

Burlington Development Review Board

Department of Permitting & Inspections
645 Pine Street

Burlington, VT 05401

www.burlingtonvt.gov/DPI/DRB

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Vacant, (Alternate)



DRB Agenda - Wednesday, November 8, 2023, 5:00 PM,

645 Pine Street, Front Conference Room or Remote on Zoom:

Please click the link below to join the webinar:

Zoom: <https://us02web.zoom.us/j/83225696227?pwd=SGQ0bTdnS000Wkc3c2J4WWw1dzMxUT09>

Webinar ID: 832 2569 6227

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1. Agenda

2. Communications

3. Minutes

4. Public Hearing

4.1.

ZP-23-464; 702 Lake Street (UR, Ward 4) City of Burlington / Lee Perry

**Conditional use of existing site for City of Burlington and Church Street Marketplace snow storage.
(Project Manager, Scott Gustin)**

4.2.

ZP-23-473; 1127 North Avenue (NAC, Ward 4) David Hauke

**Conditional use review for proposed construction of 4,320 square foot addition to existing hardware store
for use as veterinary clinic. (Project Manager, Mary O'Neil)**

5. Certificate of Appropriateness

5.1.

ZP-23-474; 72-76 Elmwood Avenue (RM, Ward 3) PBGC, LLC / Michael Alvanos

**Re-application of expired, ZP-21-509 to construct three-unit residential townhouses on site of former
Methodist Church. (Project Manager, Mary O'Neil)**

6. Other Business

6.1. DRB Bylaw Amendment

7. Adjournment

8. Informational and Non-Discrimination Statements

8.1.

Plans may be viewed upon request by contacting the Department of Permitting & Inspections 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 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/dpi/drb/agendas or the office notice board, one week before the hearing for the order in which items will be heard.

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**CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS**

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Chapin Spencer
DIRECTOR OF PUBLIC WORKS

Lee Perry
*DIVISION DIRECTOR
MAINTENANCE*

Memo

**To: Burlington Planning and zoning
Burlington Conservation Board**

From: Lee Perry

Date: September 2, 2021

Re: 702 Lake St. (Urban Reserve Snow Storage)

Burlington Public Works and the Church Street Marketplace use the site at 702 Lake Street as a snow storage area for snow removed from the Marketplace, and the streets of Burlington.

A nighttime operation of snow removal from the downtown area happens approximately 4-6 times per winter, and snow is removed from the Marketplace after every storm.

Noise in the area will be reduced with special instructions to the employees, and the Marketplace contractor not to slam tailgates of dump trucks and driving slowly.

The area is cleaned every spring after the snow melts of any trash, and debris.

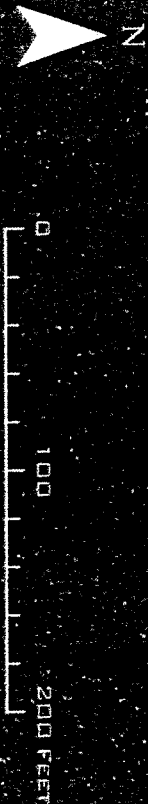
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Parcel owned by City of Burlington

Snow Storage Area

ANY APPLICATIONS OR REVIEWS
FOR ZONING A PRIOR TO THE
ALL DECISIONS IN DIMENSIONS OF
THE RESPONSIBILITY OF THE APPLICANT
SIGNED:  M. MOIR
PLANNING & ZONING DEPARTMENT
BURLINGTON, VERMONT



CITY OF BURLINGTON

SNOW STORAGE AREA

RECEIVED BURLINGTON, VT

NOV 25 2009

DEPARTMENT OF PUBLIC WORKS

Created on: 11/23/09
By: M. Moir







Department of Permitting & Inspections

Zoning Division
645 Pine Street
Burlington, VT 05401
Telephone: (802) 865-7188

William Ward, Director
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Mary O'Neil, AICP, Principal Planner
Garret King, Associate Planner
Joseph Cava, Planning Technician
Ted Miles, Code Enforcement Officer
Ted Boylan, Zoning Division Administrator



TO: Development Review Board
FROM: Scott Gustin
DATE: November 8, 2023
RE: ZP-23-464; 702 Lake 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: UR Ward: 3C

Owner/Applicant: City of Burlington / Dept. of Public Works

Request: Renewal of winter snow storage on urban reserve parcel

Applicable Regulations:

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

Background Information:

The applicant is seeking renewed approval to use a portion of the urban reserve to store snow removed from city streets and the Church Street Marketplace during winter months. No construction is included in this proposal. This activity was originally permitted January 19, 2010 and has been re-approved several times since then. The most recent zoning permit approval was October 5, 2021. Conditions of that approval are noted below:

1. Every spring, after snow in the storage facility has melted, all debris, sand, trash and the like shall be removed from the site, and the site shall be returned to its original condition.
2. The snow storage site shall be monitored by the applicant to prevent surface flow discharge of meltwater from the site.
3. All truck drivers dumping snow on the site shall be instructed by the Department of Public Works and/or the Church Street Marketplace to drive slowly at the site and to not slam their trucks' tailgates.
4. The Department of Public Works is responsible for compliance with these permit conditions, including noise and use of the facility by the Church Street Marketplace.
5. The Department of Public Works shall encourage the Church Street Marketplace to use the site only between the hours of 7:00 AM – 10:00 PM.
6. **This permit approval is valid for 2 years only.** Continued use of the site for snow storage beyond 2 years will require a new zoning permit per Sec. 4.4.7 (d), *District Specific Regulations*, of the Comprehensive Development Ordinance.
7. Standard conditions 1-15.

All zoning permits issued for property within the Urban Reserve are limited to two years. The most recent zoning permit for this snow storage activity is at the end of its two-year cycle. This new permit application is for another standard 2 year approval of the same activity with no changes. These findings include information from prior applications as well as the present application.

The Conservation Board will review this latest permit application November 6, 2023. Any comments from that Board will be provided to the Development Review Board for consideration.

There are no previous zoning permit actions for this site except for the previous snow storage permits noted above.

Recommendation: **Conditional Use approval** as per, and subject to, the following findings and conditions:

I. Findings

Article 3: Applications and Reviews

Part 5, Conditional Use & Major Impact Review:

Sec. 3.5.6 (a) Conditional Use Review Standards

Approval shall be granted only if the DRB, after public notice and public hearing, determines that the proposed conditional use and associated development shall not result in an undue adverse effect on each of the following general standards:

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

The seasonal storage of snow from city streets on this site will have no impact on existing or planned community facilities. It will assist Public Works crews in keeping city streets clear during large snow storms and will provide the Church Street Marketplace a place to store snow removed from the Marketplace. **(Affirmative finding)**

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

The site is bordered to the east by railroad tracks and to the west by the bike path. The surrounding land is vacant former industrial land. No site alterations or structures are proposed for this seasonal use. The snow storage use is consistent with the character of the area. **(Affirmative finding)**

3. *The proposed use will not have nuisance impacts from noise, odor, dust, heat, and vibrations greater than typically generated by other permitted uses in the same zoning district;*

The snow storage use will generate no glare other than that from truck headlights. Noise from the dump trucks unloading snow can be substantial if done carelessly. Done carefully so as to avoid slamming truck tailgates, noise levels can be substantially reduced. See Sec. 3.5.6 (c) 1 below for mitigation measures. **(Affirmative finding)**

4. *The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street designations and capacity; level of service*

and other performance measures; access to arterial roadways; connectivity; transit availability; parking and access; impacts on pedestrian, bicycle and transit circulation; safety for all modes; and adequate transportation demand management strategies;

Traffic associated with the seasonal snow storage use depends on the frequency and amount of snowfall. While the Church Street Marketplace clears snow from nearly every snow event, the Department of Public Works stores snow on the site only in the event of large snow storms, typically 4-6 times per winter.

The traffic activity that has the greatest impact on adjacent neighborhoods generally occurs between 3:00 AM and 7:00 AM. In general, traffic impacts, with the exception of truck noise, are modest. **(Affirmative finding)**

and,

5. *The utilization of renewable energy resources;*

No information has been provided with respect to the use of alternative energies. As no site changes or structures are proposed, the proposed use will not unreasonably deter the actual or potential use of renewable energies by the subject or neighboring properties. **(Affirmative finding)**

and,

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

As conditioned, the snow storage use complies with all applicable zoning bylaws. **(Affirmative finding)**

(b) Major Impact Review Standards

Not applicable.

(c) Conditions of Approval:

In addition to imposing conditions of approval necessary to satisfy the General Standards specified in (a) or (b) above, the DRB may also impose additional conditions of approval relative to any of the following:

1. *Mitigation measures, including but not limited to screening, landscaping, where necessary to reduce noise and glare and to maintain the property in a character in keeping with the surrounding area.*

The snow storage use will generate no glare other than that from truck headlights. Noise from the dump trucks unloading snow can be substantial. Although this may have an impact on residential properties in the vicinity of the snow dump, this relatively convenient location close to the areas where snow is being removed means that trucks will not have to make longer early morning trips through more dense residential areas. Applications for this snow storage have consistently noted that truck drivers are instructed to pull away slowly and to avoid slamming their tailgates. This method of dumping snow limits potential noise impacts associated with the activity. During review of prior snow storage applications, assertions were made from neighboring residents that trucks frequently slam their tailgates and that not all truck drivers are instructed to avoid such slamming. Approval of this application will require that all workers (DPW employees and the Marketplace contractor) dumping the snow be instructed to not slam their tailgates and to drive slowly. As noted above, noise generated during the overnight hours can be especially problematic for nearby residences. During review of the 2016 application, the applicant represented that the

Church Street Marketplace's use of the snow storage site can be at any time. In an effort to further reduce noise impacts, the Board encouraged the applicant to work with the Marketplace to attempt to schedule its use of the site between the hours of 7:00 AM – 10:00 PM. **(Affirmative finding as conditioned)**

2. Time limits for construction.

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

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

As noted previously, the facility is used seasonally. Early morning snow dumping activities are generally limited to the period between 3:00 AM and 7:00 AM. Information provided states that Public Works' operations at the snow storage facility take place approximately 4-6 times per winter, sometimes several days at a time. The Church Street Marketplace may use the site for storage of nearly every snowfall. As noted above, noise impacts can be reduced by dumping snow slowly and not slamming the tailgates. **(Affirmative finding as conditioned)**

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

Any future enlargement or alterations of the snow storage facility will require additional permit review in accordance with the regulations in effect at that time. **(Affirmative finding)**

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

As conditioned, the proposed snow storage facility complies with the applicable requirements of the Comprehensive Development Ordinance. **(Affirmative finding)**

Article 4: Maps & Districts

Sec. 4.4.7, Urban Reserve District:

(a) Purpose

The snow storage use is seasonal in nature and involves no site alterations or structures. It is identified as one of several uses that may be allowed in the urban reserve. **(Affirmative finding)**

(b) Dimensional Standards & Density

The snow storage use involves no structures, lot coverage, or residential units. **(Affirmative finding)**

(c) Permitted & Conditional Uses

Seasonal snow storage by the city is a conditional use in the urban reserve and is reviewed under the applicable criteria of these findings. **(Affirmative finding)**

(d) District Specific Regulations

1. Any and all improvements in this district shall be consistent with any and all development and use restrictions and easements as may otherwise be applicable to the property.

As part of the original zoning permit for this snow storage activity, the City Attorney's Office submitted a memo indicating that the snow storage activity is consistent with applicable regulations. No changes to the snow storage operation are proposed in this new application. **(Affirmative finding)**

2. Any authorization granted by the DRB shall include a prescribed duration for the activity after which such authority and all related permits shall expire. The DRB may consider an extension of this time period if such a request has been made prior to expiration. No permit should remain in effect for more than 2 years without reapplication and review pursuant to this section.

Most zoning permits for this activity have been for 2 years. An additional 2 years are sought with this application. **(Affirmative finding as conditioned)**

3. As a condition of any approval by the DRB for projects involving temporary construction staging or seasonal snow storage, the site shall be restored to its prior condition once the temporary activity has been completed for which the DRB may require a bond or other necessary surety in a form satisfactory to the city attorney.

In the spring, after the snow has melted, the site must be cleaned of any trash or debris that was contained in the snow. No financial surety is required. **(Affirmative finding as conditioned)**

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

(Not applicable)

Sec. 5.2.4, Buildable Area Calculation

(Not applicable)

Sec. 5.2.5, Setbacks

(Not applicable)

Sec. 5.2.6, Building Height Limits

(Not applicable)

Sec. 5.2.7, Density and Intensity of Development Calculations

(Not applicable)

Sec. 5.5.1, Nuisance Regulations

Nothing in the proposal appears to constitute a nuisance under this criterion. See Sec. 3.5.6 (c) 1 above relative to noise mitigation. **(Affirmative finding)**

Sec. 5.5.2, Outdoor Lighting

(Not applicable)

Sec. 5.5.3, Stormwater and Erosion Control

Prior Conservation Board review of this proposal specifically addressed potential water quality impacts from the melting snow and its proximity to Lake Champlain. The site is contained within an existing berm, and melt water typically infiltrates into the ground or evaporates. The Board unanimously recommended approval for another 2 years with a condition that the site be monitored to prevent surface flow discharge of meltwater from the site. **(Affirmative finding as conditioned)**

II. Conditions of Approval

8. Every spring, after snow in the storage facility has melted, all debris, sand, trash and the like shall be removed from the site, and the site shall be returned to its original condition.
9. The snow storage site shall be monitored by the applicant to prevent surface flow discharge of meltwater from the site.
10. All truck drivers dumping snow on the site shall be instructed by the Department of Public Works and/or the Church Street Marketplace to drive slowly at the site and to not slam their trucks' tailgates.
11. The Department of Public Works is responsible for compliance with these permit conditions, including noise and use of the facility by the Church Street Marketplace.
12. The Department of Public Works shall encourage the Church Street Marketplace to use the site only between the hours of 7:00 AM – 10:00 PM.
13. **This permit approval is valid for 2 years only.** Continued use of the site for snow storage beyond 2 years will require a new zoning permit per Sec. 4.4.7 (d), *District Specific Regulations*, of the Comprehensive Development Ordinance.
14. Standard conditions 1-15.

Department of Permitting and Inspections

Zoning Division

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Garret King, Associate Planner
Joseph Cava, Planning Technician
Ted Boylan, Permit Administrator



MEMORANDUM

To: Development Review Board

From: Mary O'Neil, AICP, Principal Planner

Date: November 8, 2023

RE: ZP-23-473; 1127 North Avenue

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

File: ZP-23-473

Location: 1127 North Avenue (Shopping Center)

Zone: NAC **Ward:** 4

Parking District: Multi Modal Mixed Use (MMMU)

Date application accepted: October 4, 2023

Applicant/ Owner: Hauke Building Supply

Request: Proposed 4,320 sq. ft. addition to existing hardware store in the Ethan Allen Shopping Center. New space will be used for a veterinary clinic.

This is a reapplication for a permit that expired; differentiated only by a proposed new use.



Background:

- Zoning Permit 21-0645SN; wall sign. February 2021.
- Zoning Permit 21-0501SN; Replacement of Hannaford wall sign and monument sign message; installation of Hannaford To Go band sign. November 2020.
- Zoning Permit 20-0682CA; change of use from general retail to dental office. Relocation of front entrance, new skylights and air handling mechanical unit on roof, replace rooftop membrane, and replace a rear door with a window. February 2020.

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- Zoning Permit 19-0267SN; parallel sign, cover up portions of existing signage. October 2018.
- Zoning Permit 18-1161SN; new signage for Edward Jones. June 2018.
- Zoning Permit 18-1012SN; install replacement Salon Capri parallel sign. No illumination. May 2018.
- Zoning Permit 18-0942; install a garage door. May 2018.
- Zoning Permit 18-0514CA; remodel suite 38 to include splitting into 2 spaces. Add new entry door and windows. One space will be 980 sf; space two will be 1168 office. December 2017.
- Zoning Permit 17-1296SN; install parallel sign. June 2017.
- Zoning Permit 17-1114CA; installation of a 1000 gallon Propane Pump and Dispensing Station adjacent to hardware store (southwest corner of lot – Building E.) May 2017.
- Zoning Permit 16-0205CA/CU; construct two bay car wash. September 2015; permit relinquished.
- Zoning Permit 16-1325SN; install one metal, parallel, non illuminated sign for Simple Roots Brewing. May 2016.
- Zoning Permit 16-0959CA; convert former Body Le Bronze space into microbrewery, approx. 1800 sf. March 2016.
- Zoning Permit 15-0659CA; demolish vacant cinema building and convert to green space. December 2014.
- Zoning Permit 15-0397CA; construct single story building addition to an existing hardware store for retail space. November, 2014. Permit expired.
- Zoning Permit 15-0394SN; install one parallel sign for 802 BWS. September 2014.
- Zoning Permit 14-0824CU; conditional use for small recycling center (bottle redemption) associated with change of use to VT State Liquor Store in portion of building. April 2014.
- Zoning Permit 14-1145SN; parallel sign for La Boca Pizzeria. June 2014.
- Zoning Permit 14-0670CA; change of use from bank to restaurant, expand covered walkway, and update storefront. No change to building footprint. January 2014.

Overview: The application follows the expiration of an earlier project plan (see ZP-15-0397CA) that was not executed. The hardware store will remain; the new addition is intended for a veterinary practice which is a Conditional Use in this zoning district.

Recommended motion: Conditional Use and Certificate of Appropriateness approval, per the following Findings and Conditions:

I. Findings

Article 3: Applications, Permits and Project Reviews

Part 3: Impact Fees

Based on the proposed new area, the following Impact Fees will be due:

SF of Project 4,320

Department	<u>Offices & Other</u>	
	Rate	Fee
Traffic	0.795	3,433.97
Fire	0.234	1,011.04
Police	0.412	1,781.57
Parks	0.493	2,128.97
Library	0.000	0.00
Schools	0.000	0.00
Total	1.934	\$ 8,355.55

Sec. 3.3.8 Time and Place of Payment

Impact fees must be paid to the city's chief administrative officer/ city treasurer according to the following schedule:

(a) New Buildings: Impact fees must be paid at least seven (7) days prior to occupancy of a new building or any portion thereof;

Affirmative finding as conditioned.

Part 5: Conditional Use and Major Impact Review

Section 3.5.2 Applicability

Per Appendix A, a veterinary practice is a Conditional Use within the NAC Zoning District.

Section 3.5.6 Conditional Use Review

(a) Conditional Use Review Standards:

Approval shall be granted only if the DRB, after public notice and public hearing, determines that the proposed conditional use and associated development shall not result in an undue adverse effect on each of the following general standards:

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

As a neighborhood activity center, varied services are anticipated and encouraged. A letter of adequate capacity from the Water Resources Division will be required. **Affirmative finding as conditioned.**

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

The addition of a veterinary practice is consistent with the *convenient and neighborhood and city-wide goods and services* intention of the zoning district.

From PlanBTV:

- *Burlington will coordinate land use and development with the availability and capacity of public services, facilities, and utilities, in order to ensure a high level of service.* [Community Facilities and Services Plan, p. VII-2.]
- *The City will draw infill development into these [NAC] areas through revised zoning that promotes neighborhood-scale mixed uses, increased density, smaller setbacks, additional parking waivers, and height bonuses for shared and below-ground parking. Convenient access to transit, and bicycle and pedestrian routes, must also be provided. Finally, it is of critical importance that these areas maintain clear and distinct boundaries from the surrounding neighborhood to prevent the spread of the higher densities.* [PlanBTV; Land Use Plan, p.I-12.] **Affirmative finding.**



3. *The proposed use will not have nuisance impacts from noise, odor, dust, heat, and vibrations greater than typically generated by other permitted uses in the same zoning district;*

There will be no discernable impacts with the introduction of a veterinary practice in this Shopping Center. **Affirmative finding.**

4. *The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street designations and capacity; level of service and other performance measures; access to arterial roadways; connectivity; transit availability; parking and access; impacts on pedestrian, bicycle and transit circulation; safety for all modes; and adequate transportation demand management strategies;*

The North Avenue Shopping Center is oriented along a major street within the City; with transit accessibility and tangent to public sidewalks. **Affirmative finding.**
and,

5. *The utilization of renewable energy resources;*

No part of this application precludes the use of wind, water, solar, geothermal, or other renewable energy resources. **Affirmative finding.**

and,

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

A letter of adequate water and sewer capacity will be required. Due to the degree of soil disturbance, an Erosion Prevention and Sediment Control Plan, as perhaps a Stormwater Plan shall be required to be reviewed and approved by the Stormwater Engineer. **Affirmative finding as conditioned.**

(c) Conditions of Approval

In addition to imposing conditions of approval necessary to satisfy the General Standards specified in (a) or (b) above, the DRB may also impose additional conditions of approval relative to any of the following:

1. *Mitigation measures, including but not limited to screening, landscaping, where necessary to reduce noise and glare and to maintain the property in a character in keeping with the surrounding area.*
The introduction of a veterinary practice should introduce any impacts requiring screening, landscaping or noise mitigation. The entire medical practice will be internal to the structure. **Affirmative finding.**
2. *Time limits for construction.*
The zoning permit will have a 3 year time limit. Hours of construction are limited to 7:30 am – 5:30 pm Monday through Friday; Saturday will be limited to interior work only with no construction on Sundays. **Affirmative finding as conditioned.**
3. *Hours of operation and/or construction to reduce the impacts on surrounding properties.*
See above.
4. *That any future enlargement or alteration of the use return for review to the DRB to permit the specifying of new conditions,*
Any requests for future enlargement will be reviewed under the regulations in effect at the time of application. **Affirmative finding as conditioned.**
and
5. *Such additional reasonable performance standards, conditions and safeguards, as it may deem necessary to implement the purposes of this chapter and the zoning regulations.*
Any additional conditions are at the discretion of the Board.

