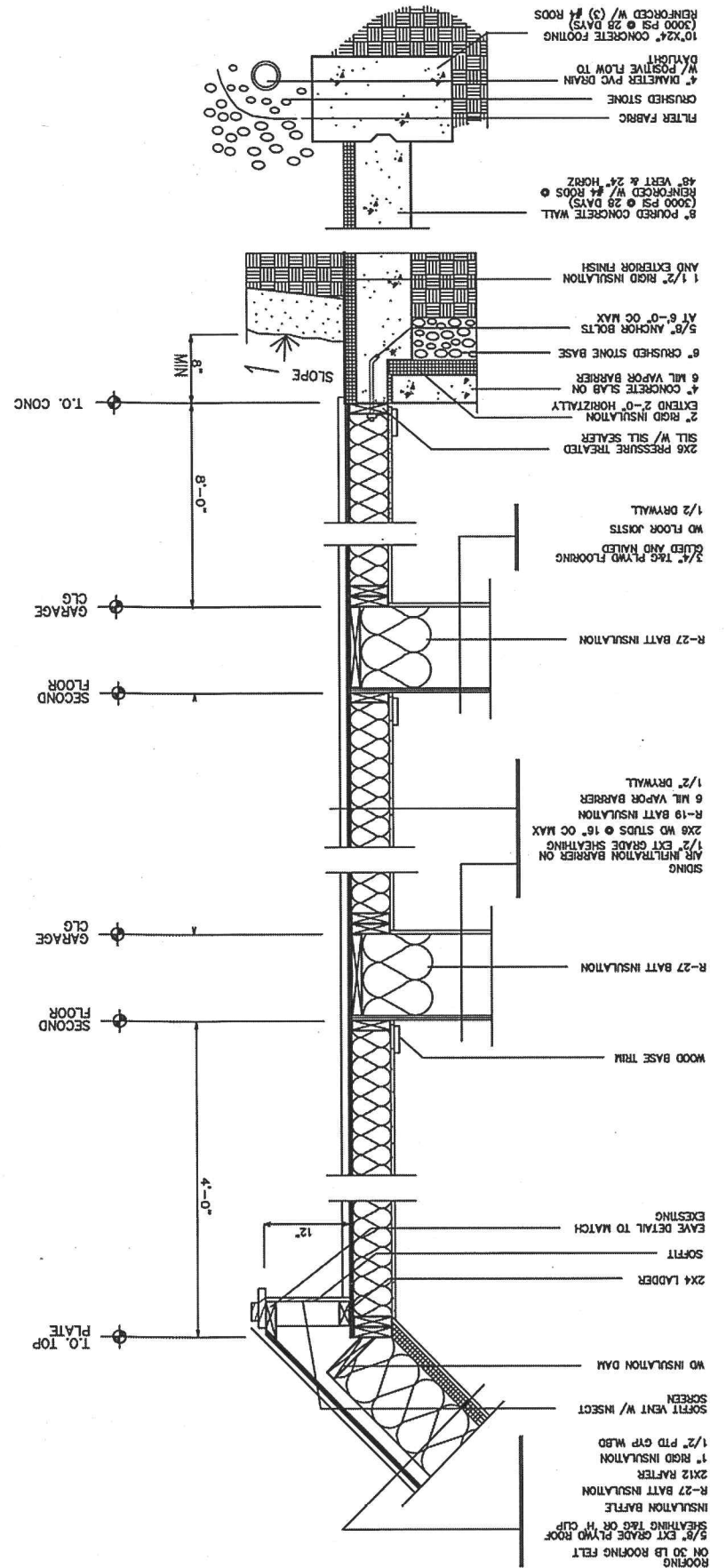
Stair Section

SCALE: 1/4"=1'-0" (1:48)



WALL SECTION DETAIL

SCALE: 1"=1'-0"