Article 4: Zoning Maps and Districts

Article 4: Maps & Districts

Section 4.4.2 Neighborhood Mixed Use Districts

(a) Purpose

(1) Neighborhood Activity Center (NAC)

1. *The Neighborhood Activity Centers (NAC) are intended to provide convenient neighborhood and city wide-oriented goods and services and employment opportunities within walking or biking distance of many of the city's residential areas.*

The addition of a veterinary practice within the NAC conforms to the *convenient and neighborhood and city-wide goods and services* intent of the zoning district. The existing hardware building and use will remain unchanged. **Affirmative finding.**

(b) Dimensional Standards & Density

Table 4.4.2 -1 Dimensional Standards and Density

Districts	Max. Intensity (floor area ratio ¹)	Max. Lot Coverage	Minimum Building Setbacks (feet)			Building Height (feet)
			Front ³	Side	Rear	
NAC	2.0 FAR	80% ⁴	0	0 ²	0 ²	Min: 22', 2 stories Max: 35

2. Structures shall be setback a minimum of 15-feet along any zoning district boundary line that abuts a residential zoning district. Lots of record existing as of September 9, 2015 that are split by neighborhood mixed use and residential zones are exempt from this district boundary setback.

3. Structures shall be setback a minimum of 12-feet from the curb on a public street.

4. Exceptions to maximum lot coverage are provided in (d)2.

Building FAR will increase slightly with the addition. The shopping center consists of multiple one story buildings that do not cover the entire lot; the FAR remains below 1.0 and significantly below the 2.0 FAR limit in this zoning district.

Lot coverage, as previously approved, will increase from 78.4% to 79.3% based on the site plan provided by O'Leary-Burke Civil Associates, PLC. This is below the maximum allowable 80% coverage.

The property has two front yards – North Avenue and Leddy Park Road. The required front yard setback is 12 feet from the street frontage curb. While there is no curb on Leddy Park Road, the new addition's closest point is 20' from the paved roadway on Leddy Park Road. Side yard setbacks are not applicable in the NAC zone, the side yards for the subject site are Leddy Park to the west and 1127 North Avenue (Thayer House) to the north of this parcel, where setbacks are not affected by this application.

Overall building height will match the existing building at 19.5 feet high and includes a tower element at the northeasterly corner that is 27.5 feet to the peak; under the maximum permissible 35' height. **Affirmative finding.**

(c) Permitted & Conditional Uses

The existing retail hardware use is permitted in the NAC zone. The veterinary clinic is a Conditional Use in the NAC; See Section 3.5.6, above for Conditional Use Standards.

Affirmative finding.

(d) District Specific Regulations

1. Ground Floor Residential Uses Restricted

The proposed use is office/veterinary medical, not residential. **Affirmative finding.**

2. Exception to Maximum Lot Coverage in NAC District

Lot coverage is within allowable limits; no exception requested. Not applicable.

3. Development Bonuses/Additional Allowances

None requested. Not applicable.

Article 5: Citywide General Regulations

Part 2: Dimensional Requirements

Section 5.2.1 Existing Small Lots

Not applicable.

Section 5.2.2 Required Frontage or Access

This is an existing shopping center with frontage on both Leddy Park Road and North Avenue. There is established access from both public streets. **Affirmative finding.**

Section 5.2.3 Lot Coverage Requirements

See Section 4.4.2 (b), above.

Sec. 5.2.4 Buildable Area Calculation

Not applicable.

Sec. 5.2.5 Setbacks

See Sec. 4.4.2 (b) above.

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.2 (b) above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.4.2 (b) above.

Sec. 5.5.1, Nuisance Regulations

Nothing in this proposal appears to constitute a nuisance. **Affirmative finding.**

Sec. 5.5.2 Outdoor Lighting

New outdoor lighting will be under the canopy. Acceptable LED cutoff fixtures are proposed. **Affirmative finding.**

Sec. 5.5.3 Stormwater and Erosion Control

As more than 400 sf of earth disturbance will result from this proposal, a small project erosion prevention and sediment control plan is required. This plan will require re-review and approval by the Stormwater Administrator. **Affirmative finding as conditioned.**

Article 6: Development Review Standards:

Part 1, Land Division Design Standards

Not applicable.

Part 2, Site Plan Design Standards

Section 6.2.2, Review Standards

(a) Protection of important natural features

The area for the addition presently is mowed lawn, but it is within a shopping center originally developed in 1955 and redeveloped in 2002. As noted, the two bay car wash was not built, the cinema was removed and that portion of the site remains empty. **Affirmative finding.**

(b) Topographical alterations

No significant topographical alterations are proposed. The site is flat and will remain so.

Affirmative finding.

(c) Protection of important public views

There are no important public views on or through the subject property. **Affirmative finding.**

(d) Protection of important cultural resources

The site has no historical significance, nor are there any known archaeological resources.

Affirmative finding.

(e) Supporting the use of alternative energy

Alternative energy measures are not incorporated into the project design. The new construction will need to meet both city and state energy efficiency standards. **Affirmative finding as conditioned.**

(f) Brownfield sites

Not applicable.

(g) Provide for nature's events

The applicant has completed the Water Resources Preliminary Review application to aid in the site evaluation. An Erosion Prevention and Sediment Control Plan will be needed (or revised to reflect updated plans.) Any conditions imposed by Water Resources will be attached to this permit. **Affirmative finding as conditioned.**

(h) Building location and orientation

Addition is oriented the same as the existing building and is a structural continuation of the existing hardware store. The addition is located to the east of the existing building. **Affirmative finding.**

(i) Vehicular access

Vehicular access to the site will remain unchanged. **Affirmative finding.**

(j) Pedestrian access

Pedestrian access into the building will be from the front corner of the new addition facing the parking area. **Affirmative finding.**

(k) Accessibility for the handicapped

The new addition will be handicap accessible. **Affirmative finding.**

(l) Parking and circulation

No changes to parking or circulation are proposed.

The provided site plan illustrates 487 parking spaces.

Zoning amendment 23-7 eliminated minimum parking standards. The new building footprint is not large enough to trigger a Transportation Demand Management Plan. See Article 8, below.

Affirmative finding.

(m) Landscaping and fences

No new landscaping is proposed. The existing building is commercial in nature, as is the proposed addition. There is grass around the east and south edges of the building addition and parking islands in the parking areas. The site remains within lot coverage requirements, i.e. less than 80%. **Affirmative finding.**

(n) Public plazas and open space

Not applicable.

(o) Outdoor lighting

See Sec. 5.5.2.

(p) Integrate infrastructure into the design

The addition is a continuation of an existing structure, with a new use. A condensing unit will be added on the roof but will be screened by a parapet wall. **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 massing, height, and scale of the proposed addition is consistent with the existing structure. The commercial building will appear as a single structure. **Affirmative finding.**

2. Roofs and Rooflines

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.

The proposed addition continues the roof line of the existing. Rooftop condensing units will be hidden by the building parapet. **Affirmative finding.**

3. Building Openings

Building opening is at the east end under the overhang of a taller element at the corner. A significant percentage of the building front (north) and exposed (east) side include storefront glazing typically found in the shopping center. **Affirmative finding.**

(b) Protection of important architectural resources

The existing building is not listed on the state or National Register of Historic Places. The proposed addition matches the building and will have no adverse impact on Burlington's architectural resources. **Affirmative finding.**

(c) Protection of important public views

Not applicable.

(d) Provide an active and inviting street edge

The street edge of the existing building will remain unchanged. **Affirmative finding.**

(e) Quality of materials

A metal roof and stucco siding with a brick base is proposed to be consistent with the existing building and are a continuation of design elements of this commercial building. **Affirmative finding.**

(f) Reduce energy utilization

All new construction shall meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances. **Affirmative finding as conditioned.**

(g) Make advertising features complimentary to the site

Any new signs shall require a separate zoning permit. **Affirmative finding as conditioned.**

(h) Integrate infrastructure into the building design

New mechanical equipment is proposed on the roof behind a parapet. **Affirmative finding.**

(i) Make spaces safe and secure

Emergency vehicle access to the building appears is essentially unchanged. Adherence to applicable building codes will be required. **Affirmative finding as conditioned.**

Article 8: Parking

Section 8.1.8 Minimum Off-Street Parking Requirements

Requirements for a minimum number of off-street parking spaces have been recognized as an impediment to building housing and other desired uses, inhibit the expansion of alternative transportation and transportation demand management, and act as an instrument to overbuild parking and incentivize single occupancy automobile use. Therefore, minimum off-street spaces are eliminated in all parking districts for all uses except for applications seeking to exceed occupancy of a dwelling unit by more than four (4) unrelated adults.

Zoning amendment 22-07 eliminated minimum parking standards. The building footprint is too small to trigger a Transportation Demand Management Plan. **Affirmative finding.**

Table 8.1.9-1 Maximum Off-Street Parking Spaces

Animal Hospitals/Veterinarian Office are limited to 2 parking spaces per thousand sf. of gross floor area. For a 4,320 sf addition, maximum parking would be 9 additional spaces.

No changes to existing parking count is proposed. **Affirmative finding.**

Section 8.1.16 Transportation Demand Management

(b) Applicability

Table 8.1.16-1

Applicable Projects •

• *A non-residential or Mixed Use development with a building footprint of eight thousand (8,000) sq.ft. or more; or the creation of fifteen thousand (15,000) sq.ft. or more of gross floor area.*

With a project area of 4,320 sf, it falls beneath the requirement for a TDM.

Not applicable.

II. Conditions of Approval

1. **Prior to release of the zoning permit**, the applicant shall obtain written (re-) approval of the Erosion Prevention and Sediment Control Plan from the Stormwater Administrator.
2. **Prior to issuance of a certificate of occupancy**, the applicant must obtain written certification from the Stormwater Administrator that, among other things, the project EPSC plan as approved has been complied with and final site stabilization has occurred. This certification shall be filed with the Department of Permitting and Inspections.
3. All new construction shall meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.
4. Any signs require a separate zoning permit.
5. Hours of construction are limited to 7:30 am – 5:30 pm Monday through Friday; Saturday will be limited to interior work only with no construction on Sundays.
6. Any requests for future enlargement of the structure or the use will be reviewed under the regulations in effect at the time of application.
7. **At least 7 days prior to occupancy** the owner shall pay to the City of Burlington (paid at the Department of Permitting and Inspections or the City Clerk’s Office) the impact fee as set forth in the Impact Fee Administrative Regulations established by resolution of the City Council pursuant to the CDO, as shown in the table below:

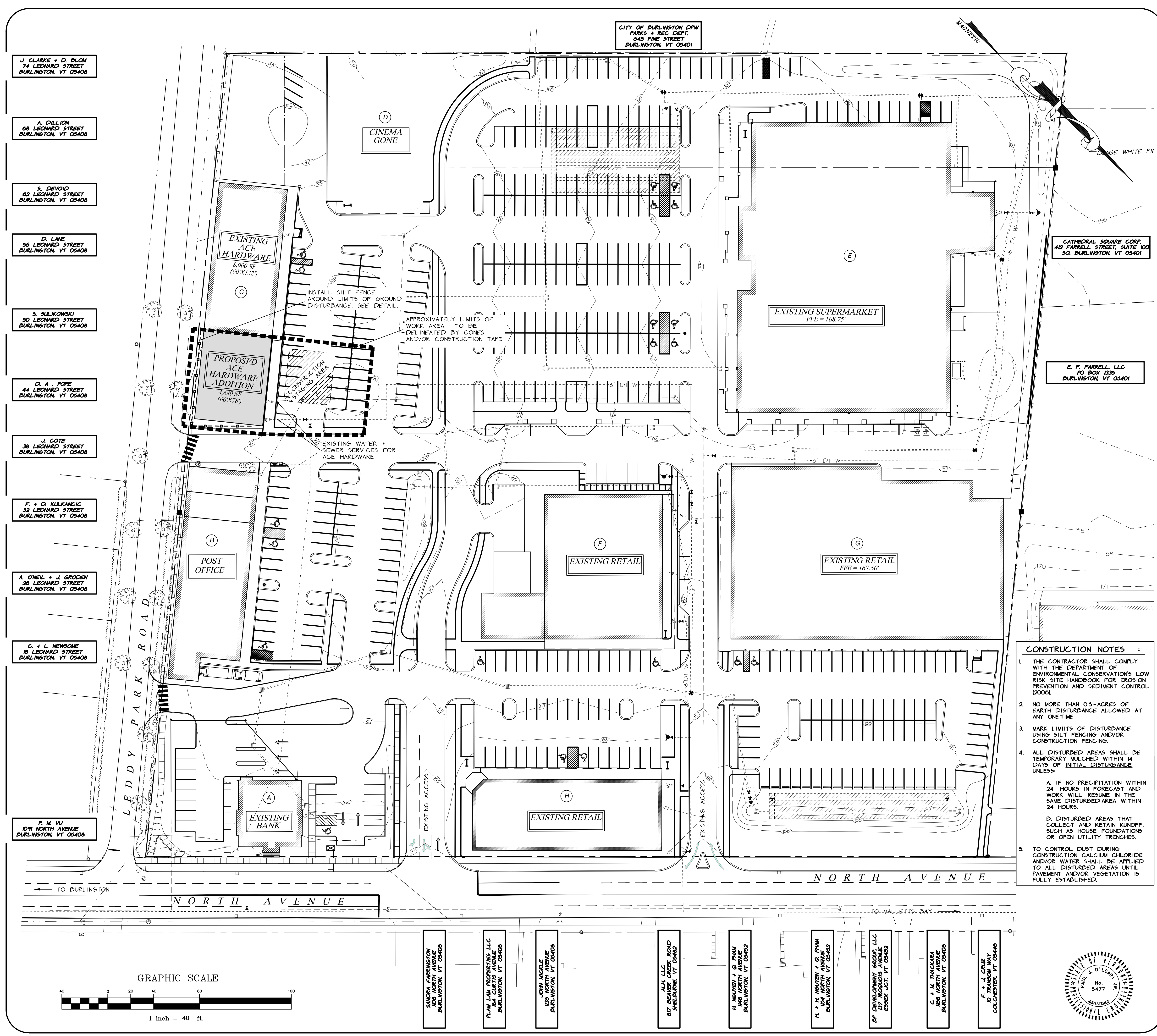
SF of Project 4,320

Department	<u>Offices & Other</u>	
	Rate	Fee

Traffic	0.795	3,433.97
Fire	0.234	1,011.04
Police	0.412	1,781.57
Parks	0.493	2,128.97
Library	0.000	0.00
Schools	0.000	0.00
Total	1.934	\$ 8,355.55

8. Standard Permit Conditions 1-15.

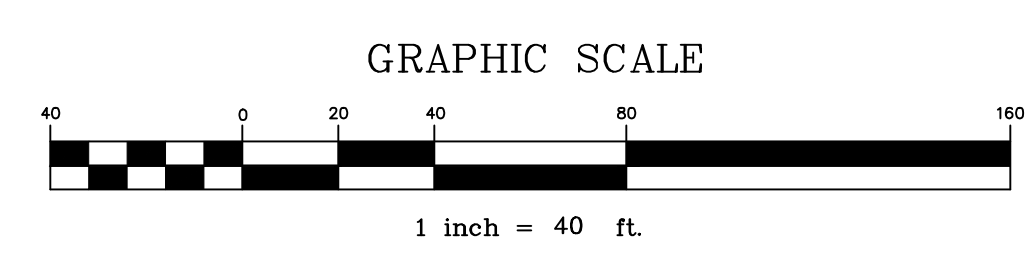
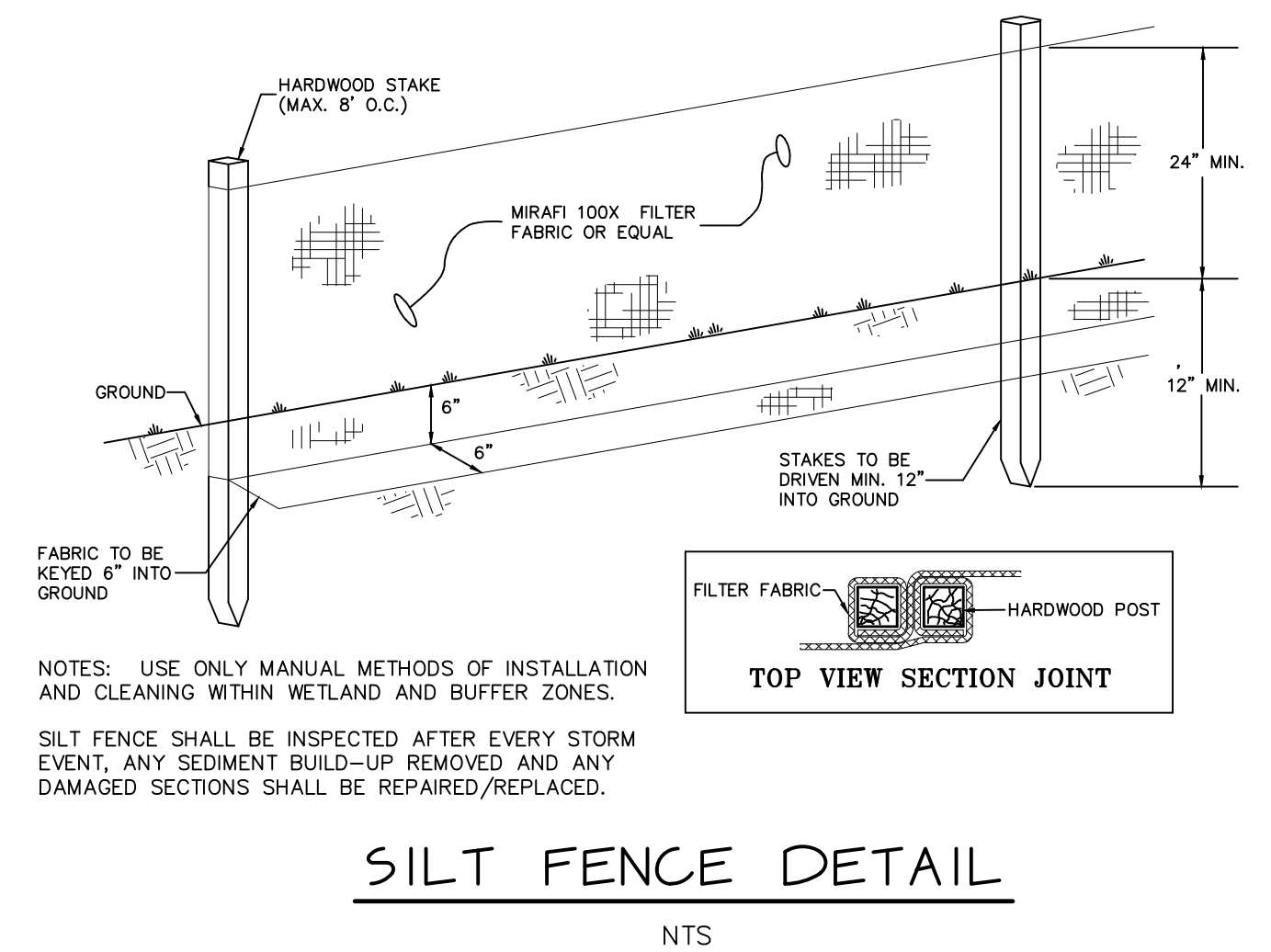
NOTE: These are staff comments only. The Development Review Board, who may approve, table, modify, or deny projects, makes decisions.



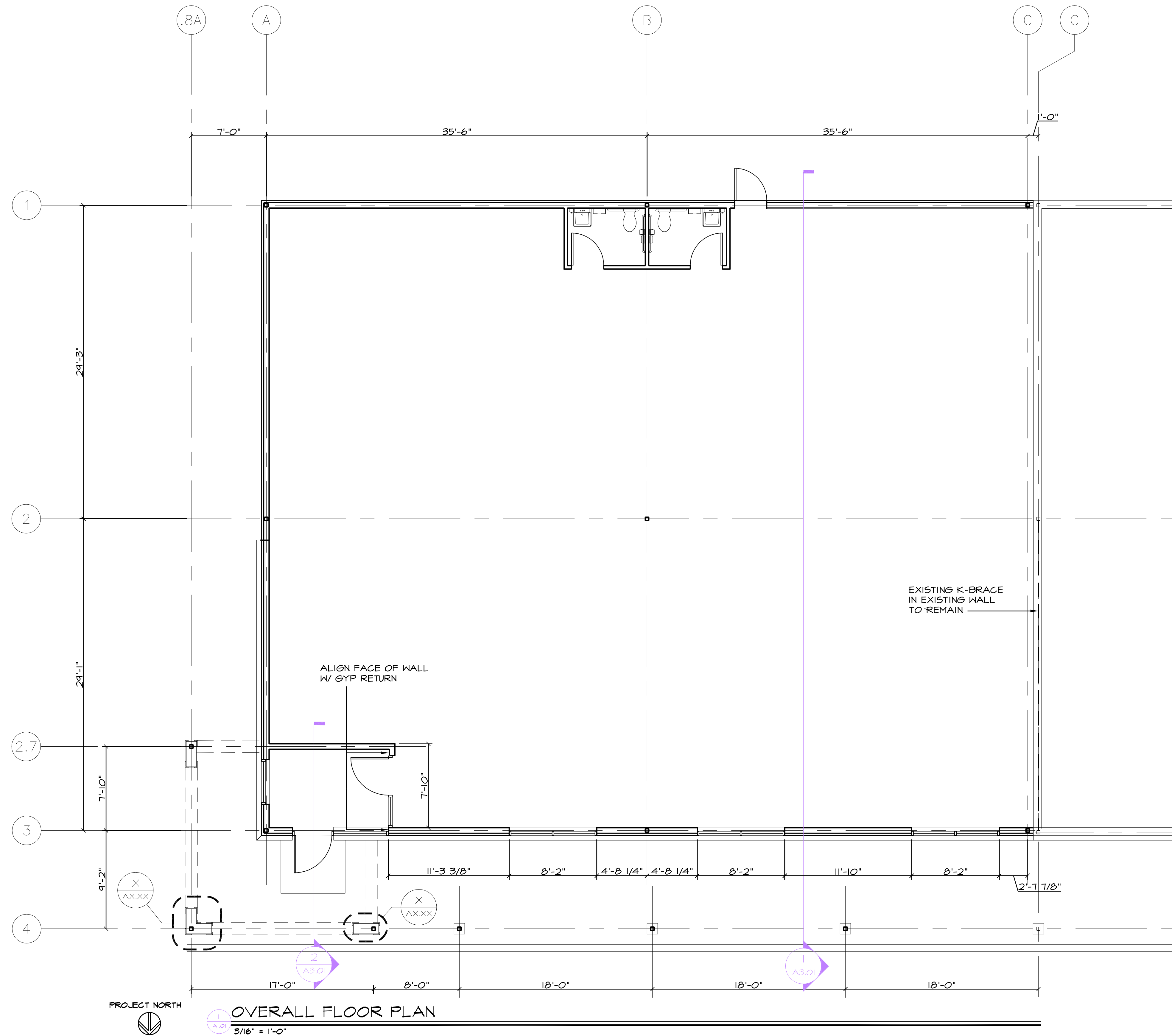
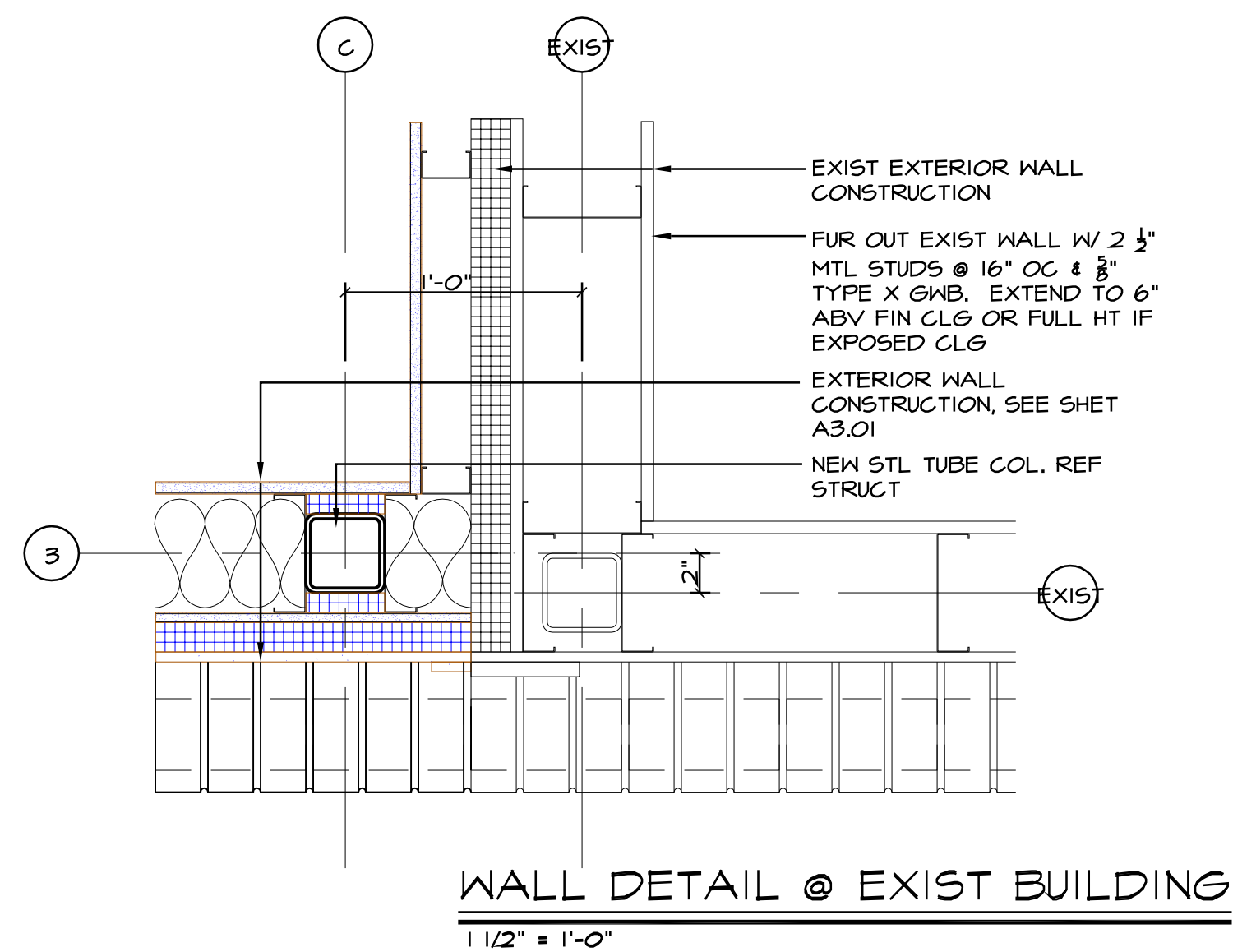
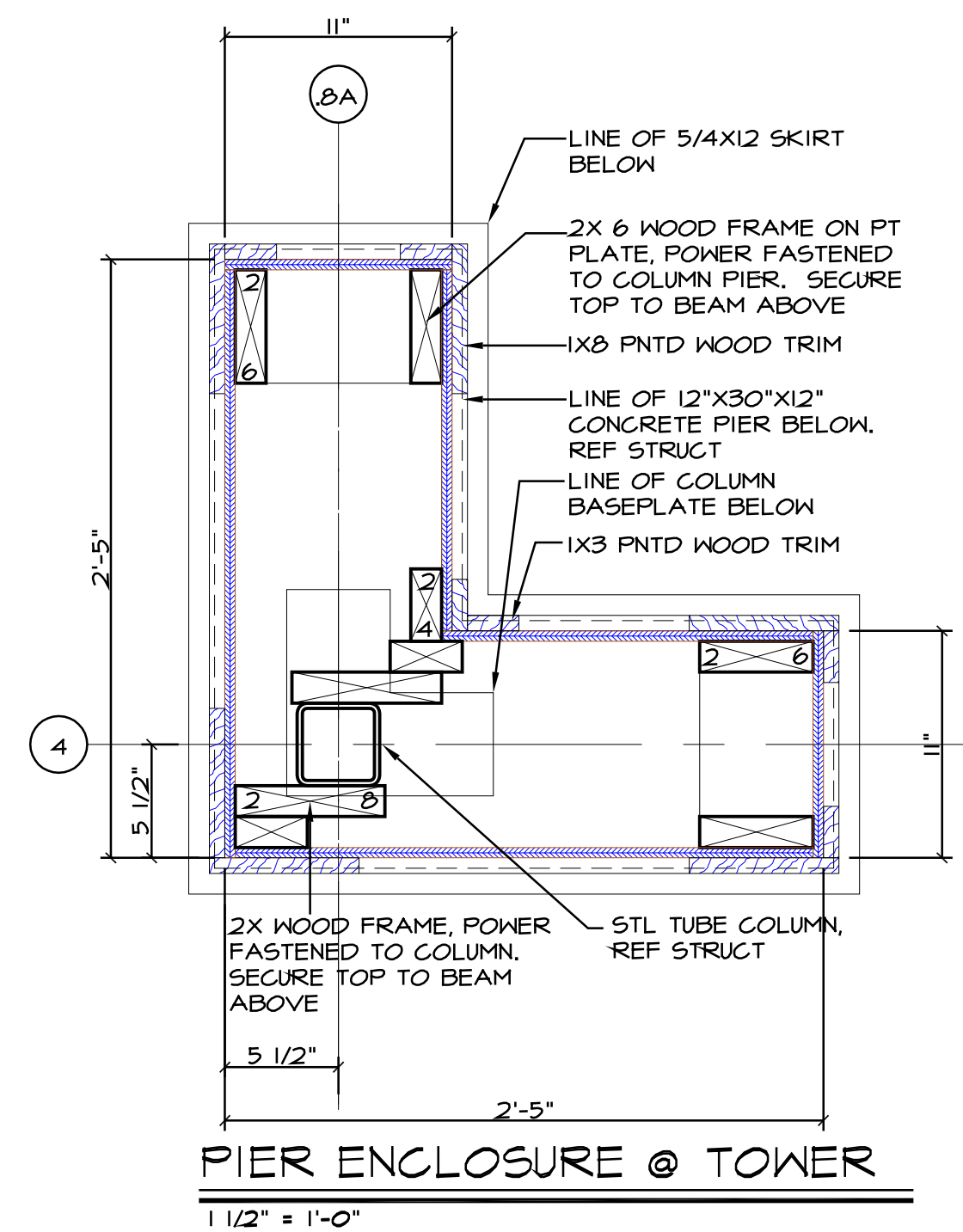
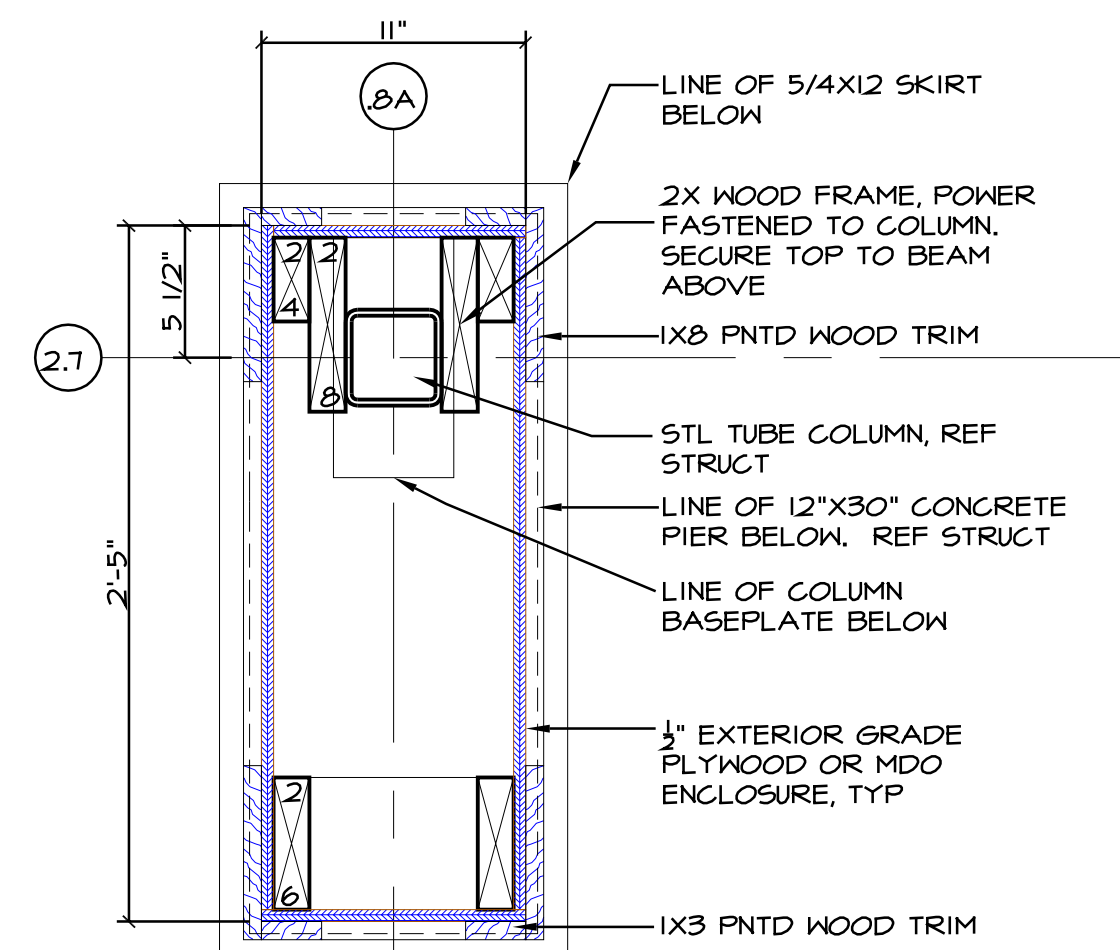
LEGEND	
	PROJECT PROPERTY LINE
	ABUTTING PROPERTY LINE
	CONCRETE MONUMENT FOUND
	IRON PIPE FOUND
	EXISTING GRADE CONTOURS
	FINISH GRADE CONTOURS
	CHAIN LINKED FENCE
	GUARDRAIL
	OVERHEAD WIRE
	EXIST. GAS LINE AND METER
	EXIST. WATER LINE AND VALVE
	EXIST. SEWER LINE AND MANHOLE
	EXIST. STORMDRAIN AND CATCHBASIN
	NEW LIGHT POLE
	UTILITY OR TRAFFIC POLE AND GUY WIRE
	EXISTING TRAFFIC OR DIRECTIONAL SIGN
	ELECTRIC PAD LOCATION
	BIKE RACK
	SPOT GRADE

PROJECT STATISTICS	
BUILDING A	EXISTING 3,325 SF KEY BANK
BUILDING B	EXISTING 10,800 SF COMMERCIAL (POST OFFICE, OFFICE SPACE)
BUILDING C	EXISTING 8,000 SF COMMERCIAL & PROPOSED 4,680 SF ADDITION (RETAIL SPACE)
BUILDING D	FORMER 7,000 SF CINEMA BLDG - GONE
BUILDING E	EXISTING 47,800 SF COMMERCIAL (SUPERMARKET)
BUILDING F	EXISTING 12,950 SF COMMERCIAL (RETAIL, OFFICE, RESTAURANT, LAUNDROMAT, HAIRDRESSER)
BUILDING G	EXISTING 34,000 SF COMMERCIAL (RETAIL, OFFICE, FITNESS, HAIRDRESSER)
BUILDING H	EXISTING 10,200 SF COMMERCIAL (RETAIL, RESTAURANT, OFFICE)
AREA = 512,120 SF	
EXISTING LOT COVERAGE = 401,329 SF (78.4 %)	
PROPOSED LOT COVERAGE = 406,009 SF (79.3 %)	
EXISTING NUMBER OF PARKING SPACES = 487	
PROPOSED NUMBER OF PARKING SPACES = 487	

- CONSTRUCTION NOTES**
- THE CONTRACTOR SHALL COMPLY WITH THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION'S LOW RISK SITE HANDBOOK FOR EROSION PREVENTION AND SEDIMENT CONTROL (2006).
 - NO MORE THAN 0.5-ACRES OF EARTH DISTURBANCE ALLOWED AT ANY ONE TIME.
 - MARK LIMITS OF DISTURBANCE USING SILT FENCING AND/OR CONSTRUCTION FENCING.
 - ALL DISTURBED AREAS SHALL BE TEMPORARILY MULCHED WITHIN 14 DAYS OF INITIAL DISTURBANCE UNLESS:
A. IF NO PRECIPITATION WITHIN 24 HOURS IN FORECAST AND WORK WILL RESUME IN THE SAME DISTURBED AREA WITHIN 24 HOURS.
B. DISTURBED AREAS THAT COLLECT AND RETAIN RUNOFF, SUCH AS HOUSE FOUNDATIONS OR OPEN UTILITY TRENCHES.
 - TO CONTROL DUST DURING CONSTRUCTION CALCIUM CHLORIDE AND/OR WATER SHALL BE APPLIED TO ALL DISTURBED AREAS UNTIL PAVEMENT AND/OR VEGETATION IS FULLY ESTABLISHED.



10-31-23	REVISED COVERAGE CALCULATIONS TO REMOVE CAR WASH-HOLD CINEMA AND ADD HARDWARE ADDITION	KGM
04-23-15	ADDED EROSION CONTROL DETAILS	BLB
01-14-15	ADD EXISTING UTILITY INFORMATION	BLB
DATE	09-02-14	REVISION
SURVEY	OBCA	RECORD DRAWING
DESIGN	HLS	PRELIMINARY
DRAWN	HLS	SKETCH/CONCEPT
CHECKED	PJO	
SCALE	1"=40'	
1 CORPORATE DRIVE, SUITE 1 ESSEX, VT 05430 PHONE: 878-9890 FAX: 878-9889 E-MAIL: obca@o'learyburke.com		
O'LEARY-BURKE CIVIL ASSOCIATES, PLC		
ETHAN ALLEN SHOPPING CENTER PROPOSED ACE HARDWARE ADDITION NORTH AVENUE - BURLINGTON		DATE 06-13-12 JOB# 2011-82 TREE HARDSTORE-REV PLAN SHEET # 1
OVERALL PLAN		



Wiemann
Lamphere

ARCHITECTS

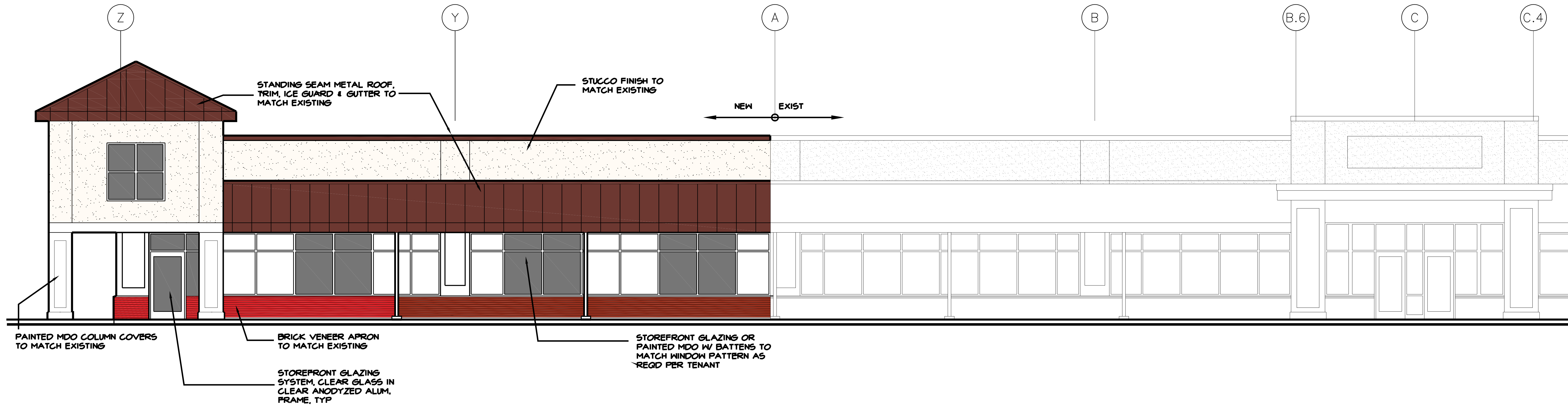
525 Hercules Drive
Suite Two
Colchester, VT 05446
P: 802.655.5020
F: 802.655.6567
wiemannlamphere.com

Addition to Biden's Hardware

Erin Allen Shopping Center City
Burlington, Vermont

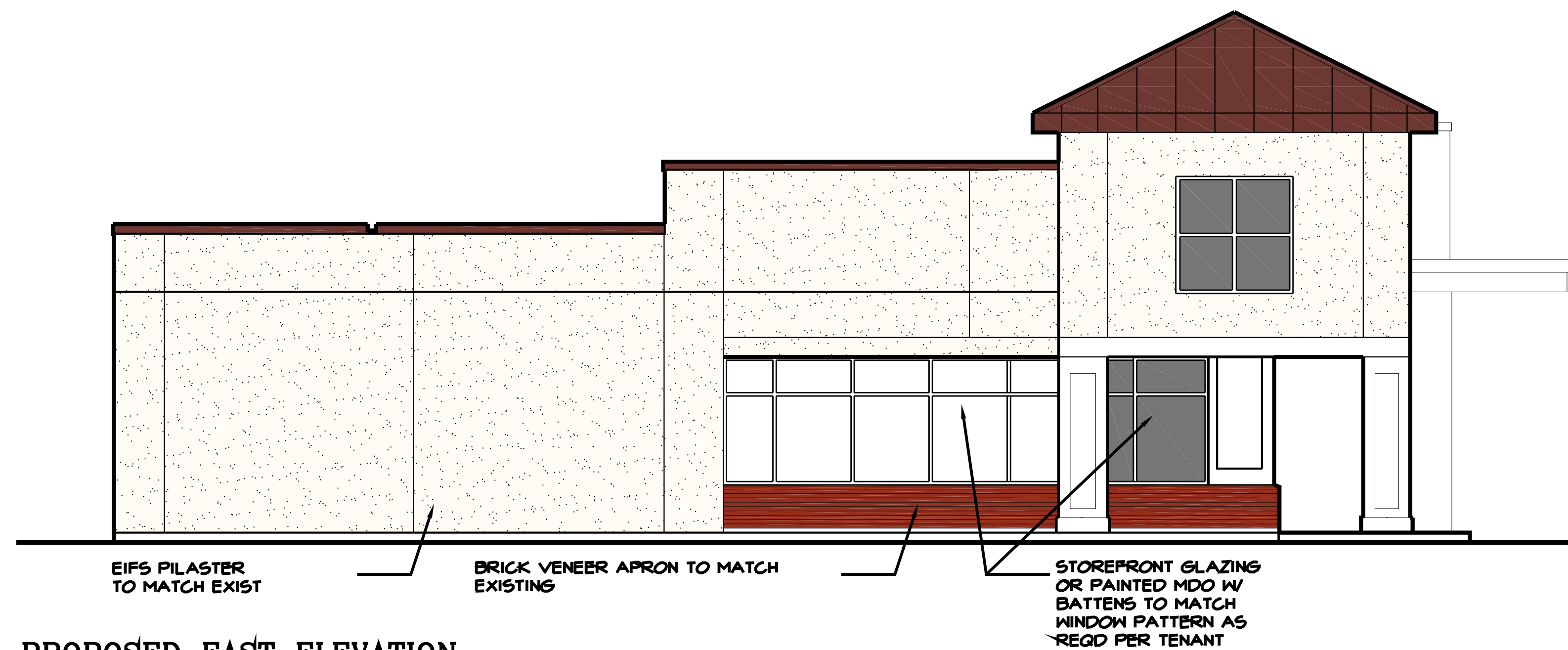
NO.	DATE:	REVISION
SCALE:		
DATE:		
DRAWN BY:	CHECKED BY:	
PROJECT NO.		2014079
SHEET TITLE:		
SHEET No:		