Scott Gustin

From: Austin Hart <ahart@DINSE.COM>
Sent: Monday, December 22, 2014 9:17 AM
To: 'Alexandra Zipparo (alexandra.zipparo@gmail.com)'; 'Israel Smith'; 'Jim Drummond (jimkd@blackriverdesign.com)'; 'Jonathan Stevens (jhstevens1@gmail.com)'; Ken Le Mary O'Neil; 'Michael Long (caryn.long2@myfairpoint.net)'; 'Missa Aloisi <missa.aloisi@gmail.com>'; 'Rabinowitz, Brad'; Scott Gustin; 'A. J. LaRosa (larosaajl@gmail.com)'
Subject: FW: DRB Summit Idea

DRBers – We should discuss at our next hearing whether we are interested in participating in the DRB summit proposed by the Milton DRB.

Scott – Can you put this on our agenda?

From: Regina Mahony [mailto:rmahony@ccrpcvt.org]
Sent: Tuesday, December 16, 2014 8:54 AM
To: Regina Mahony
Subject: DRB Summit Idea

Dear Chittenden County DRB Members and Planning Staff,

The Milton DRB members have expressed an interest in attending a DRB summit to share ideas, challenges, etc. They indicated that they would really like to go to an event designed specifically for DRB members – and held in Chittenden County. So I am reaching out to all of the DRB members in the County to see if there is broader interest in a DRB Summit. Our DRB database is not likely up to date, so if you are a DRB Chair or Planning Staff please forward this to DRB members.

Topics Could Include:

- Roundtable/Q&A
- Skills and Tactics for Effective Chairs & Members
 - o Ethical Questions, Conflicts of Interest, Recusals, and Interested Persons
- Open Meeting Law & Deliberative Session
- State Permitting Q&A
- Staff Reports & Decisions -- Best Practices
- Process, Procedure, and Timelines – What works.
- Legal news: Environmental Court Topics
- Legislative news: Transportation Improvement Districts, etc.
- Trends in Planning & Development

If you are interested please click on one of the following options, and include in the email particular topics of interest either from the above list or anything additional:

I am interested [in a DRB summit on a Saturday.](#)

I am interested [in a DRB summit on a weekday evening.](#)

I am interested [in a DRB summit and have no time preference.](#)

If the links don't work for you, just email me directly.

Thanks to Milton for getting this started!

Burlington Development Review Board

149 Church Street, City Hall
Burlington, VT 05401

www.burlingtonvt.gov/pz/drbb

Phone: (802) 865-7188

Fax: (802) 865-7195

Austin Hart
Michael Long
Jonathan Stevens
Brad Rabinowitz
Missa Aloisi
Israel Smith
A. J. LaRosa
Alexandra Zipparo (Alt.)
Jim Drummond (Alt.)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, January 6, 2015, 5:00 p.m.

Contois Auditorium, City Hall, 149 Church Street, Burlington, VT
Minutes

Board members present: Austin Hart, Michael Long, Brad Rabinowitz, Jonathan Stevens, Israel Smith, Alexandra Zipparo, Alexander LaRosa, Missa Aloisi.

Staff members present: Ken Lerner, Scott Gustin, Mary O'Neil.

I. Agenda

S. Gustin notes that 289 College Street has requested indefinite deferral to allow for revised plans.

II. Communications

On the table before the board members. Communications accepted into the record.

S Gustin reminds that the email about the DRB Summit was intended to be discussed under "Other Business."

A Hart concurs.

III. Minutes

Minutes of DRB meeting of 12/16/2014 in packet. A. Hart directs board members to please bring edits to deliberative.

IV. Public Hearing

1. 15-0451CA/MA: 234-240 COLLEGE ST (DT, Ward 3) Sisters & Brothers Investment Group, LLP (*continued review*)

Major impact review to demolish rear portion of building, construct new 5-story addition at rear for 9 units. Results in change from 19 to 25 units for a net increase of 6. (Project Manager: Scott Gustin)

A Hart swears in all who wish to participate.

Steve Guild present as applicant's representative.

Curb cut to be eliminated. Working with public works.

A Hart – we are under the impression that the alley – you don't have any deeded rights to use for access.

Steve Guild – not our property.

Steve Guild - One inclusionary unit. You wanted some dimensions on the site plan. We are seven feet away from the property line; on the west site 10' away from the property line. The big thing last time was the 10' setback. You guys needed more information, we have provided for you.

Brad Rabinowitz – northeast corner, you've got windows all the way up on the east side.

Those are 4'10" from the adjacent building. (Asks Scott about building code.)

S Gustin – relates to existing building having windows.

S. Guild – 4.4.1 doesn't help the developer at all. It makes our building move 10' away.

That regulation doesn't benefit the developer at all. We are 7 ½ feet from the property.

We have to push our building 10' according to this section. In the downtown transitional, we can do 100% lot coverage with 0 setbacks. This requires us to push the building.

A Hart to S Gustin – any discretion?

S Gustin – You would have to treat it as a variance. District specific provision in Article 4; also city wide in Article 5, provision.

A Hart – I don't recall this issue coming up before; as opposed to renovating an existing building. We are struggling how that applies in this situation.

S Guild – Asks about Stratos. About 6' away from adjacent building.

S Gustin – Stratos was reviewed under the 1995 Zoning Ordinance.

J. Stevens – Asks S. Gustin question about staff report.

S Gustin – Israel expressed a concern about a lack of light and fenestration on the east and west facades. Here we are looking at greater expanses of blank walls.

A Hart asks why a limited number of windows.

S. Guild – Stair tower on east elevation, elevator, lobby. Other side is bedroom. Really, another reason why to avoid windows. Close to existing building.

M. Aloisi – It would be nice if that bathroom had a window in it.

A Hart – It looks like there have been some changes to the building elevations. Can you help us understand those changes?

S Guild – more cleaner, more presentable. Horizontal metal panels. Wanted to make basement level durable, solid material to withstand plowing.

A. Hart – north façade looks different.

S Guild – same windows. No change there.

A Hart – visible from the City Market parking lot.

S. Guild – the majority of the apartments are facing that side.

M. Aloisi – please explain trash pickup, what size containers will fit in that room.

S. Guild – 5 or 6 totes. Will need to make it bigger. Double doors....

M. Aloisi – the dump truck will come to pick them up?

S. Guild – they will come in that back alley.

B. Rabinowitz – even if you don't have access to that alley?

S. Guild – It hasn't been an issue. Not sure about access from College or....

S. Guild – new concrete sidewalk. The owner would like to keep that as it is, pavement. He doesn't want to change to concrete.

A Hart invites the public.

Irwin Herschlitiz..... spoke at the last hearing. I looked through the file. It doesn't say where the parking is going to be.

A Hart – the proposal is to lease spaces at Corporate Plaza within 1000 feet of the project site, which the ordinance allows. There is a lease.

Irwin Herschlitiz – forever?

S. Gustin – For the duration of the use.

Irwin Herschlitiz – how to restore the frontage? I thought the new building was going to be 10' from the west side of the adjacent building.

A Hart – the applicant is arguing that the 10' setback requirement should not apply. We need to look at the ordinance and deliberate.

S. Gustin – on the west side, 10'. On the east side (uphill), it has setback problems.

Irwin Herschlitiz – Was there a six month thing put in there?

S. Gustin – parking? It was submitted with revised plans. It should be in the packet. No one else to speak on this.

A Hart invites S. Guild to reply. He declines.

A Hart closes the public hearing on this matter.

2. **15-0656CA/MA: 289 COLLEGE ST (RH, Ward 8) 289 College Street Associates**
 New building addition of 12 residential units with associated site modifications for a total of 13 units, 5,800 sf existing office. (Project Manager: Mary O'Neil) (*applicant has requested an indefinite deferral*)
 M. O'Neil – applicant not present.
 Jonathan Stevens – indefinite? What if they don't come back.
 S. Gustin – Bylaws give 6 month time limit. Can be extended by another 6 months.
 A. J. LaRosa has procedural question.
 A Hart – motion to defer.
 J. Stevens – 2nd.
 Motion passes unanimously.