PROGRESS PRINT
NOT FOR
CONSTRUCTION



PROPOSED NORTH ELEVATION

3/16" = 1'-0"



PROPOSED EAST ELEVATION

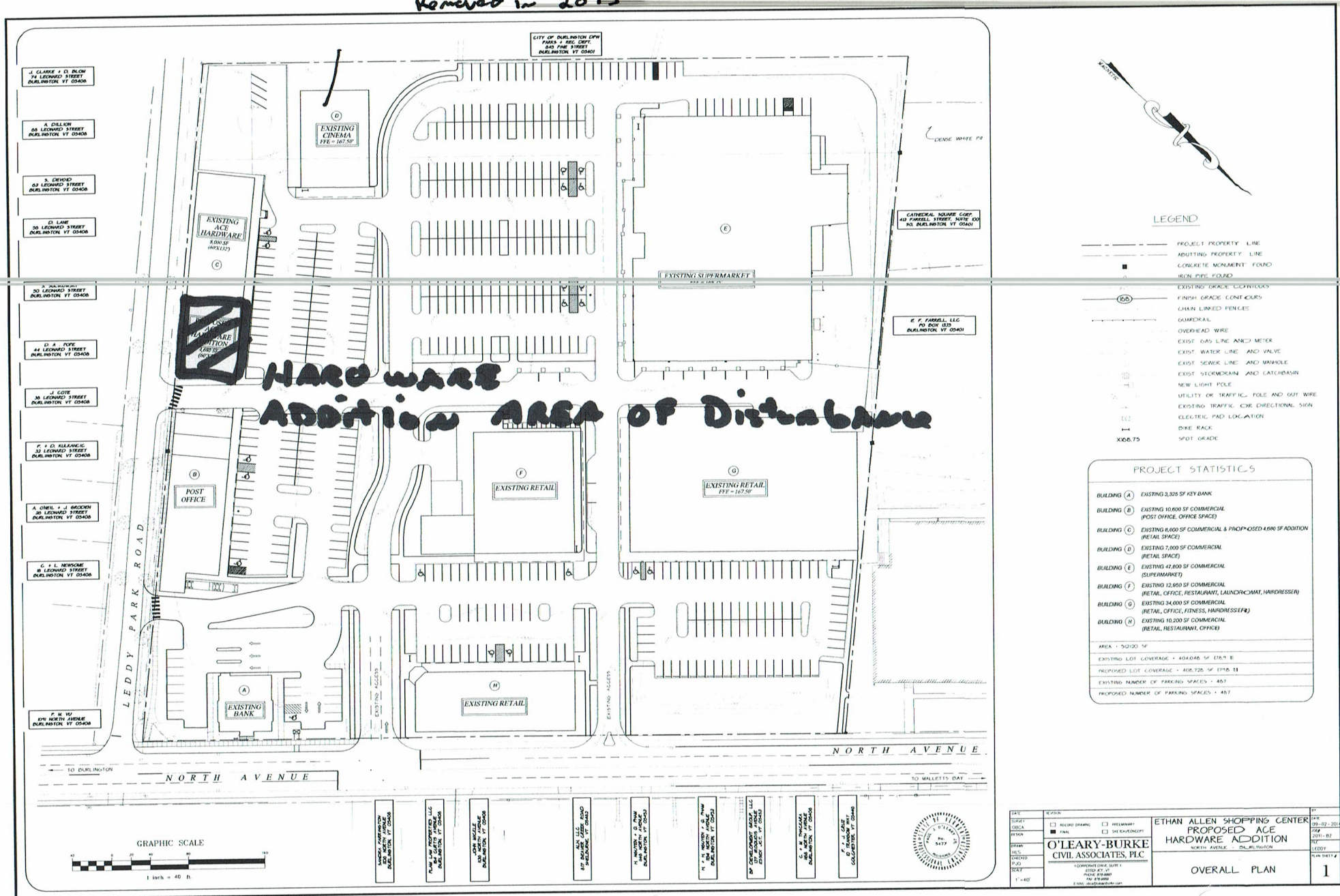
3/16" = 1'-0"

- EXISTING STUCCO FINISH, PAINTED
- EXISTING STANDING SEAM METAL ROOF
- EXISTING PNTD MDO W/ BATTENS TO MATCH WINDOW PATTERN
- EXISTING BRICK VENEER APRON, NEW TO MATCH



EXISTING CONDITIONS

Building Removed in 2015



Department of Permitting and Inspections

Zoning Division

645 Pine Street

Burlington, VT 05401

<https://www.burlingtonvt.gov/DPI/Zoning-Permits>

Telephone: (802) 865-7188

(802) 865-7195 (FAX)

William Ward, Director
Theodore Miles, Code Compliance Officer
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Garret King, Associate Planner
Joseph Cava, Planning Technician
Ted Boylan, Permit Administrator



MEMORANDUM

To: Development Review Board

From: Mary O'Neil, AICP, Principal Planner

Date: November 8, 2023

RE: ZP-23-474, 72-76 Elmwood 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: 23-474

Location: 72-76 Elmwood Avenue

Zone: RM **Ward:** 2C

Parking District: Neighborhood

Date application accepted: October 4, 2023

Applicant/ Owner: Michael Alvanos, JRMA Design Studio / PBGC LLC (Bill Bissonette)

Request: Reapplication for expired permit ZP21-509; Build three unit detached residential structure on the site of the former Free Methodist Church. One existing single family residence remains on site. (Planned Unit Development)



Background:

- **Zoning Permit 21-509;** Build three unit detached residential structure on the site of the former Free Methodist Church. One existing single family residence remains on site. (Planned Unit Development). Approved January 6, 2022. Permit expired.
- **Zoning Permit 20-0702CA;** Demolition of remaining foundation from fire totaled building. February 21, 2020; permit relinquished without action. Foundation remains.
- **Non-Applicability of Zoning Permit Requirements;** rebuilding wheelchair ramp on east side of church (rear entrance); temporary ramp. August 2014.
- **Zoning Permit 85-263;** erect a picket fence, 4' high along the west and south boundaries. Construct storage shed on the east end of the property. June 1985.
- **Zoning Permit 81-596;** demolish a storage shed and rebuild 8' x12' which will replace existing storage shed. July 1981.
- **Zoning Permit 78-730;** Erect a steel storage shed in the rear of the church. May 1978.
- **Zoning Permit 76-419;** Replace front stairs and the sill in the rear of the building, erect a new floor for the porch. October 1975.
- **Zoning Permit n.n.;** erect a 6' x 45' chain link fence on the east and west property lines of 76 Elmwood Avenue and 16 Grant Street. July 1974.

Overview:

Burlington's Free Methodist Church was largely lost to a fire January 15, 2015. The rectory, a detached single family home on the same site, survived. The parcel has is now proposed for redevelopment; retaining the existing home, and added a detached three unit residential building.

At the DAB meeting 11.9.2021, the application review was tabled with a request for the following:

1. Provide screening for the parking area from the street;
2. Introduce barriers to prevent parking creep onto green space;
3. Introduce some design element to prevent rain and snow slide on north and south elevations;
4. Differentiate the first floor with a change of material, color or plane; and
5. Recommendations included in the staff report.

Revised plans were submitted 11.15.2021.

At the subsequent 11.23.2021 review, the DAB voted unanimously to recommend approval.



The DRB approved the application January 6, 2022. Permit conditions required that the project begin within one year of decision; however the deadline passed without commencement of construction. ZP-21-509 has therefore expired.

Recommended motion: Certificate of Appropriateness approval, per the following Findings and Conditions:

I. Findings

Article 3: Applications, Permits and Project Reviews

Part 3: Impact Fees

Section 3.3.2 Applicability

Any new development or additions to existing buildings which result in new dwelling units or in any new nonresidential buildings square footage are subject to impact fees as is any change of use which results in an added impact according to Section 3.3.4.

Section 3.3.8 Time and Place of Payment

(a) New Buildings

Impact fees must be paid at least seven (7) days prior to occupancy of a new building or any portion thereof.

By the Assessor's Property Database, the former Free Methodist Church had a gross area of 2,000 sf, which will be credited towards Impact Fees. The following are Impact Fees as calculated from submitted plans:

Credit for prior gross area of Methodist Church:

SF of Project **2,000**

FY 24: July 1, 2023 - June 30, 2024

Department	<u>Offices & Other</u>	
	Rate	Fee
Traffic	0.795	1,589.80
Fire	0.234	468.07
Police	0.412	824.80
Parks	0.493	985.64
Library	0.000	0.00
Schools	0.000	0.00
Total	1.934	\$ 3,868.31

Proposed new gross area:

Based on three floors, each 28' x 54' (1512 sf per floor)

SF of Project **4,536**

FY 24: July 1, 2023 - June 30, 2024

Department	<u>Residential</u>	
	Rate	Fee
Traffic	0.231	1,047.56
Fire	0.261	1,183.18
Police	0.053	238.51
Parks	0.874	3,965.77
Library	0.541	2,455.22
Schools	1.129	5,120.89
Total	3.089	\$ 14,011.13

Difference **\$ 10,142.82**

Allocation by department:

Enter Total Fee: **\$10,142.82**

Department	<u>Residential</u>	
	Rate	Fee
Traffic	0.224	758.34
Fire	0.253	856.52
Police	0.051	172.66
Parks	0.848	2870.86
Library	0.525	1777.36
Schools	1.095	3707.07
Total	2.996	\$10,142.81

Affirmative finding as conditioned.

Part 4: Site Plan and Design Review

Section 3.4.2 Applicability

(a) Site Plan Review

Site Plan review shall be required for the approval of all development subject to the provisions of this ordinance with the exception of single-family dwellings not otherwise subject to the requirements of Design Review.

(b) Design Review

Design Review shall be required for the approval of all development subject to the provisions of this ordinance within the Design Review Overlay District as defined in Article 4, Section 4.5.1 and any of the following:

6. Any development subject to the provisions of Article 11 – Planned Development
See Articles 6 and 11, below.

Article 4: Zoning Maps and Districts

Section 4.4.5 Residential Districts

(a) Purpose

The Residential Districts are intended to control development in residential districts in order to create a safe, livable, and pedestrian friendly environment. They are also intended to create an inviting streetscape for residents and visitors. Development that places emphasis on architectural details and form is encouraged, where primary buildings and entrances are oriented to the sidewalk, and historic development patterns are reinforced. Parking shall be placed either behind, within, or to the side of structures as is consistent with the district and/or the neighborhood. Building facades designed for parking shall be secondary to the residential aspect of a structure.

3. The Residential Medium Density (RM) district is intended primarily for medium density residential development in the form of single-family detached dwellings and attached multi-family apartments.

The new triplex is consistent with the purpose of the zoning district; with entrances oriented to the street and parking (in the existing condition) to the side of the structure.

Affirmative finding.

(b) Dimensional Standards and Density

Table 4.4.5-2 Base Residential Density

Medium Density (RM)	20 units/acre
72-76 Elmwood Avenue	9718 sf lot size / 43560 = .223 A x 20 = 4 dwelling units permissible.

Affirmative finding.

Table 4.4.5-3 Residential District Dimensional Standards

RM Zoning District	Max Lot Coverage 40%	Setbacks				Height 35' max.
		Front: Ave of 2 adjacent lots on both sides +/- 5' (one may be discarded if an outlier)	Side: 10% of lot width or average of side yard setback of 2 adjacent lots on both sides	Rear: 25% of lot depth; in not event less than 20'	Waterfront: N/A	
72-76 Elmwood Avenue	Existing 71.5%; Proposed 70.10%	8.6'; within 5' of neighboring property at 65 Elmwood Avenue (6')	Average of setback on north side based on 68 Elmwood Avenue, 1.5'. 5' proposed. Steps to first floor entries may encroach.	N/A	N/A	Less than 35'. See plan 4-400.

			No change to southerly setback.			
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Affirmative finding.

(c) Permitted and Conditional Uses

Attached dwellings / multi-family 3 or more is a permitted use in the RM Zoning district.

Affirmative finding.

(d) District Specific Regulations

1. Setbacks

- A. Encroachment for Residential Driveways* Not applicable
- B. Encroachment into the Waterfront Setback* Not applicable

2. Lot Coverage

A. Exceptions for Accessory Residential Features

The site has been non-conforming to lot coverage (>71%). No particular itemization of site features associated with the bonus allowance have been included. The application proposes to reduce the level of non-conformity to lot coverage to 70.10%. **Affirmative finding.**

3. Accessory Residential Structures, Buildings and Uses

There is an existing, permitted shed on the east (rear) of the lot. The application proposes an additional structure in which to store bicycles. Both are incidental and subordinate to the principal structures on the site. **Affirmative finding.**

4. Residential Density

- A. Additional unit to Multi-family* Not applicable
- B. Additions to Existing Residential Structures* Not applicable.
- 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.
Affirmative finding as conditioned.

5. Uses

- A. Exception for existing Neighborhood Commercial Uses*
Not applicable.

6. Residential Development Bonuses

No bonuses are sought. Not applicable.

Article 5: Citywide General Regulations

Section 5.2.1 Existing Small Lots.

72-76 Elmwood Avenue is an existing, developed site. **Affirmative finding.**

Section 5.2.2 Required Frontage or Access

72-76 Elmwood Avenue has an existing access from a public road. **Affirmative finding.**

Section 5.2.3 Lot Coverage Requirements

See Table 4.4.5-3, above.

Section 5.2.4 Buildable Area Calculation & Steep Slopes Overlay

The site does not exceed 2 acres. The parcel does not fall within the Steep Slopes Overlay. Not applicable.

Section 5.2.5 Setbacks

See Table 4.4.5-3, above.

Section 5.2.6 Building Height Limits

See Table 4.4.5-3, above.

Section 5.2.7 Density and Intensity of Development Calculations

See Table 4.4.5-2, above.

Part 3: Non Conformities

The site is currently non-conforming to setback (north and east) and lot coverage. The application will propose construction meeting the required setbacks on the front (west) and north. Lot coverage will diminish from the existing 71.5% to 70.10%. **Affirmative finding.**

Section 5.4.8 Historic Buildings and Sites

Although the former Methodist Church was listed on the Vermont State Register of Historic Resources, its loss due to fire has eliminated any review for historic sensitivity. Not applicable.

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:*

This site remains unchanged since the 2015 fire. The foundation, which was permitted to be removed has remained and that permit relinquished without exercise. Lot coverage is existing/non-conforming at 71.5%. **Affirmative finding.**

(b) Topographical Alterations:

No topographical alterations are noted in the plans. Any retaining wall over 3' in height will require review by the City Engineer. **Affirmative finding as conditioned.**

(c) Protection of Important Public Views:

There are no identified important public views from or through this site. **Affirmative finding.**

(d) Protection of Important Cultural Resources:

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

The 1917 Free Methodist Church was listed on the Vermont State Register of Historic Resources; however since it has been lost, the historic designation no longer applies. The rear structure was not identified in that listing. Not applicable.

(e) Supporting the Use of Renewable Energy Resources:

No part of this application precludes the use of wind, water, solar, geothermal or other renewable energy resource. A solar-ready installation is encouraged but not required. **Affirmative finding.**

(f) Brownfield Sites:

This is not an identified Brownfield site on Vermont's Department of Environmental Conservation website. **Affirmative finding.**

(g) Provide for nature's events:

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

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

All entries are now placed within a modest overhang, assuring a modicum of shelter for residents. An Erosion Prevention and Sediment Control Plan will be required for the site disturbance.

Snow storage areas are identified on Plan C2-01.

Affirmative finding as conditioned.

(h) Building Location and Orientation:

The new building will shoulder-up to Elmwood Avenue; filling the emptiness left by the loss of the Church. In placement it fills the hole in the streetscape and maintains the development

pattern and rhythm of structures along the street. A principal entrance fronting onto Elmwood Avenue has been introduced consistent with these regulations:

Principal buildings shall have their main entrance facing and clearly identifiable from the public street. **Affirmative finding.**

(i) Vehicular Access:

Vehicular access will continue as pre-existing, from Elmwood Avenue. The site plan calls for an expanded curb cut. Any change to the existing access will require a curb cut permit from the Department of Public Works. **Affirmative finding as conditioned.**

(j) Pedestrian Access:

There is a public sidewalk immediately in front of this parcel. The site plan illustrates a walkway to the entrance areas, under the roof overhang. **Affirmative finding.**

(k) Accessibility for the Handicapped:

There is no elevator included in the plan. A single handicap parking space with an access aisle is illustrated. Conformance to ADA standards is under the jurisdiction of the building inspector. **Affirmative finding.**

(l) Parking and Circulation:

The site plan illustrates 10 on site parking spaces, including one handicap parking space. There are no longer any minimum parking requirements since the adoption of ZA 22-07. The redevelopment is not large enough to trigger a Transportation Demand Management Plan (TDM.) See Article 8, below. There is sufficient room for cars to back out and re-enter Elmwood Avenue from the parking area.

In the Neighborhood Parking District, 1 long-term bicycle parking space is required for every two bedrooms. For this three unit building with 12 bedrooms, 6 long term bike parking spaces will be needed. A bicycle shed has been included in this revision. **Affirmative finding as conditioned.**

(m) Landscaping and Fences:

Existing trees and fencing are shown on the site plan. New arborvitae have been illustrated west of the parking area, which will successfully screen it from public view. Other than grass and an existing fence, no other landscaping is proposed. The Design Advisory Board supported the proposed additional plantings.

A small feature wall is designed for the building entrance, with the street address visible.

Section 7.1.3 of the Comprehensive Development Ordinance exempts street identification from the sign regulations, providing the numerals are a minimum of 3” and maximum of 10” in height, and the area of the numerals does not exceed two square feet. Walls in excess of 3’ in height require review by the City engineer. (Section 6.2.2. (b)). **Affirmative finding.**

(n)Public Plazas and Open Space:

A Planned Unit Development requires that there be identified some open space for tenants to enjoy.**(11.1.5 Approval Requirements), (g) Open space or common land shall be assured and maintained in accordance with the conditions as prescribed by the DRB.**

The site plan defines several areas of green space which may be programmed for seating, light recreation, or gardening by the residents; although the placement of the mechanical pad may hinder the larger of these. **Affirmative finding as conditioned.**

(o) Outdoor Lighting:

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

Recessed can lighting is evident under the entrance overhang. Specification sheets and illumination levels have been provided, and are consistent with the residential nature of the project. **Affirmative finding.**

(p) Integrate infrastructure into the design:

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

An HVAC pad is identified behind (east) of the proposed triplex. Reference is made to Plan C202 for utilities. The existing gas service runs along the northerly side of the proposed triplex, connecting to the existing single family home.

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

The applicant has defined the existing shed as the intended location of trash/recycling facilities.

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.

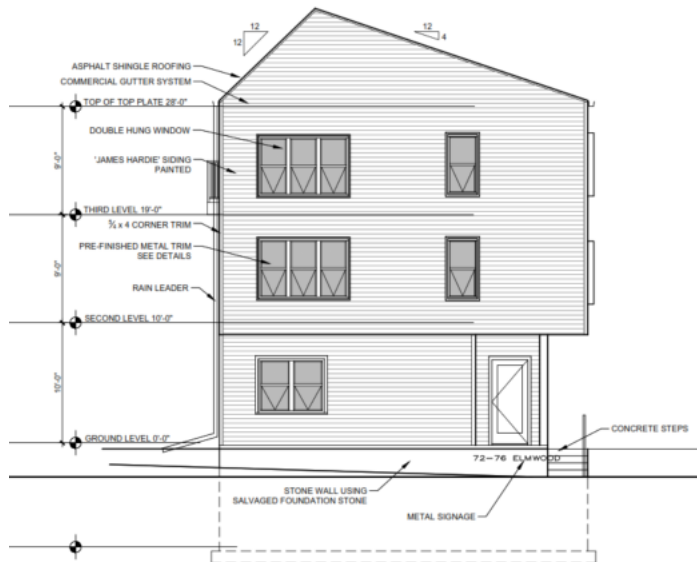
HVAC equipment will be ground mounted on a pad east (behind) the proposed triplex; not visible from the public right-of-way. **Affirmative finding.**

Part 3: Architectural Design Standards
Sec. 6.3.2 Review Standards

(a)Relate development to its environment:

1. Massing, Height and Scale:

72-76 Elmwood Avenue has only one abutting neighbor; 68 Elmwood Avenue. It is a gable-and-eaves front 2 ½ story residential building. Across the street on the corner of Peru Street is a modified Dutch Colonial, and the much grander St. Joseph’s rectory. Although presenting eaves-front to the street, the height and massing of the proposed building is consistent with other structures in the immediate area. **Affirmative finding.**



2. Roofs and Rooflines.

The proposed building has a modified cat-slide roof with dual pitch and minimal eave extrusion. Responding to DAB comments, snow guards and rain gutters will be added on the north and south elevations. In style it reads as a modern infill. **Affirmative finding.**



3. Building Openings

Fenestration is a mix of triple and double ganged windows and single casements. Sliding doors are noted on the north elevation first floor. **Affirmative finding.**

(b) Protection of Important Architectural Resources:

Not applicable.

(c) Protection of Important Public Views:

See Section 6.2.2 (c), above.