A Hart – to M. O’Neil. Will you please notify applicant?

M. O’Neil – yes, of course.

3. 15-0675CU: 298 COLLEGE ST (RH, Ward 2) Champlain College / Champlain Valley Office of Economic Opportunity

Seasonal change of use from club to community house/overnight shelter. (Project

Manager: Ken Lerner)

Austin Hart, recused from this review.

Jan Demers from CVOEO present to apply for use of the Ethan Allen Club for a temporary warming shelter for the homeless of Burlington; those who need a place to stay, and need a place to sleep for the winter months. The opening will be based on the decisions of this body. Close date is scheduled for April, 2015. The intent is for someplace comfortable, warm, and a place to sleep. There are several reasons why we want to put this into place. Some are short terms goals – to make sure everyone is safe and has a place to street. The long term goals are permanent housing. The state right now is spending a great deal of money for hotel rooms. This situation will be considered a community house; there will be company, warmth, and opportunity for other services. If the state continues to spend the same amount on short term housing, the solutions for long term housing is not readily available.

J. Stevens – Champlain is the property owner.

J. Demers – Leasing to us. Champlain will not operate the project: It will be CVOEO.

J. Stevens – have you read the staff report?

J. Demers – yes.

J. Stevens – you are applying for 35 beds?

J. Demers – yes. We need 35, but will accept 20.

J. Stevens – you understand the factors at play.

J. Demers – Ken gave us maps, helped us understand proximity and the number of beds that might be available.

J. Stevens – Have you operated a facility like this before?

J. Demers – CVOEO has not before. We have been speaking with COTS, Spectrum, Mark Redmond, and a representative from Anew Place. This is our mission of CVOEO to bridge that gap for people that are homeless. This is temporary; not something that will continue after this season.

J Stevens – your objective is not to consider this site for a long term site?

J. Demers – The long term solution is the ideal. We are only looking for a short term answer for people that are sleeping outside now. This will be a low barrier shelter for people that may not be accepted elsewhere.

B Rabinowitz – you won’t be building 35 beds.

J. Demers – Open space. Separated into 3 sections. We expect cots to be 8 for women, six in each section for men. Only for single men and women.

B Rabinowitz – outside spaces?

J. Demers – no outside area, other than a smoking area. We have been working with Waystation folks, Cots. One recommendation was the canopy area in the back parking lot. Visibility, security. However the neighbors have expressed concern. I have met with immediate neighbors, concern about foot traffic, smoking. Our conversations will be continued and on-going.

B. Rabinowitz – entrance?

J. Demers – only one entrance; door off the parking lot. The other doors will be open for emergencies. They will have an alarm system.

J. Stevens opens the hearing up to the public.

Paul Dragon speaks – CVOEO has put in an excellent application. Service provision that they are offering will be good for the people experiencing homelessness, but good for the city as well. From the department’s position, we completely support this application.

Eric Hanley – owns property on Bradley Street on the northwest corner of the parking lot. I have a 3 apartment building at 7 Bradley Street. No one has reached out to me. I

wonder if Champlain College is going to have security there. I have 12 tenants in my building. We had a lot of syringes, needles. Police there frequently. They were there tonight. There are issues in the neighborhood. All my rental properties are non-smoking. Church Street is non-smoking. My family owns Corbin and Palmer Funeral Home. My neighbors all come to my property to smoke! Will this be regulated? I have a concern about people hanging around my property. Who will be regulating it. Will Champlain have security there?

A Zipparo – when there were syringes, was there a shelter there?

Eric Hanley – No. But I have seen a lot go on. The police have been patrolling it.

A Zipparo – So the police are already patrolling it.

Eric Hanley – Yes.

John Caulo – Champlain College. Just want to voice my support for the application. Organizations like CVOEO provide a function in the community for providing a safety net. I would like to note that temperatures will be below zero tonight. For those sleeping outside, a concern. A simple twist of fate and it could be us. This is important. Some of the anti-social behavior I don't think will be seen at this time of year. To answer the previous speaker's question, yes; Champlain will be providing security. I anticipate it will be pretty quiet.

J Stevens – (To John Caulo), do you have a non-smoking policy?

I don't take into mind that Champlain should have a policy. Probably not appropriate for this hearing. How to go about enforcing?

J Caulo – A pain in the ass. Hard to tell an undergraduate to put out a cigarette.

Lisa Bridge, lives in the row houses that are just below the Ethan Allen center on College Street. I agree with a lot of what John said. My biggest concern is for the Y kids. What time will it open, how many congregating when the kids are there, getting picked up. They go by between 4 and 6 in the evening. They play in that yard every day. I know drug paraphernalia has been found. Sobriety is not a requirement for this shelter. How will this impact the kids? That is my biggest concern.

Jasmine Walker, on the board of CVOEO. Jan has really crossed her "t"s and dotted her "i"s. I have been so impressed with her compassionate collaboration. We have been receiving weekly, almost daily updates on her progress. I am very impressed with her connections with so many people. With a monitored shelter, and a presence in this environment, less of a concern. There will be staff there when the shelter is open. A police presence. Smoking contained.

J Stevens – a question on security. Champlain says they will have their regular patrol. More than one facet to security.

Jasmine Walker – Jan (from CVOEO) can address these items specifically.

J. Demers – All valid concerns. Security – we have engaged two security companies, we plan to have security on site. Not all night long. Opening 6:00 pm until 11:00 pm. Quiet time – 10:00, no activity. People will be there every night. Staffing on premises when the facility is open; A direction, a volunteer coordinator, and an overnight awake person. Not all at the same time, but different shifts. I have had several conversations with Chief Shirling. We had to have a plan for emergency solutions, for our funding, needed certification of local approval. We received approval from the Mayor's Office, Brian Lowe. Concerns about security as well. Relative to sobriety: Not a wet shelter: people will not use while in the shelter. Their bags will be checked. If they have been using, if their behavior is acceptable, it is a place to sleep. This is for people that have no place to stay. We have been in contact with others places around the state; one in Middlebury, Charter House. A very compassionate program. I spoke to Doug Sinclair, their director. We are trying to gain wisdom from others that have experience. As far as the children coming by, that is a concern. I don't know if changing the hours will make a difference. We plan to open at 6:00; people need to leave at 7:00 a.m.. People will not loiter, as breakfast starts at 6:30 a.m. at the Chittenden Emergency Food Shelf to eat. We will not be offering food.

A. J. LaRosa – staff?

J. Demers – Staff beginning at 5:30 pm.

A. J. LaRosa – and all night long?
J. Demers – yes, all night long. First shift 5:30 – 1:30. The next one 1:30 to 7:30. The director will be there for the first shift. The volunteer coordinator for 2nd shift. Teamed with training volunteers.
No other comments.
J Stevens – closes public hearing 6:02 pm.

A Hart rejoins board.

V. Certificate of Appropriateness

1. 15-0468CA: 166 EAST AVE (RL, Ward 1) Germain Mopa

Construct new 3-story addition to existing duplex with associated parking changes.

(Project Manager: Mary O'Neil)

Germain Mopa present.

A Hart – have you had a chance to read the staff comments?

G. Mopa – I have. I have met with Mary to discuss.

G Mopa discusses landscaping plan, parking creep, lighting. Revised plans submitted this morning (in communications packet.)

M O'Neil – refers board to communications packet.

B Rabinowitz – no specific fixtures noted. Can you get back to us with that?

G. Mopa – yes.

A Hart – anything else to add?