(d) Provide an active and inviting street edge:

Upon the recommendation of the DAB, a change in plane and color has been introduced between the first and second floor. Windows are stacked, providing a measure of arrangement. The plan is modernistic with a simplified form and measured detailing. The most prominent design component is the angular and asymmetrical roof line, and “framed” window surrounds. Revisions include a differentiated first floor south and west entry, as requested by the Design Advisory Board. **Affirmative finding.**



(e) Quality of materials:

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

Plans include fiber cement siding, with metal frame surrounds on windows and an asphalt shingle roof. All are considered acceptable for new construction. **Affirmative finding.**

(f) Reduce energy utilization:

All new construction must meet the *Guidelines for Energy Efficient Construction* pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances. **Affirmative finding as conditioned.**

(g) Make advertising features complementary to the site:

Not applicable.

(h) Integrate infrastructure into the building design:

See Section 6.2.2. (p), above.

(i) Make spaces secure and safe:

Development shall observe all applicable building and life safety code as defined by the building inspector and/or fire marshal. Building entrances shall be visible and adequately lit, and intercom systems for multi-family housing should be incorporated where possible to maximize personal safety. **Affirmative finding as conditioned.**

Article 8: Parking

72-76 Elmwood Avenue is within the Neighborhood Parking District. With the adoption of ZA-22-07, there are no longer any minimum parking requirements. The site plan provides for 10 parking spaces; 9 in the existing location, and one handicap parking space.

Affirmative finding.

Section 8.1.9 Maximum On-site Parking Spaces

Table 8.1.9-1

Multi unit attached dwelling units; Neighborhood District: Maximum 3 spaces / unit.

For the total of four residential units, the maximum parking allowance is 12 spaces. 10 are proposed. **Affirmative finding.**

Article 11: Planned Development

Section 11.1.3 General Requirements and Applicability (As adopted by City Council 8.10.2015.)

*Any development involving multiple lots, tracts or parcels of land to be developed as a single entity, or **seeking to place multiple structures and/or uses on a single lot** where not otherwise permitted, may be permitted as a PUD subject to the provisions of this Article.*

A Planned Unit Development may be permitted subject to minimum project size as follows in the following districts:

*Medium Density – no minimum project size. **Affirmative finding.***

Section 11.1.4 Modification of Regulations

With the approval of the DRB after a public hearing, the following modifications the requirements of the underlying zoning may be altered within a planned unit development:

- *Density, frontage, lot coverage and setback requirements may be met as calculated across the entire project rather than on an individual lot-by-lot basis.*
- *Required setbacks may apply only to the periphery of the project rather than on an individual lot-by-lot basis;*
- *More than one principal use and **more than one principal structure may be permitted on a single lot, and***
- ***Buildings may be of varied types including single detached, attached, duplex or apartment construction.***

Any proposed modifications of regulations shall be listed in a statement accompanying the application submission and such modifications shall be subject to the provisions of Section 11.1.5 and Section 11.1.6.

Calculations for lot area, intensity of use and setbacks have been provided. See Tables 4.4.5-2 and 4.4.5-3. Parking has been calculated for all the units on the single lot. More than one principal structure is proposed within the PUD. Buildings are of varied types, including an existing single family home and apartment construction (triplex). **Affirmative finding.**

Section 11.1.5 Approval Requirements

(a) The minimum project size requirements of Section 11.1.3 shall be met;

There is no minimum project size for a PUD within the Medium Density (RM) zoning district.

(b) The minimum setbacks required for the district have been met at the periphery of the project;
See table 4.4.5-3, above.

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

(d) The project shall meet the requirements of Article 10 for subdivision review where applicable;
Not applicable. No subdivision will occur as part of this application.

(e) Density, frontage, and lot coverage requirements of the underlying zoning district have been met as calculated across the entire project;
See Table 4.4.5-3 (above.) **Affirmative finding.**

(f) All other requirements of the underlying zoning district have been met as calculated across the entire project;
See Section 4.4.5, above. **Affirmative finding.**

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

There remain at least two areas of green space that may be utilized for common residential space, i.e. gardens, seating, or other modest recreational use. **Affirmative finding.**

(h) The development plan shall specify reasonable periods within which development of each phase of the planned unit development may be started and shall be completed. Deviation from the required amount of usable open space per dwelling unit may be allowed provided such deviation shall be provided for in other sections of the planned unit development.

The project is not expected to deviate from the standard three year zoning permit period.

Affirmative finding as conditioned.

(i) The intent as defined in Sec. 11.1.1 is met in a way not detrimental to the city's interests; Sec. 11.1.1, Intent

(a) Promote the most appropriate use of land through flexibility of design and development of land;

The project is street infill post catastrophic fire. The redevelopment of this parcel will provide much needed housing in the downtown, while filling a gap in the street wall. **Affirmative finding.**

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

The proposed new structure will be served by existing public utilities and established access to a public way. **Affirmative finding.**

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

The site is adjacent to a large public cemetery, which provides a park-like expanse of green space. **Affirmative finding.**

(d) Provide for a variety of housing types;

The proposed triplex will accompany the existing single family residence on site.

Affirmative finding.

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

There are no physical, topographical or geological conditions that hinder redevelopment on this existing parcel. **Affirmative finding.**

And;

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

As proposed, the building design proposes intensifying the density with construction of a three unit residential building. The building is articulated with differentiated building planes; welcoming building entrances, and articulated window trim. Customary residential appurtenances like gardens, play areas, picnic tables or clotheslines are recommended for inclusion, as typical and welcome amenities for attractive residential complexes, particularly within established neighborhoods. **Affirmative finding.**

- (j) *The proposed development shall be consistent with the Municipal Development Plan From plan BTV, Comprehensive Plan:*
 Section 8.1: *Remove barriers and disincentives to housing production, and encourage infill/redevelopment of underutilized sites.*
 Section 1.3: *Expand stormwater management measures in new and existing development.*

Affirmative finding.

- (k) *Any proposed accessory uses and facilities shall meet the requirements of Section 11.1.6 below.*

Section 11.1.6 Accessory Facilities

- (a) *A planned unit development may contain a building or buildings intended for non-residential uses, such as but not limited to a community center, recreation facility, and child care center and/or business office if the DRB determines that such use or uses are compatible with the intended principle residential use.*

No accessory facilities or communities stores are proposed within the PUD. Not applicable.

II. Conditions of Approval

- Impact fees shall be paid at least seven days prior to occupancy of the new building or any portion thereof. The following fees, based on the submission materials, are due:

Credit for prior gross area of Methodist Church:

SF of Project **2,000**

FY 24: July 1, 2023 - June 30, 2024

Department	<u>Offices & Other</u>	
	Rate	Fee
Traffic	0.795	1,589.80
Fire	0.234	468.07
Police	0.412	824.80
Parks	0.493	985.64
Library	0.000	0.00
Schools	0.000	0.00
Total	1.934	\$ 3,868.31

Proposed new gross area:

Based on three floors, each 28' x 54' (1512 sf per floor)

SF of Project **4,536**

FY 24: July 1, 2023 - June 30, 2024

Department	<u>Residential</u>	
	Rate	Fee
Traffic	0.231	1,047.56
Fire	0.261	1,183.18
Police	0.053	238.51
Parks	0.874	3,965.77
Library	0.541	2,455.22
Schools	1.129	5,120.89
Total	3.089	\$ 14,011.13

Difference **\$ 10,142.82**

Allocation by department:

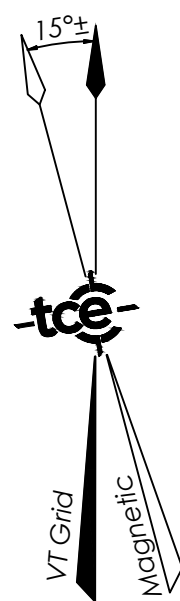
Enter Total Fee: **\$10,142.82**

Department	<u>Residential</u>	
	Rate	Fee
Traffic	0.224	758.34
Fire	0.253	856.52
Police	0.051	172.66
Parks	0.848	2870.86
Library	0.525	1777.36
Schools	1.095	3707.07
Total	2.996	\$10,142.81

2. The occupancy of any dwelling unit is limited to members of a family as defined in Article 13. Not more than four unrelated adults may occupy any unit.
3. Any retaining wall over 3' in height will require review by the City Engineer.
4. **Prior to release of the zoning permit**, an Erosion Prevention and Sediment Control Plan shall be reviewed and approved by the Stormwater program.
5. Any change to the existing access will require a curb cut permit from the Department of Public Works.
6. The Parking area shall have appropriate barriers to prevent vehicular trespass onto greenspace and parking lot creep. Such barriers may be curb stops, landscaping, fencing or similar feature and be anchored to prevent relocation.
7. In the Neighborhood Parking District, 1 long-term bicycle parking space is required for every two bedrooms. For this three unit building with 12 bedrooms, 6 long term bike parking spaces are required. The application proposes a bicycle shed for this purpose.
8. Open space or common land shall be assured and maintained as a condition of approval, per Section 11.1.5 (g).

9. While street number identification does not require a sign permit, numerals are restricted to a minimum of 3" and maximum of 10" in height, and the area of the numerals may not exceed two square feet.
10. Development shall observe all applicable building and life safety code as defined by the building inspector and/or fire marshal. Building entrances shall be visible and adequately lit, and intercom systems for multi-family housing are encouraged where possible to maximize personal safety.
11. All new construction is required to meet the *Guidelines for Energy Efficient Construction* pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.
12. Unless altered by the DRB, hours of construction are limited to M-F 7:00 am to 5:30 pm, with Saturday hours restricted to interior work. No work shall occur on Sundays.
13. A State of Vermont Wastewater Permit is required. It will be the applicant's responsibility to secure said permit.
14. Written approval shall be received from the Stormwater Engineer for the EPSC/Stormwater plans.
15. **Prior to release of the zoning permit**, a letter of adequate sewer/water capacity shall be secured from Burlington Water Division.
16. 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.



PERU STREET

ELMWOOD AVENUE

GRANT STREET

IMPORTANT DEMOLITION NOTE:

THE CONTRACTOR IS REQUIRED TO REMOVE ALL UTILITIES, TREES, BUILDINGS, TANKS, LEACH FIELDS AND OTHER INFRASTRUCTURE IN A RESPONSIBLE MANNER AN IN ACCORDANCE WITH PLANS, SPECIFICATIONS, PERMITS, AND CONSTRUCTION SITE WASTE REDUCTION PLANS AND OTHER APPLICABLE CODES AND REQUIREMENTS. MOST ITEM REQUIRED TO BE REMOVED OR ABANDONED ARE LABELED ON THIS SHEET. THE CONTRACTOR SHALL STUDY THESE DESIGN PLANS AND REMOVE OR ABANDON ALL ITEMS NECESSARY TO COMPLETE THE PROJECT, EVEN IF NOT LABELED ON THIS SHEET. IN SOME CASES, ABANDONED UTILITIES CAN REMAIN AT THE ENGINEER OR OWNER'S DISCRETION.



PROJECT LOCATION



ENGINEERING • SURVEY

PLANNING • ENVIRONMENTAL

478 BLAIR PARK ROAD | WILLISTON, VERMONT 05495
802 879 6331 | WWW.TCEVT.COM

Revisions

No. Description

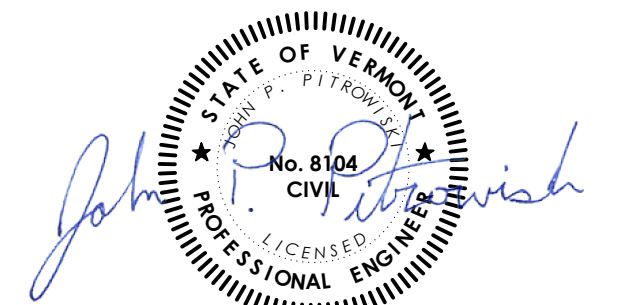
Date By

LEGEND

	EXISTING
PAVED DRIVE OR ROAD	—
GRAVEL DRIVE OR ROAD	- - - - -
PAVED DRIVE OR ROAD WITH CURB	—+—
TOPOGRAPHIC CONTOURS	--- 124 ---
LIDAR CONTOURS	--- 124 ---
SEWER MAINS AND SERVICES	— S —
WATER MAINS AND SERVICES	— W —
STORM DRAINAGE	— D —
LIQUID PROPANE OR NATURAL GAS	— G —
OVERHEAD UTILITY	— OH —
PROPERTY LINE	—+—
ADJOINING PROPERTY LINE	— X —
FENCE	— X —
SIGN	⊕ ⊗ ⊙ ⊖
SEWER, DRAINAGE OR TELEPHONE MANHOLE (SMH/DMH/TMH)	⊕ ⊗ ⊙ ⊖
CATCH BASIN (CB)	⊕ ⊗ ⊙ ⊖
VALVE	⊕ ⊗ ⊙ ⊖
FIRE HYDRANT (HYD)	⊕ ⊗ ⊙ ⊖
UTILITY POLE	⊕ ⊗ ⊙ ⊖
GAS OR ELECTRICAL METER	⊕ ⊗ ⊙ ⊖
BENCHMARK	⊕ ⊗ ⊙ ⊖
MAGNAIL (BOUNDARY MONUMENT)	•
STEEL REBAR	⊕ ⊗ ⊙ ⊖

Use of These Drawings

1. Unless otherwise noted, these Drawings are intended for preliminary planning, coordination with other disciplines or utilities, and/or approval from the regulatory authorities. They are not intended as construction drawings unless noted as such or marked approved by a regulatory authority.
2. By use of these drawings for construction of the Project, the Owner represents that they have reviewed, approved, and accepted the drawings, obtained all necessary permits, and have met with all applicable parties/disciplines, including but not limited to, the Engineer and the Architect, to insure these plans are properly coordinated including, but not limited to, contract documents, specifications, owner/contractor agreements, building and mechanical plans, private and public utilities, and other pertinent permits for construction.
3. Owner and Architect, are responsible for final design and location of buildings shown, including an area measured a minimum five (5) feet around any building and coordinating final utility connections shown on these plans.
4. Prior to using these plans for construction layout, the user shall contact TCE to ensure the plan contains the most current revisions.
5. These Drawings are specific to the Project and are not transferable. As instruments of service, these drawings, and copies thereof, furnished by TCE are its exclusive property. Changes to the drawings may only be made by TCE. If errors or omissions are discovered, they shall be brought to the attention of TCE immediately.
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Project Title

Bissonette
72-76 Elmwood Avenue
Burlington, VT

Sheet Title

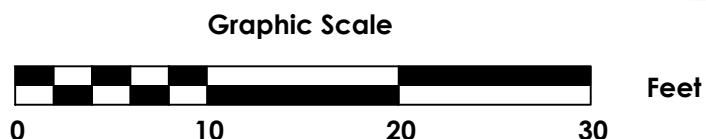
Existing Conditions

Date:	05/20/2022
Scale:	1"=10'
Project Number:	22-100
Drawn By:	DBM
Project Engineer:	JPP
Approved By:	JPP
Field Book:	364

C1-01

EXISTING CONDITIONS NOTES:

1. THE PURPOSE OF THE EXISTING CONDITIONS PLAN IS TO DEPICT READILY APPARENT PERTINENT EXISTING CONDITIONS AS OF 04/19/2022
2. BEARINGS SHOWN ARE BASED UPON VERMONT GRID NORTH USING VTVRS CORRS STATION.
3. VERTICAL DATUM IS BASED ON NAVD88 (GEOID 18). A CARLSON Brx7 RTK GPS UNIT WAS EMPLOYED FOR THESE OBSERVATIONS.
4. COORDINATE SYSTEM IS BASED ON VERMONT STATE PLANE (U.S. SURVEY FEET).
5. THE LOCATION OF EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS SHOWN ARE BASED ON RESEARCH, UTILITY PLANS PROVIDED BY OTHERS, AND/OR SURFACE EVIDENCE ENCOUNTERED AND WERE OBTAINED IN A MANNER CONSISTENT WITH THE ORDINARY STANDARD OF PROFESSIONAL CARE AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR THE DESIGN ENGINEER. ADDITIONAL UTILITIES NOT SHOWN MAY EXIST. ENGINEER SHALL BE NOTIFIED IF ANY DISCREPANCIES ARE ENCOUNTERED. ACTUAL LOCATION OF UNDERGROUND UTILITIES MAY VARY. DIGSAFE MUST BE CONTACTED PRIOR TO ANY EXCAVATION. CALL 1-888-DIG SAFE (344-7233) OR CALL 811.
6. PERIMETER BOUNDARIES SHOWN HEREON WERE BASED ON PHYSICAL EVIDENCE FOUND IN THE FIELD. NO MAP WAS FOUND DURING LAND RECORDS RESEARCH AT THE TIME OF SURVEY. THIS PLAN DOES NOT DEPICT A FORMAL BOUNDARY SURVEY.
7. TOPOGRAPHIC LIDAR DATA WAS OBTAINED FROM PUBLICLY AVAILABLE DATA PROVIDED BY THE STATE OF VERMONT.



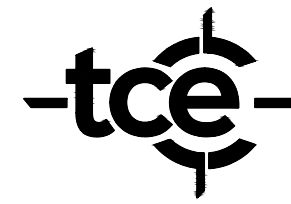
PERU STREET

GRANT STREET

ELMWOOD AVENUE

I HEREBY CERTIFY THAT, IN THE EXERCISE OF MY REASONABLE PROFESSIONAL JUDGMENT, THE DESIGN RELATED INFORMATION SUBMITTED WITH THIS APPLICATION IS TRUE AND CORRECT AND THE DESIGN INCLUDED IN THIS APPLICATION FOR A PERMIT COMPLIES WITH THE VERMONT WASTEWATER SYSTEM AND POTABLE WATER SUPPLY RULES." (REF: ENVIRONMENTAL PROTECTION RULES CHAPTER 1 §1-306 (b)).

LAST REVISED 02/25/2020



ENGINEERING • SURVEY

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478 BLAIR PARK ROAD | WILLISTON, VERMONT 05495
802 879 6331 | WWW.TCEVT.COM

Revisions
No. Description Date By

PROJECT INFORMATION:

- OWNER OF RECORD: PBGC LLC
100 NORTH STREET
BURLINGTON, VERMONT 05401
- TAX PARCEL ID: 044-4-056
- PHYSICAL ADDRESS OF PROPERTY: 72-76 ELMWOOD AVENUE
BURLINGTON, VT 05401
- PARCEL SIZE: 0.22± ACRES
- ZONING DISTRICT: RESIDENTIAL - MEDIUM DENSITY

LEGEND

EXISTING	
PAVED DRIVE OR ROAD	_____
GRAVEL DRIVE OR ROAD	_____
PAVED DRIVE OR ROAD WITH CURB	_____
TOPOGRAPHIC CONTOURS	_____ 124 _____
LIDAR CONTOURS	_____ 124 _____
SEWER MAINS AND SERVICES	_____ S _____
WATER MAINS AND SERVICES	_____ W _____
STORM DRAINAGE	_____ D _____
LIQUID PROPANE OR NATURAL GAS	_____ G _____
OVERHEAD UTILITY	_____ OH _____
PROPERTY LINE	_____
ADJOINING PROPERTY LINE	_____
FENCE	_____ X _____
SIGN	_____
SEWER, DRAINAGE OR TELEPHONE MANHOLE (SMH/DMH/TMH)	_____
CATCH BASIN (CB)	_____
VALVE	_____
FIRE HYDRANT (HYD)	_____
UTILITY POLE	_____
GAS OR ELECTRICAL METER	_____
BENCHMARK	_____
MAGNAIL (BOUNDARY MONUMENT)	_____
STEEL REBAR	_____
PROPOSED	
PAVED DRIVE OR ROAD	_____
PAVED DRIVE OR ROAD WITH CURB	_____
TOPOGRAPHIC CONTOURS	_____ 124 _____
SEWER MAINS AND SERVICES	_____ S _____
WATER MAINS AND SERVICES	_____ W _____
STORM DRAINAGE	_____ D _____
CLEANOUT (CO)	_____
CATCH BASIN (CB)	_____
CURB STOP (CS)	_____

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Project Title

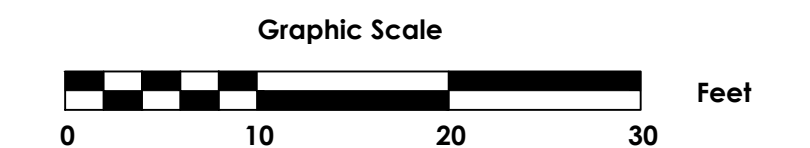
Bissonette
72-76 Elmwood Avenue
Burlington, VT