G Mopa - you can ask me questions~

A Hart – size of home, existing home on state register. One of the questions is the scale of the addition relative to the existing home. Can you answer that?

G. Mopa – the property is big enough. To the left of us, we have a house that is higher than us. On the other side, we have a lot of housing (co-housing.) In the neighborhood, we don't believe it will be out-of-place.

A Hart - no changes to your original plan?

M O'Neil – minor changes. DAB asked to have eave line broken between existing and new. Ridgeline lower.

A Hart asks about the number of bedrooms.

G Mopa – Three and two.

A Hart – owner occupied?

G. Mopa – yes.

B. Rabinowitz – Questions setbacks.

M O'Neil – we just identified a survey this morning. Mr. Mopa has not been able to locate property pins however we believe we have identified three property pins. He is likely to be able to correct the north setback, recoup the needed 2' for the south setback.

B. Rabinowitz – just move the house over on the plan?

M O'Neil – a corrected site plan.

G.. Mopa – Hard to find housing in Burlington. We like our house.

B. Rabinowitz – you will want to look at the third bedroom, third floor. With the slopes of the roof, you may be banging your head going up the stairs.

A Hart – asks staff about parking, creep, is this still a problem.

M O'Neil – solved by the co-housing development to the south.

B. Rabinowitz – If you want to see a Kentucky Coffee Tree, better look now! [laughter]

A Hart invites comment.

Clara Bond, live at co-housing. Asks staff about required setbacks.

M O'Neil – explains survey identified, three pins illustrated, can accurately define property boundaries using that information. Mr. Mopa is likely to be able to meet the south setback.

Clara Bond – anything to mitigate the mass, and the setback?

A Hart – we haven't made a decision. Staff has provided comments. We will look at all the evidence. Staff is purely advisory.

Clara Bond – My main concern is setback, and curbing to delineate driveway and parking. I have an issue with lights; we don't have the information on it. Potentially could be a lovely little backyard. I am concerned about lights shining into our unit. And do you require anything as to where the placement of recycling and trash would be.

M O'Neil – provides plan to neighbor. City Councilor from Ward I Sharon Bushor present and interested in plan.

Clara Bond – run-off absorbed right on the property? I lived on Bilodeau Court before. I used to walk across. Used to be water run-off. During the construction here, I want to be sure that nothing alters the conditions of the site.

M O'Neil – EPSC plan approved by the City Stormwater engineer. Will require compliance, and will be inspected.

A Hart – nothing we approve can adversely affect neighboring properties, re-direct stormwater on neighboring properties. Can I ask you about your concern about the massing?

Clara Bond – It seems to have been a concern of staff. I wanted to ask.

Sharon Bushor, City Council Ward 1. I live on East Avenue. The property and this house have a long history. When Mrs. Turner died and left the property to her heirs, I worked really hard with her heirs to secure Centennial Woods, provide for the new neighborhood. I am very familiar with this home. My goal as a City Councilor has been to find a way to accommodate what has been proposed, and what doesn't work. I take houses on the historic registry very seriously. I looked at the standards of the ordinance. [quotes standards.] I give this project an "F" in that regard. It doesn't work. I understand that the property slopes. If this was in Ward 6, I don't know. It depends on the location, what scrutiny it gets. I ask you to understand the integrity...the old garage doors, the small scale. How can the property owner build a house that he and his family can live in. I know there are choices that can be made. Maybe you want to preserve that duplex. But what are the options, what can happen here that meets the historic nature of this farmhouse that is really quite charming. Take an opportunity to understand that very little has been done to alter the original structure. I think this is very important. To me, the historic building site is an issue. I have never met the owner, and he has been very clear about what he wants to do with it. Wonderful that someone wants to commit his family to Ward 1. But if he chooses to leave, we have something that looks like a mini-dorm attached to a house. We live next to UVM. We will have that challenge, with something that will erode the very nature of our neighborhood. It is amazing that how when one house goes, it alters the entire neighborhood. I am disappointed. I did as much homework as I could. I have not had a chance to review the information submitted today. It was an incomplete application, as I have not seen landscaping, lighting, and other plans that come before you with a precarious situation. We are not current on what we comment on. I care about landscaping, lighting, how it spills over in the back yard, how parking barriers will serve the property owner well if he is renting out the duplex.