Sheet Title

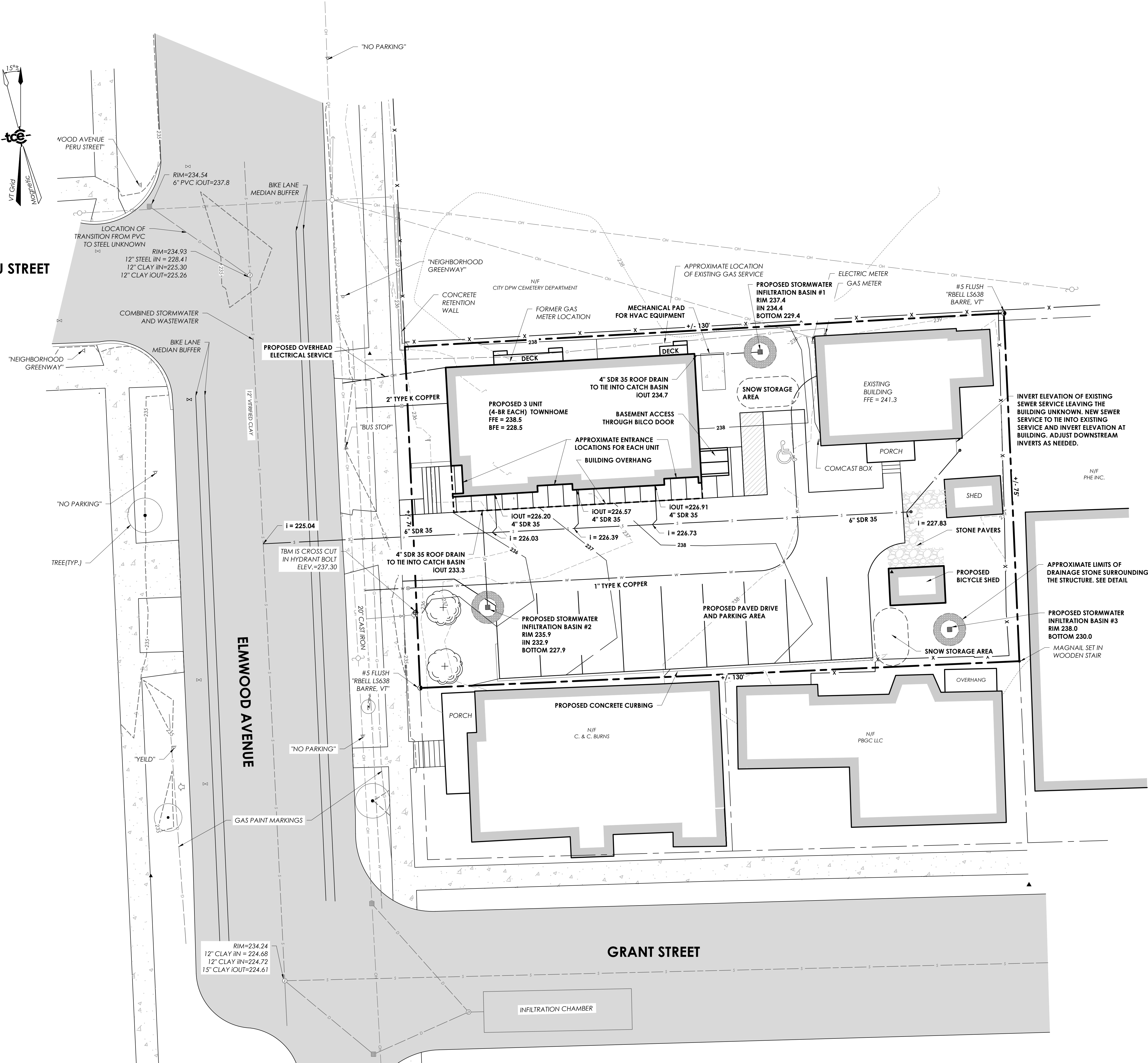
Site & Grading Plan

Date: 05/26/2022
Scale: 1" = 10'
Project Number: 22-100
Drawn By: SCR
Project Engineer: JPP
Approved By: JPP
Field Book: 364

C2-01



PERU STREET



"I HEREBY CERTIFY THAT, IN THE EXERCISE OF MY REASONABLE PROFESSIONAL JUDGMENT, THE DESIGN RELATED INFORMATION SUBMITTED WITH THIS APPLICATION IS TRUE AND CORRECT AND THE DESIGN INCLUDED IN THIS APPLICATION FOR A PERMIT COMPLIES WITH THE VERMONT WASTEWATER SYSTEM AND POTABLE WATER SUPPLY RULES." (REF: ENVIRONMENTAL PROTECTION RULES CHAPTER 1 §1-306 (b)).

LAST REVISED 02/25/2022

LEGEND	
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GRAVEL DRIVE OR ROAD	----
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TOPOGRAPHIC CONTOURS	 124
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ADJOINING PROPERTY LINE	---
FENCE	---
SIGN	---
SEWER, DRAINAGE OR TELEPHONE MANHOLE (SMH/DMH/TMH)	⊙
CATCH BASIN (CB)	⊙
VALVE	⊙
FIRE HYDRANT (HYD)	⊙
UTILITY POLE	⊙
GAS OR ELECTRICAL METER	⊙
BENCHMARK	⊙
MAGNAIL (BOUNDARY MONUMENT)	⊙
STEEL REBAR	⊙
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SEWER MAINS AND SERVICES	---
WATER MAINS AND SERVICES	---
STORM DRAINAGE	---
CLEANOUT (CO)	⊙
CATCH BASIN (CB)	⊙
CURB STOP (CS)	⊙

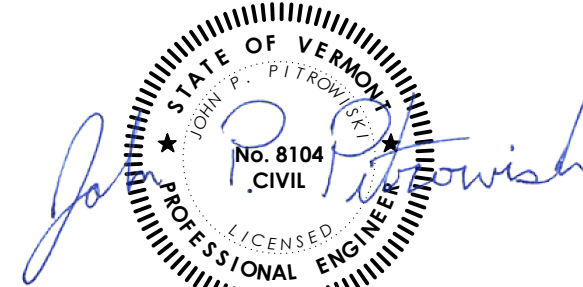


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Revisions	No.	Description	Date	By
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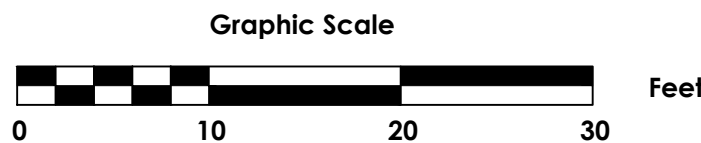
Project Title

Bissonette
72-76 Elmwood Avenue
Burlington, VT

Sheet Title

Utilities Plan

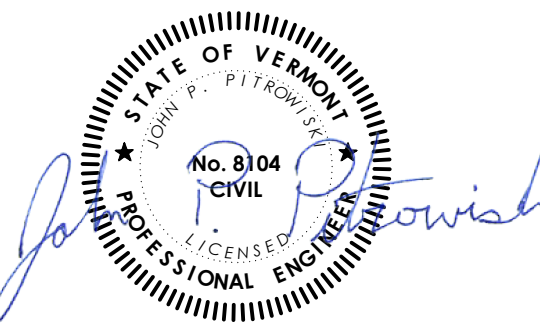
Date:	05/26/2022
Scale:	1" = 10'
Project Number:	22-100
Drawn By:	SCR
Project Engineer:	JPP
Approved By:	JPP
Field Book:	364



C2-02

No.	Description	Date	By
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Project Title

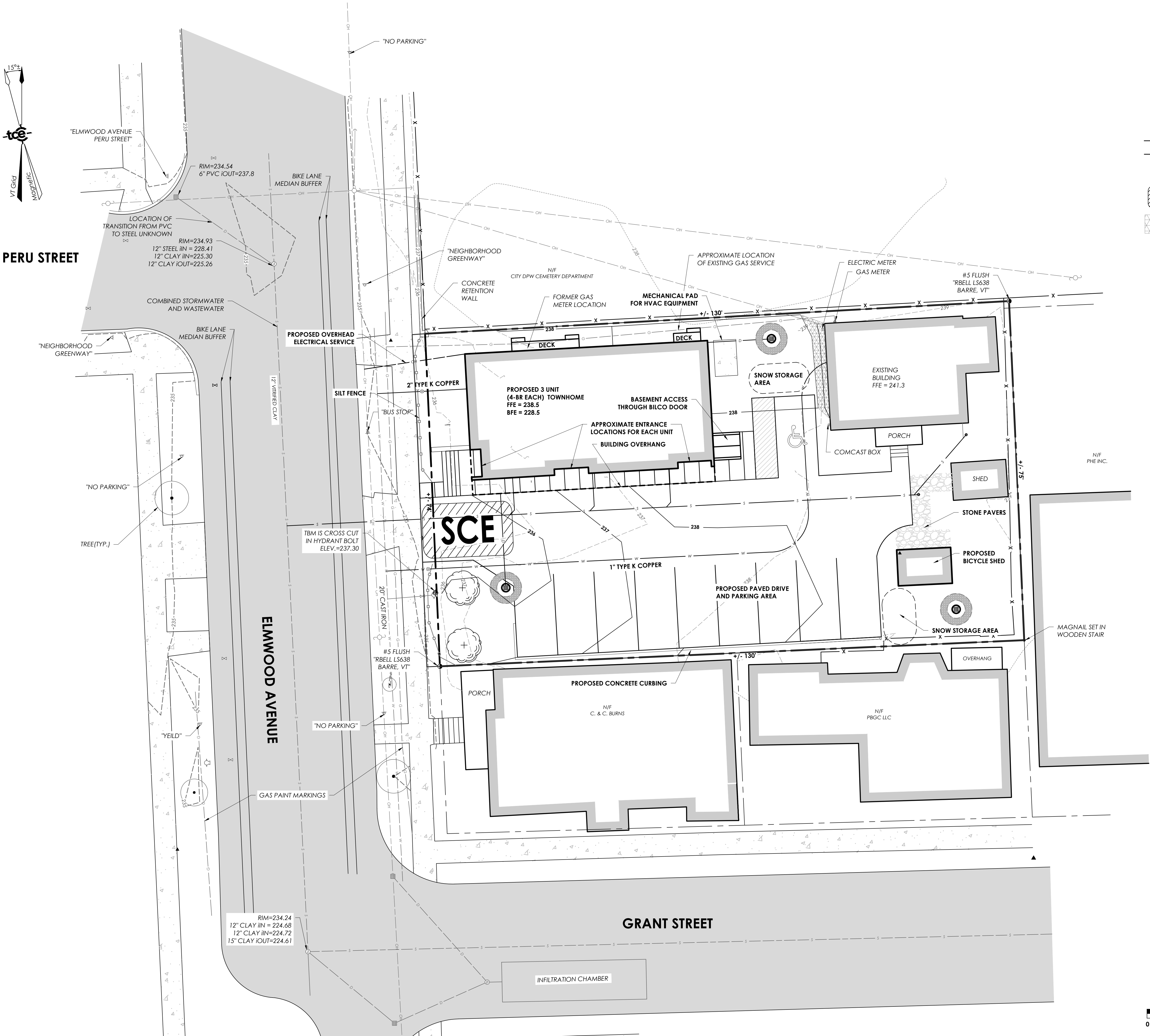
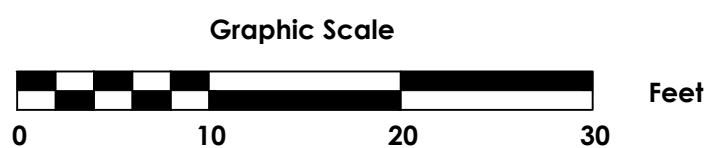
Bissonette
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Burlington, VT

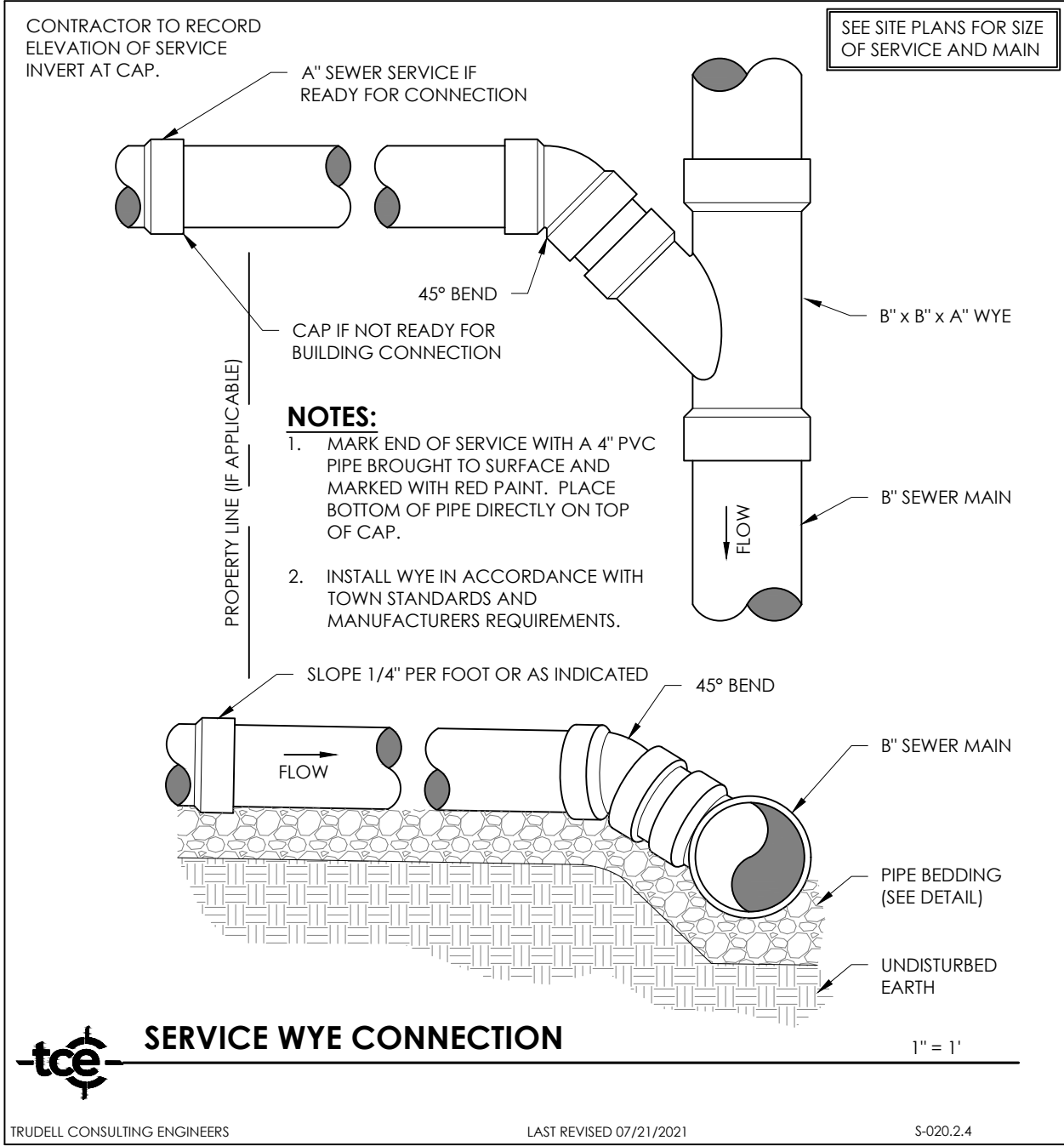
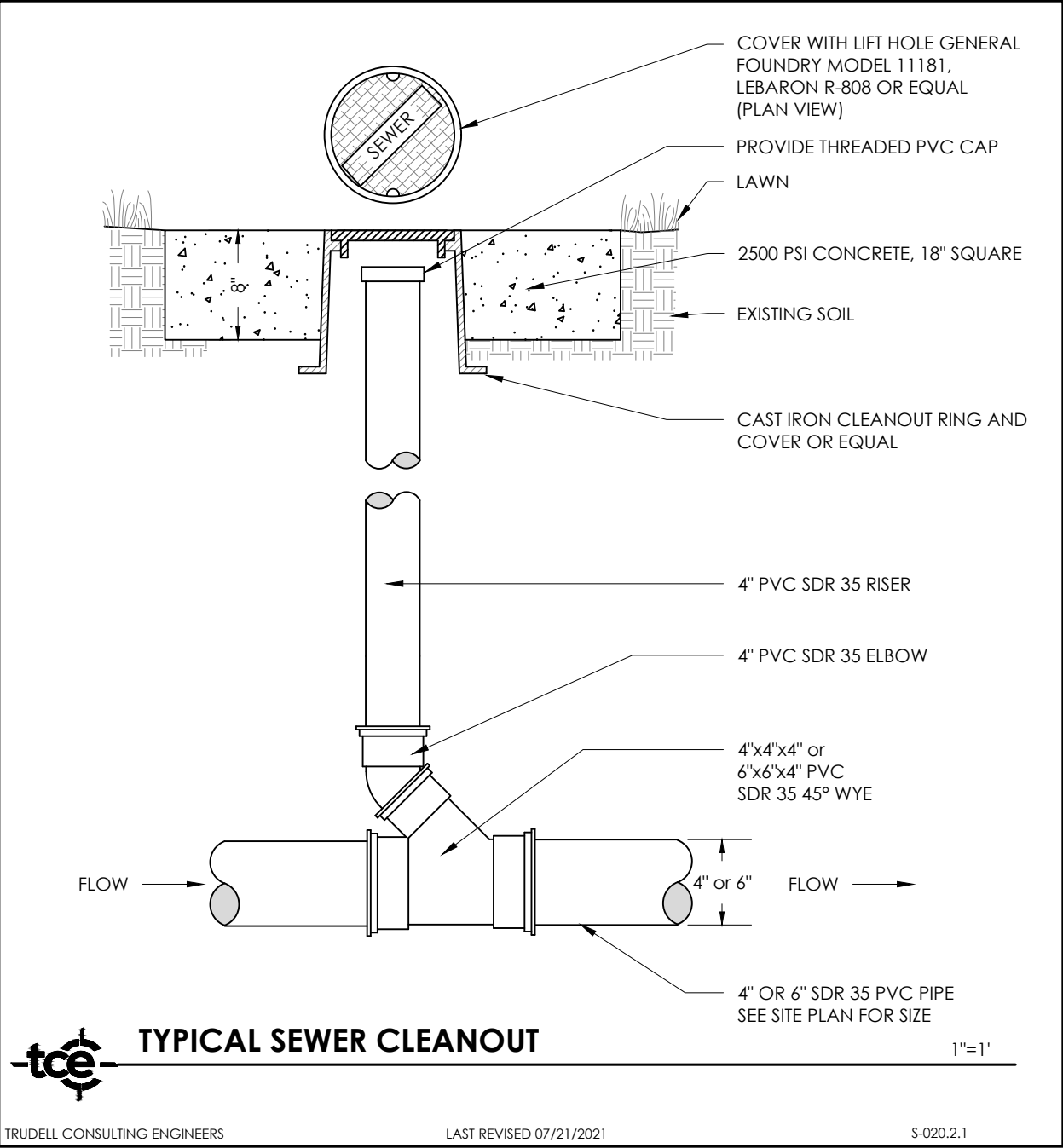
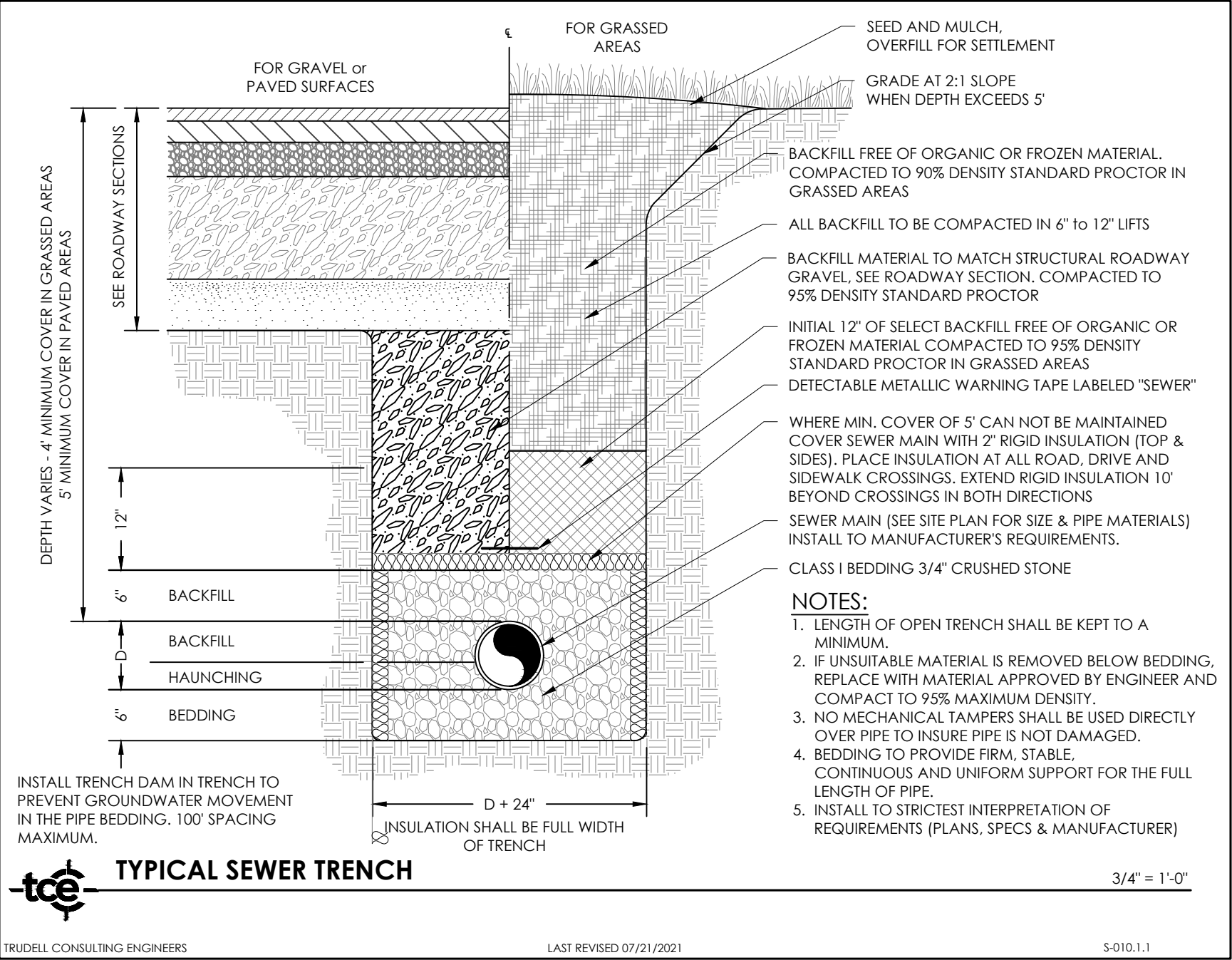
Sheet Title

Erosion Prevention & Sediment Control

Date:	05/26/2022
Scale:	1" = 10'
Project Number:	22-100
Drawn By:	SCR
Project Engineer:	JPP
Approved By:	JPP
Field Book:	364

C2-03





ITEM	HORIZONTAL DISTANCE (FEET) *				SANITARY TANK	SEWER PIPES	
	IN-GROUND DISPOSAL EDGE OF STONE	EDGE OF LEACHFIELD STONE	MOUND/AT-GRADE LIMITS OF FILL MATERIAL	EFFECTIVE BASAL AREA			
DRILLED WELL	8	8	8	8	50	50	*THESE DISTANCES MAY BE REDUCED WHEN EVIDENT THAT THE DISTANCE IS UNNECESSARY TO PROTECT AN ITEM, OR INCREASED IF NECESSARY TO PROVIDE ADEQUATE PROTECTION.
GRAVEL PACK WELL, SHALLOW WELL OR SPRING	8	8	8	75	75	75	
SURFACE WATER: LAKES, PONDS, IMPOUNDMENTS	50 ¹	50 ¹	50 ¹	50 ¹	25	10	
RIVERS AND STREAMS	50	50	50	25	25	10	
STORMWATER PRACTICES I.E. SWALES, BASINS, ETC.	50	50	50	50	25	10	
MAIN OR MUNICIPAL WATER LINES	50	50	10/25 ²	50	50	D	
ATMOSPHERIC WATER STORAGE TANKS	50	50	25	50	50	50	
SERVICE WATER LINES	25	25	10/25 ²	25	25	D	
ROADWAYS, DRIVEWAYS, PARKING LOTS	10	10	10/25 ²	10	5	C	
TOP OF EMBANKMENT OR SLOPE GREATER THAN 30% PROPERTY LINE (e)	25 ²	25	10/25 ²	25	10	--	
TREES	10	10	10	10	10	10	*INDIRECT DISCHARGE REQUIREMENTS SUPERSEDE THIS IF DIFFERENT. *WATER SUPPLY RULES SUPERSEDE THIS IF DIFFERENT.
OTHER DISPOSAL FIELD OR REPLACEMENT SYSTEM	10 ³	10 ³	10 ³	--	10	10	
FOUNDATION DRAINS, DRAINAGE SWALES, CURTAIN DRAINS			REFER TO EPR TABLE 9-5				
PUBLIC WATER SUPPLY (e)	E	E	E	E	E	50	
SUCTION WATER LINE	100	100	25 ⁴	50	50	D	
NON-POTABLE WATER SOURCES	100	100	10/25 ²	100	50	10	

SPECIFIC CRITERIA FOR ISOLATION DISTANCES

1. THE ISOLATION DISTANCE MUST BE SATISFIED ON A YEAR-ROUND BASIS, THEREFORE THE EDGE OF THE SURFACE WATER IS THE ANNUAL HIGH WATER LEVEL.
2. FOR MOUND/AT-GRADE WASTEWATER DISPOSAL SYSTEMS, THE LIMIT OF FILL MUST BE 25 FEET FROM ANY DOWNHILL PROPERTY LINE AND 10 FEET FROM ALL PROPERTY LINES ON THE SIDE OR UPHILL.
3. NO DISPOSAL FIELD OR REPLACEMENT AREA SHALL BE CLOSER THAN 10 FEET TO ONE ANOTHER EXCEPT AS ALLOWED FOR TRENCH SYSTEMS IN SECTION 1-907(M).
4. FOR MOUND DISPOSAL SYSTEMS THE DISTANCE MAY BE REDUCED TO 10' AS MEASURED FROM THE LIMITS OF FILL SLOPE AND ON THE SIDES OF THE SUCTION WATER PIPE.

A. ISOLATION DISTANCES APPLY REGARDLESS OF PROPERTY LINE LOCATION AND OWNERSHIP.
B. SEPARATION BETWEEN POTABLE WATER SUPPLIES AND LEACHFIELDS SHALL BE DETERMINED BY THE METHODS IN EPR TABLE 9-6 PAGE 110.
C. SEWERS UNDER ROADS, DRIVEWAYS, OR PARKING LOTS MAY REQUIRE PROTECTIVE CONDUITS OR SLEEVES.
D. DISTANCES AND REQUIREMENTS ESTABLISHED IN EPR 1-1007 PAGE 163 (SEPARATION BETWEEN SANITARY AND POTABLE PIPES) APPLY.
E. SEPARATION BETWEEN PUBLIC WATER SUPPLIES AND LEACHFIELDS SHALL BE DETERMINED BY THE METHODS IN EPR TABLE 9-6 PAGE 110.

IMPORTANT NOTE
CHECK WITH STATE OR ENGINEER TO VERIFY SETBACK DISTANCES. SETBACK DISTANCES CAN VARY FROM WHAT IS SHOWN HEREON BASED ON THE SIZE AND SCOPE OF THE PROJECT OR NEWLY PUBLISHED RULES FROM OTHER STATE AGENCIES.

ALL TESTING SHALL BE PERFORMED IN THE PRESENCE OF THE TOWN ENGINEER OR PUBLIC WORKS DEPARTMENT AND TRUDELL CONSULTING ENGINEERS (TCE). CONTRACTOR SHALL PRE-TEST SUCCESSFULLY PRIOR TO CONTACTING ENGINEER. THE PRE-TEST IS TO ENSURE PASSING RESULTS PRIOR TO OFFICIAL TESTING OBSERVATION.			
AIR TESTING SEWERS			
TESTING SHALL BE DONE IN ACCORDANCE WITH EPR CH. 11-1003(0)(2) PAGE 156.			
A. TEST THE GRAVITY SEWER BY A PRESSURIZED AIR TEST BETWEEN CONSECUTIVE MANHOLES. PLUG ALL OPENINGS OF THE TEST SECTION AND CONNECT THE AIR CONTROL EQUIPMENT TO THE TAPPED END.			
B. SUPPLY AIR SLOWLY TO THE PIPE UNTIL REACHING A CONSTANT PRESSURE OF 4.0 PSI GREATER THAN THE AVERAGE PRESSURE OF ANY SURROUNDING GROUNDWATER. PRESSURE WILL NORMALLY DROP AS TEMPERATURE STABILIZES. SUPPLY THE AIR SO THAT THE PRESSURE REMAINS ABOVE 3.0 PSI FOR AT LEAST 5 MINUTES DURING TEMPERATURE STABILIZATION. USE A PRESSURE GAUGE HAVING A RANGE FROM 0 TO 5 PSI. THE GAUGE SHOULD HAVE MINIMUM DIVISIONS OF 0.1 PSI AND AN ACCURACY OF +/- 0.04 PSI. REGULATE THE AIR PRESSURE TO PREVENT IT FROM EXCEEDING 5.0 PSI.			
C. AFTER STABILIZATION, ADJUST PRESSURE TO 3.5 PSI OR ABOVE AND SHUT OFF AIR SUPPLY. START THE STOP WATCH. THE TIME REQUIRED FOR THE TEST IS DEPENDENT ON PIPE DIAMETER PER TOTAL LENGTH OF PIPE BEING TESTED AND MUST BE AT LEAST:			
NOMINAL PIPE DIA. IN INCHES	T (TIME) MIN/100 FT.	NOMINAL PIPE DIA. IN INCHES	T (TIME) MIN/100 FT.
3	0.2	21	3.0
4	0.3	24	3.6
6	0.7	37	4.9
8	1.2	50	6.8
10	1.8	63	8.1
12	2.4	75	9.0
15	3.0	94	11.2
18	3.6	108	13.5
D. IF THE SECTION OF LINE TO BE TESTED INCLUDES MORE THAN ONE PIPE SIZE, CALCULATE THE TEST TIME FOR EACH SIZE AND ADD THE TEST TIMES TO EQUAL THE TOTAL SECTION TEST TIME.			
E. IF THERE IS GROUND WATER ABOVE THE SEWER LINE THE AIR TEST PRESSURE WILL BE INCREASED BY 0.5 PSI FOR EACH FOOT OF WATER ABOVE THE INVERT OF THE PIPE. DIFFERENCES DUE TO AIR TEMPERATURE AND BAROMETRIC PRESSURE WILL BE CONSIDERED NEGLIGIBLE.			
F. IF THE PRESSURE DROPS MORE THAN 1 PSI DURING THE TEST TIME, THE PIPE WILL HAVE FAILED AND ADEQUATE REPAIRS AND RETESTING WILL BE REQUIRED AT NO EXPENSE TO OWNER.			
G. IT IS NOT NECESSARY TO HOLD THE TEST FOR THE WHOLE PERIOD WHEN IT IS CLEARLY EVIDENT THAT THE RATE OF AIR LOSS IS LESS THAN THE ALLOWABLE.			
DEFLECTION TESTING SEWERS			
A. AFTER A FLEXIBLE PIPE SEWER, SUCH AS PVC, HAS BEEN BACKFILLED FOR 30 DAYS, A PIPE DEFLECTION TEST SHALL BE PERFORMED.			
B. THE TEST SHALL BE CONDUCTED USING A RIGID BALL OR MANDREL HAVING A DIAMETER EQUAL TO 92.5% OF THE PIPE DIAMETER. THIS DEVICE WILL BE PULLED THROUGH THE SEWER BY A ROPE WITHOUT THE MEANS OF MECHANICAL EQUIPMENT. THE MAXIMUM ALLOWABLE VERTICAL DEFLECTION SHALL BE 7.5%.			
C. IF THE BALL OR MANDREL CANNOT BE SUCCESSFULLY PULLED THROUGH THE SEWER PIPE, THOSE SECTIONS OF PIPE NOT MEETING THE DEFLECTION REQUIREMENTS SHALL BE EXCAVATED AND THE EMBEDMENT AND BACKFILL REPLACED. IF, IN THE OPINION OF THE ENGINEER, THE PIPE HAS BEEN DAMAGED, IT SHALL BE REMOVED AND REPLACED.			
TESTING GRAVITY SEWERS			

CONTRACTOR'S CERTIFICATION REQUIRED

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

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

THE CONTRACTOR CERTIFICATION INCLUDES SUPPLIERS AND SUB-CONTRACTORS

CONTRACTOR NAME: _____

AUTHORIZED AGENTS NAME: _____

SIGNATURE: _____ DATE: _____

NOTE ANY DEVIATIONS FROM APPROVED PLANS HERE: _____

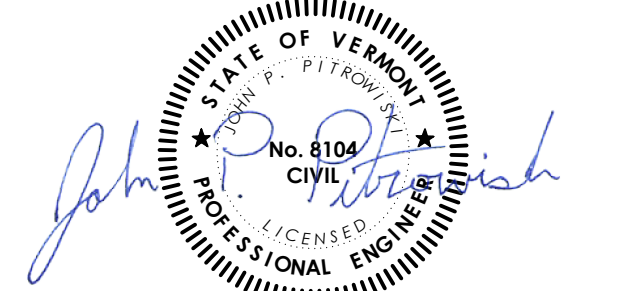
NOTE: THE CERTIFICATION AND THE PROJECT ENGINEER'S SUBSEQUENT CERTIFICATION DOES NOT VOID THE CONTRACTOR FROM REPAIR OR REPLACEMENT OF DISCREPANCIES DISCOVERED AT A LATER DATE. THE CONTRACTOR REMAINS RESPONSIBLE, INCLUDING CUSTOMARY GUARANTEE AND WARRANTY PERIODS.

CONTRACTOR'S CERTIFICATION FOR WASTEWATER SYSTEM

Revisions	No.	Description	Date	By
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Project Title _____

Bissonette
72-76 Elmwood Avenue
Burlington, VT

Sheet Title _____

Sewer Details & Notes

Date: _____ 05/26/2022

Scale: _____

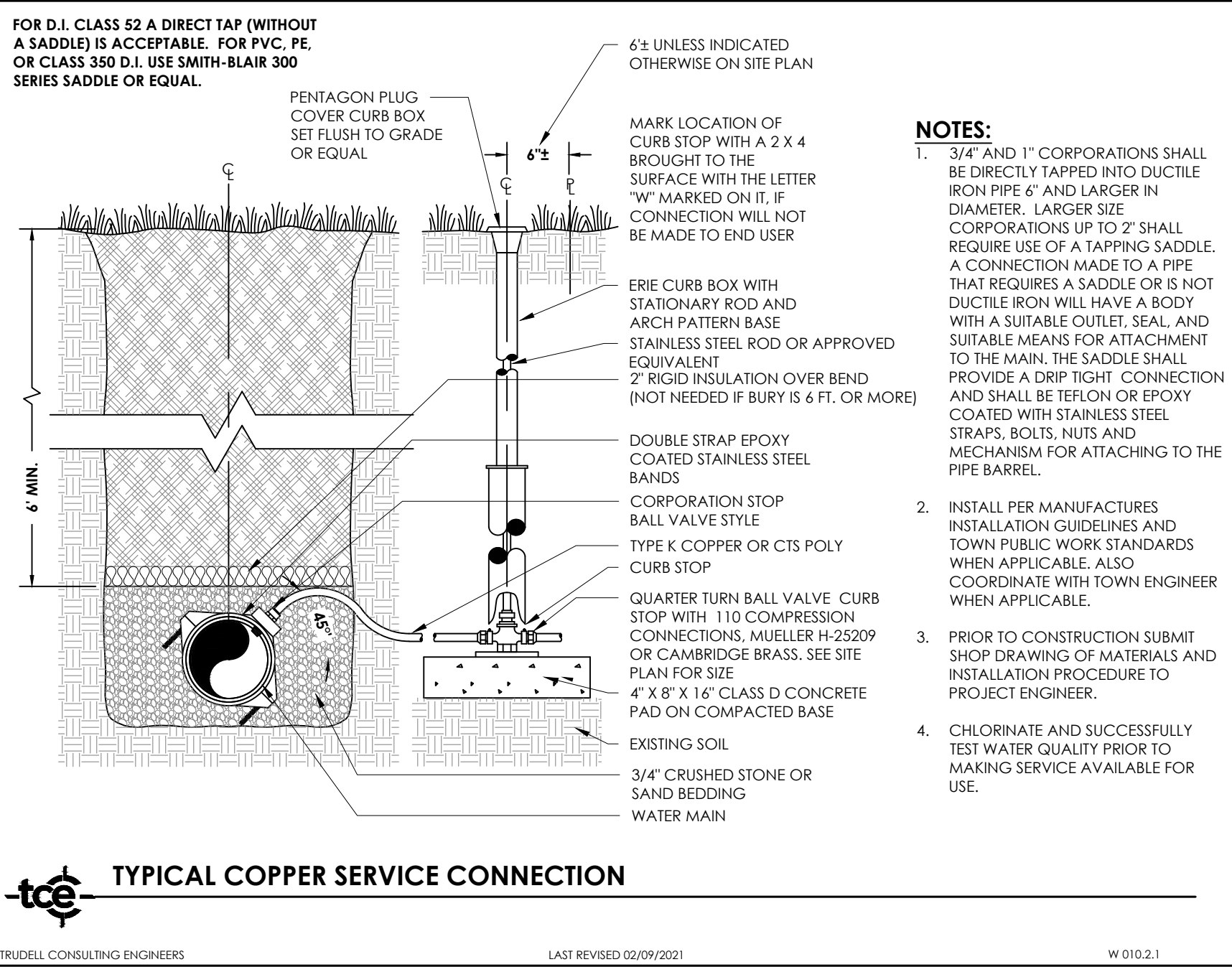
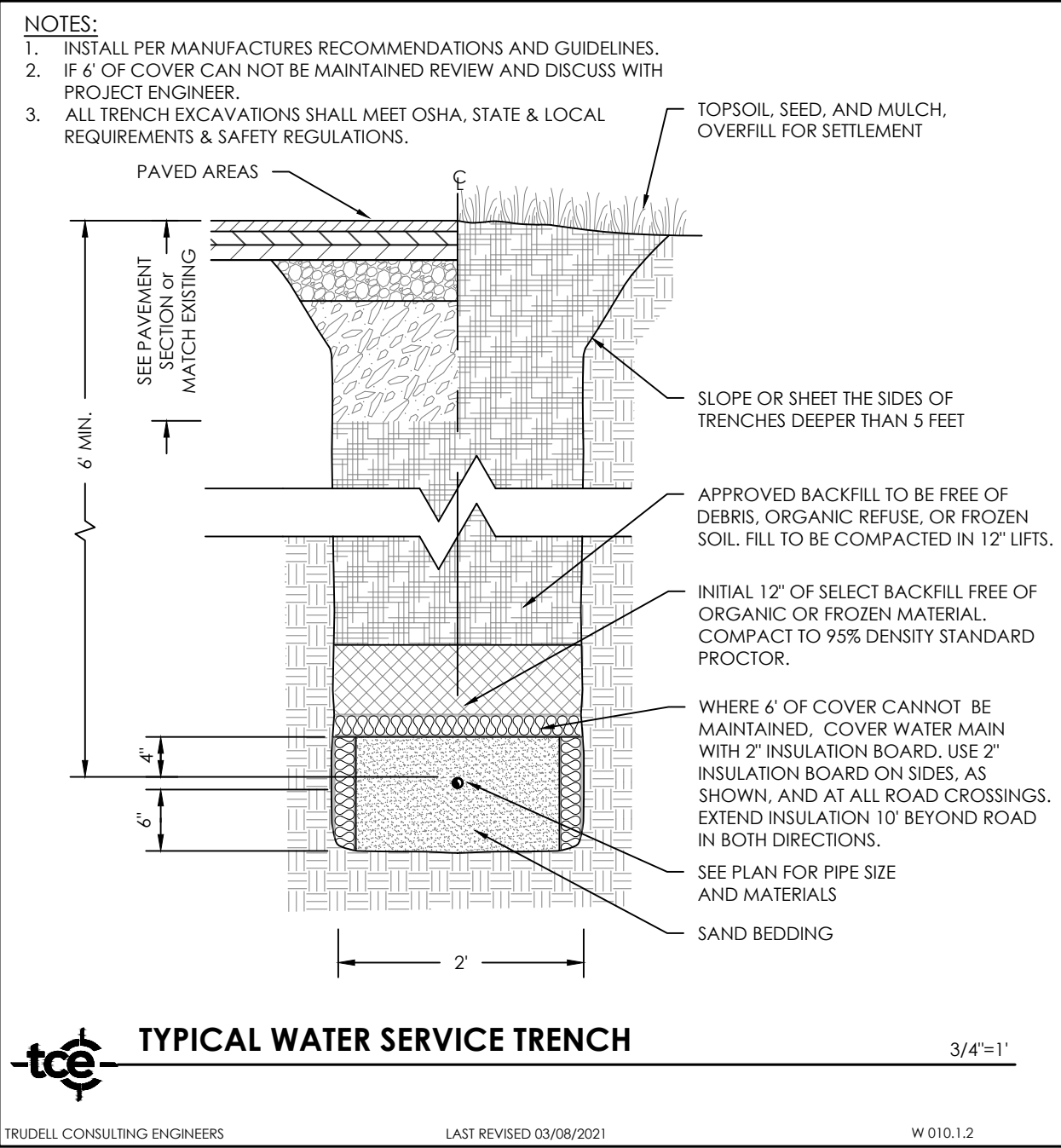
Project Number: _____ 22-100

Drawn By: _____ SCR

Project Engineer: _____ JPP

Approved By: _____ JPP

Field Book: _____ 364



CONTRACTOR'S CERTIFICATION REQUIRED

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

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AUTHORIZED AGENTS NAME: _____