M O'Neil provides communication packet to Sharon Bushor.

S Bushor – Asks about stormwater plan. I looked at Bilodeau, run-off. When DPW looks at the immediate property, I hope they look at the surrounding property and basin. I want to make sure that plan takes into consideration the property behind on Bilodeau. I have seen unintended impacts after a new parking lot on East Avenue. Concern about shadow effects. The house next to it is pretty much in keeping with the original home, so I anticipate little impact on the actual residents. Mentions side yard, encroachment issue. I don't understand about the large tree in the front yard? Will it be removed?

A Hart – No, Kentucky coffee Tree in the rear yard.

S. Bushor – that's good. Not a lot of trees on that street. I went to co-housing and asked if anyone had concerns. Some did, but could not attend. There is a fear if this property gets sold, what will happen.

Clara Bond submits a communication from Barbara Nolfi – submitting it now for board review. Sharon Bushor asks Board: In a nutshell, would you like me to read it?

A Hart – if brief. Leave it with Mary.

Sharon Bushor reads communication from Barbara Nolfi. "The current parking lot goes onto our property. We know the property is a duplex, and the property owner intends to remain. If the property gets sold, a concern.....landscaping plan important...lighting questions...would like to see the lighting plans. Where is recycling and refuse area?" To conclude, there is a lot of re-visiting the same issues over and over again. I disagree with the finding that from the street you cannot see the massing of the new addition. I disagree. It does impact and overshadow and overwhelm the original structure.

G. Mopa – speaks briefly about massing. We live in a great neighborhood. We want to stay. We are within the guidelines of the ordinance.

A Hart – why did you choose vinyl? Existing house is clapboard.

G. Mopa – make sure the addition is different than the existing. We looked at clapboard. We are trying to keep costs down. The way to achieve that financially, turn into duplex and keep costs down. Open to any suggestions that would be more durable and less expensive.

A Hart – You won't find anything in the short term that is less expensive than vinyl; but over the long term, there will be maintenance and durability issues. As a second issue, as an addition to a historic home, compatibility.

B. Rabinowitz – will become brittle and break. Other materials may turn out to be better for you.

M. Aloisi – to be clear – the basement, lower level, stone cladding. Above that is vinyl. I don't think they make a vinyl stone. I would be curious to know what the base is. You have alleviated the issue of kids banging it up.

A Hart – it looks like stone. Do you know what the material is? Can you look into and get the information to Mary?

G. Mopa – yes.

No other questions. Closes public hearing 6:43. pm.

Deliberative set for Monday, January 12, 2015 at 5:00 pm.

VI. Other business

Discussion about DRB Summit.

M Long – interested in meeting with our own Planning Commission that other DRBs. Rather weeknight than weekend.

A Zipparo – weekends work.

A Aloisi – I agree with Ali.

A. J. LaRosa – limited value with other DRBs. Better to meet with Design Advisory Board and our Planning Commission. That would be a priority item.

A Hart – Ken suggested four such meetings over a year.

J Stevens – The Milton DRB is proposing this. We do have a full plate. If they had mentioned something they are concerned about...

A Hart – they did propose an agenda. A lot of them are what any DRB in any city might consider.

Ken Lerner – maybe a representative, or a couple or representatives could attend?

A Hart – Maybe that's right. Divide and conquer.

J Stevens – Are they looking for the whole board to attend?

Ken – you are all invited.

A Hart – no other business.

VII. Adjournment 6:47 pm.

A. Hart - Chair, Development Review Board

Date

Mary O'Neil, AICP, Senior Planner

Date