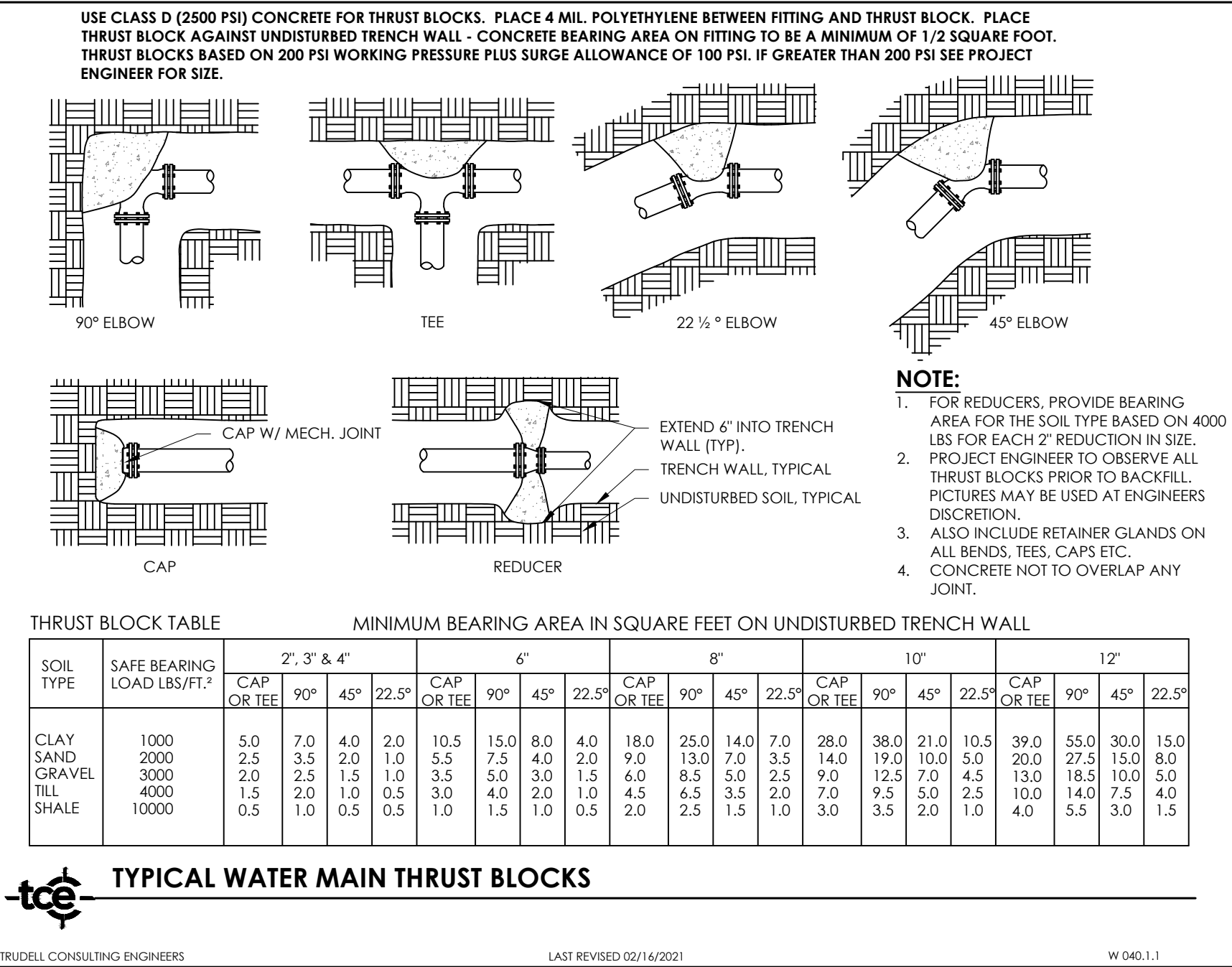
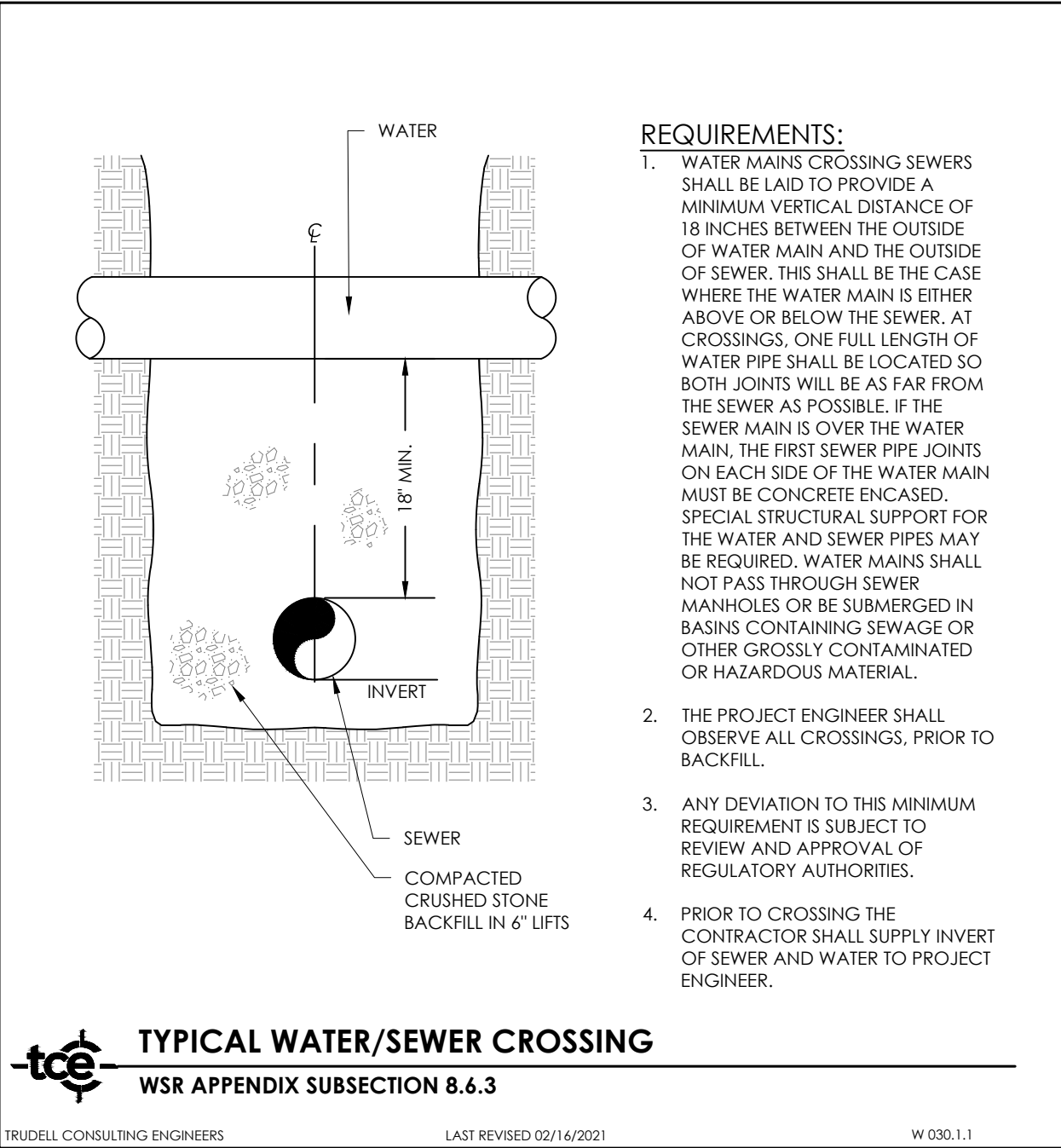
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NOTE ANY DEVIATIONS FROM APPROVED PLANS HERE: _____

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

CONTRACTOR'S CERTIFICATION FOR WATER SYSTEM

TRUDELL CONSULTING ENGINEERS LAST REVISED 03/08/2021 W 000.2.1



TESTING WATER MAINS

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

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

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

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

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

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

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

G. REPLACE AND RETEST ANY WORK FOUND TO BE DEFECTIVE AFTER FAILED TEST AT NO EXPENSE TO OWNER AND RETEST UNTIL SYSTEM PASSES

TESTING HYDRANTS (IF APPLICABLE)

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

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

C. FLOW HYDRANT AND RECORD FLOW RATE IN GPM AND RESIDUAL PRESSURE IN PSI. SUBMIT RESULTS TO PROJECT ENGINEER.

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

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

TESTING WATER MAINS AND HYDRANTS

TRUDELL CONSULTING ENGINEERS LAST REVISED 02/04/2021 W 000.1.1

DISINFECTING WATER MAINS AND SYSTEMS

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

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

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

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

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

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

F. FINISHED WATER STORAGE STRUCTURES SHALL BE DISINFECTED IF APPLICABLE, IN ACCORDANCE WITH CURRENT AWWA STANDARD C652. TWO OR MORE SUCCESSIVE SETS OF SAMPLES, TAKEN AT 24 HOUR INTERVALS, SHALL INDICATE MICROBIOLOGICALLY SATISFACTORY WATER BEFORE THE FACILITY IS PLACES INTO OPERATION.

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

H. THE DISINFECTION PROCEDURE [AWWA CHLORINATION METHOD 3, SECTION 4.3 C652] WHICH ALLOWS USE OF THE CHLORINATED WATER HELD IN THE STORAGE TANK FOR DISINFECTION PURPOSES IS NOT RECOMMENDED. WHEN THAT PROCEDURE IS USED, IT IS REQUIRED THAT THE INITIAL HEAVILY CHLORINATED WATER BE PROPERLY DISPOSED IN ORDER TO PREVENT RELEASE OF WATER WHICH MAY CONTAIN VARIOUS CHLORINATED ORGANIC COMPOUNDS INTO THE DISTRIBUTION SYSTEM.

DISINFECTION OF WATER SYSTEM

TRUDELL CONSULTING ENGINEERS LAST REVISED 02/04/2021 W 000.2.2

CONSTRUCTION NOTES FOR CONTRACTOR & CLIENT/OWNER:

1. CONTRACT DOCUMENTS: THESE PLANS WERE PREPARED BY TRUDELL CONSULTING ENGINEERS (TCE) AND ARE INTENDED TO BE USED IN CONJUNCTION WITH THE STANDARD GENERAL CONDITIONS OF THE CONSTRUCTION CONTRACT, #C-700 PREPARED BY THE ENGINEERS' JOINT CONTRACT DOCUMENTS COMMITTEE (EJCDC), LATEST EDITION. COPIES ARE AVAILABLE AT WWW.NSPF.ORG/EJCDC.

2. UNDERGROUND IMPROVEMENTS: THE LOCATION OF EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS SHOWN ARE ASSUMED BASED ON RESEARCH, UTILITY PLANS PROVIDED BY OTHERS, AND/OR SURFACE EVIDENCE AVAILABLE AND WERE OBTAINED IN A MANNER CONSISTENT WITH THE ORDINARY STANDARD OF PROFESSIONAL CARE AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR THE DESIGN ENGINEER.

3. DIFFERING SUBSURFACE OR PHYSICAL CONDITIONS: IF CONTRACTOR BELIEVES THAT ANY SUBSURFACE OR PHYSICAL CONDITION AT OR CONTIGUOUS TO THE SITE THAT IS UNCOVERED OR REVEALED EITHER: (1) IS OF SUCH A NATURE AS TO ESTABLISH THAT ANY "TECHNICAL DATA" ON WHICH CONTRACTOR RELIED IS MATERIALLY INACCURATE; OR (2) IS OF SUCH A NATURE AS TO REQUIRE A CHANGE IN THE PLANS/ CONTRACT DOCUMENTS; OR (3) DIFFERS MATERIALLY FROM THAT SHOWN OR INDICATED IN THE PLANS/CONTRACT DOCUMENTS; OR (4) IS OF AN UNUSUAL NATURE, AND DIFFERS MATERIALLY FROM CONDITIONS ORDINARILY ENCOUNTERED AND GENERALLY RECOGNIZED AS INHERENT IN WORK OF THE CHARACTER PROVIDED FOR IN THE PLANS/CONTRACT DOCUMENTS; THEN CONTRACTOR SHALL PROMPTLY AFTER BECOMING AWARE THEREOF AND BEFORE FURTHER DISTURBING THE SUBSURFACE OR PHYSICAL CONDITIONS OR PERFORMING ANY WORK IN CONNECTION THEREWITH (EXCEPT IN AN EMERGENCY), NOTIFY OWNER AND ENGINEER ABOUT SUCH CONDITION. CONTRACTOR SHALL NOT FURTHER DISTURB SUCH CONDITION OR PERFORM ANY WORK IN CONNECTION THEREWITH (EXCEPT AS AFORESAID) UNTIL RECEIPT OF WRITTEN ORDER TO DO SO. ALL PARTIES INVOLVED (OWNER, ENGINEER, ARCHITECT, AND MUNICIPALITY IF APPLICABLE) SHALL AGREE UPON HOW TO PROCEED AND ANY RELATED COST IMPLICATIONS.

4. UTILITIES: PRIVATE AND PUBLIC UTILITIES SUCH AS ELECTRIC, TELEPHONE, GAS, CABLE, FIBER OPTIC ETC. ARE THE RESPONSIBILITY OF THE RESPECTIVE UTILITY COMPANY. ANY INFORMATION SHOWN BY TCE SHOULD BE CONSIDERED PRELIMINARY (USUALLY TO ASSIST WITH PERMITTING). FINAL DESIGN, CONSTRUCTION AND MAINTENANCE ARE THE RESPONSIBILITY OF RESPECTIVE UTILITY COMPANIES. COMPLIANCE WITH EASEMENTS AND REGULATIONS (STATE AND LOCAL) ARE THE RESPONSIBILITY OF RESPECTIVE UTILITY COMPANY.

5. DIGSAFE: IN ACCORDANCE WITH VERMONT STATE LAW (VSA TITLE 30 CHAPTER 86 AND PSB RULE 3.800) THE CONTRACTOR SHALL BE RESPONSIBLE TO CONTACT DIGSAFE SYSTEMS, INC. "DIGSAFE". AT LEAST 48 HOURS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, BUT NOT MORE THAN 30 DAYS BEFORE COMMENCING EXCAVATION ACTIVITIES, EXCEPT IN AN EMERGENCY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PRE-MARKING THE SITE AND MAINTAINING DESIGNATED MARKINGS. FOR MORE INFORMATION ON DIGSAFE REQUIREMENTS SEE WWW.DIGSAFE.COM. THE TOWN OF ESSEX WATER AND SEWER SYSTEMS ARE CONSIDERED A PRIVATE UTILITY AND ARE NOT INCLUDED IN THE DIGSAFE SYSTEM. AS SUCH, THE CONTRACTOR SHALL CONTACT THE TOWN OF ESSEX AT LEAST 48 HOURS BEFORE COMMENCING WORK TO LOCATE ALL WATER AND SEWER UTILITIES WITHIN THE PROJECT LIMITS.

6. JOBSITE SAFETY: NEITHER THE PROFESSIONAL ACTIVITIES OF TRUDELL CONSULTING ENGINEERS (TCE), NOR THE PRESENCE OF TCE OR ITS EMPLOYEES AND SUB CONSULTANTS AT A CONSTRUCTION SITE, SHALL RELIEVE THE GENERAL CONTRACTOR AND ANY OTHER ENTITY OF THEIR OBLIGATIONS, DUTIES AND RESPONSIBILITIES INCLUDING, BUT NOT LIMITED TO, CONSTRUCTION MEANS, METHODS, SEQUENCE, TECHNIQUES OR PROCEDURES NECESSARY FOR PERFORMING, SUPERINTENDING OR COORDINATING ALL PORTIONS OF THE WORK OF CONSTRUCTION IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND ANY HEALTH OR SAFETY PRECAUTIONS REQUIRED BY ANY REGULATORY AGENCIES, TCE AND ITS PERSONNEL HAVE NO AUTHORITY TO EXERCISE ANY CONTROL OVER ANY CONSTRUCTION CONTRACTOR OR OTHER ENTITY OR THEIR EMPLOYEES IN CONNECTION WITH THEIR WORK OR ANY HEALTH OR SAFETY PRECAUTIONS. THE CLIENT AGREES THAT THE GENERAL CONTRACTOR IS SOLELY RESPONSIBLE FOR JOBSITE SAFETY, AND WARRANTS THAT THIS INTENT SHALL BE MADE EVIDENT IN THE CLIENTS AGREEMENT WITH THE GENERAL CONTRACTOR. THE CLIENT ALSO AGREES THAT THE CLIENT, TCE AND TCE'S CONSULTANTS SHALL BE INDEMNIFIED AND SHALL BE MADE ADDITIONAL INSURED UNDER THE GENERAL CONTRACTORS GENERAL LIABILITY INSURANCE POLICY.

7. CODES AND STANDARDS COMPLIANCE: TCE SHALL EXERCISE USUAL AND CUSTOMARY PROFESSIONAL CARE IN ITS EFFORTS TO COMPLY WITH CODES, STANDARDS, REGULATIONS, AND ORDINANCES IN EFFECT. THE OWNER ACKNOWLEDGES THAT SUCH REQUIREMENTS MAY BE SUBJECT TO VARIOUS AND CONTRADICTORY INTERPRETATIONS. TCE, THEREFORE, WILL USE ITS REASONABLE PROFESSIONAL EFFORTS AND JUDGMENT TO INTERPRET APPLICABLE REQUIREMENTS AS THEY APPLY TO THE PROJECT. TCE, HOWEVER, CANNOT AND DOES NOT WARRANT OR GUARANTEE THAT THE PROJECT WILL COMPLY WITH ALL INTERPRETATIONS OF SUCH REQUIREMENTS.

8. CONSTRUCTION OBSERVATION: TCE MAY VISIT THE PROJECT AT APPROPRIATE INTERVALS DURING CONSTRUCTION TO BECOME GENERALLY FAMILIAR WITH THE PROGRESS AND QUALITY OF THE CONTRACTOR'S WORK AND TO DETERMINE IF THE WORK IS PRECEDING IN GENERAL ACCORDANCE WITH THE CONTRACT DOCUMENTS. THE OWNER HAS NOT RETAINED TCE TO MAKE DETAILED INSPECTIONS OR TO PROVIDE EXHAUSTIVE OR CONTINUOUS PROJECT REVIEW AND OBSERVATION SERVICES. TCE DOES NOT GUARANTEE THE PERFORMANCE OF, AND SHALL NOT HAVE RESPONSIBILITY FOR, THE ACTS OR OMISSIONS OF ANY CONTRACTOR, SUB-CONTRACTOR, SUPPLIER OR ANY OTHER ENTITY FURNISHING MATERIALS OR PERFORMING ANY WORK ON THE PROJECT. TCE SHALL NOT SUPERVISE, DIRECT OR HAVE CONTROL OVER THE CONTRACTOR'S WORK NOR HAVE ANY RESPONSIBILITY FOR THE CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES OF THE CONTRACTOR. IF THE OWNER DESIRES MORE EXTENSIVE PROJECT OBSERVATION OR FULL-TIME PROJECT REPRESENTATION, THE OWNER SHALL REQUEST SUCH SERVICES BE PROVIDED BY TCE AS ADDITIONAL SERVICES.

CONSTRUCTION NOTES FOR CONTRACTOR & CLIENT/OWNER

TRUDELL CONSULTING ENGINEERS LAST REVISED 09/24/2021 W 000.1.1

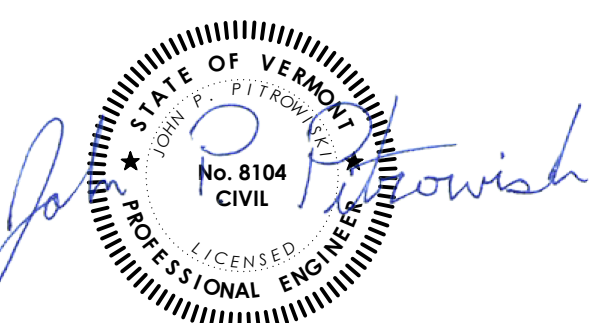


ENGINEERING SURVEY PLANNING ENVIRONMENTAL

478 BLAIR PARK ROAD | WILLISTON, VERMONT 05495
802 879 6331 | WWW.TCEVT.COM

Revisions
No. Description Date By

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



Project Title

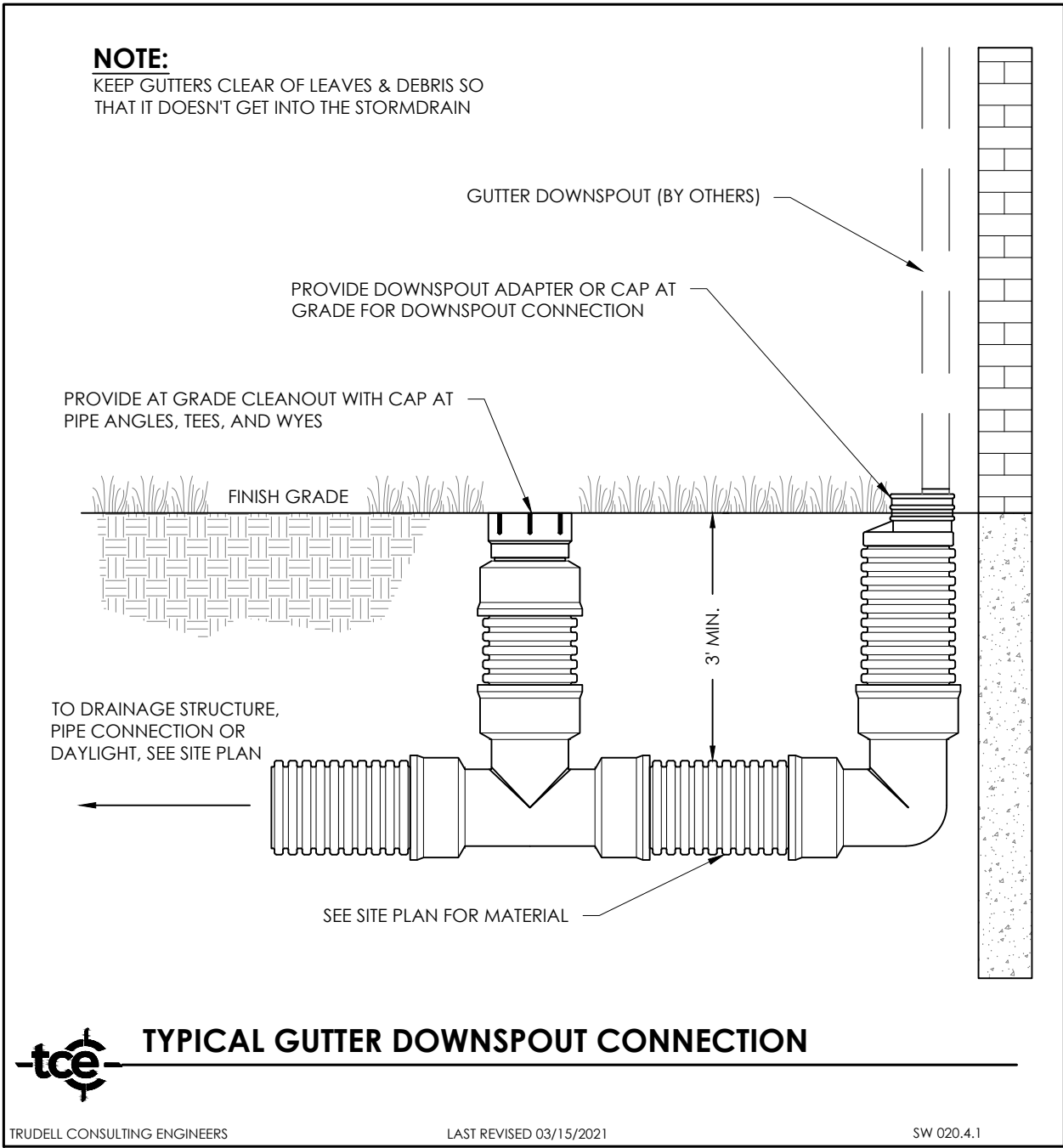
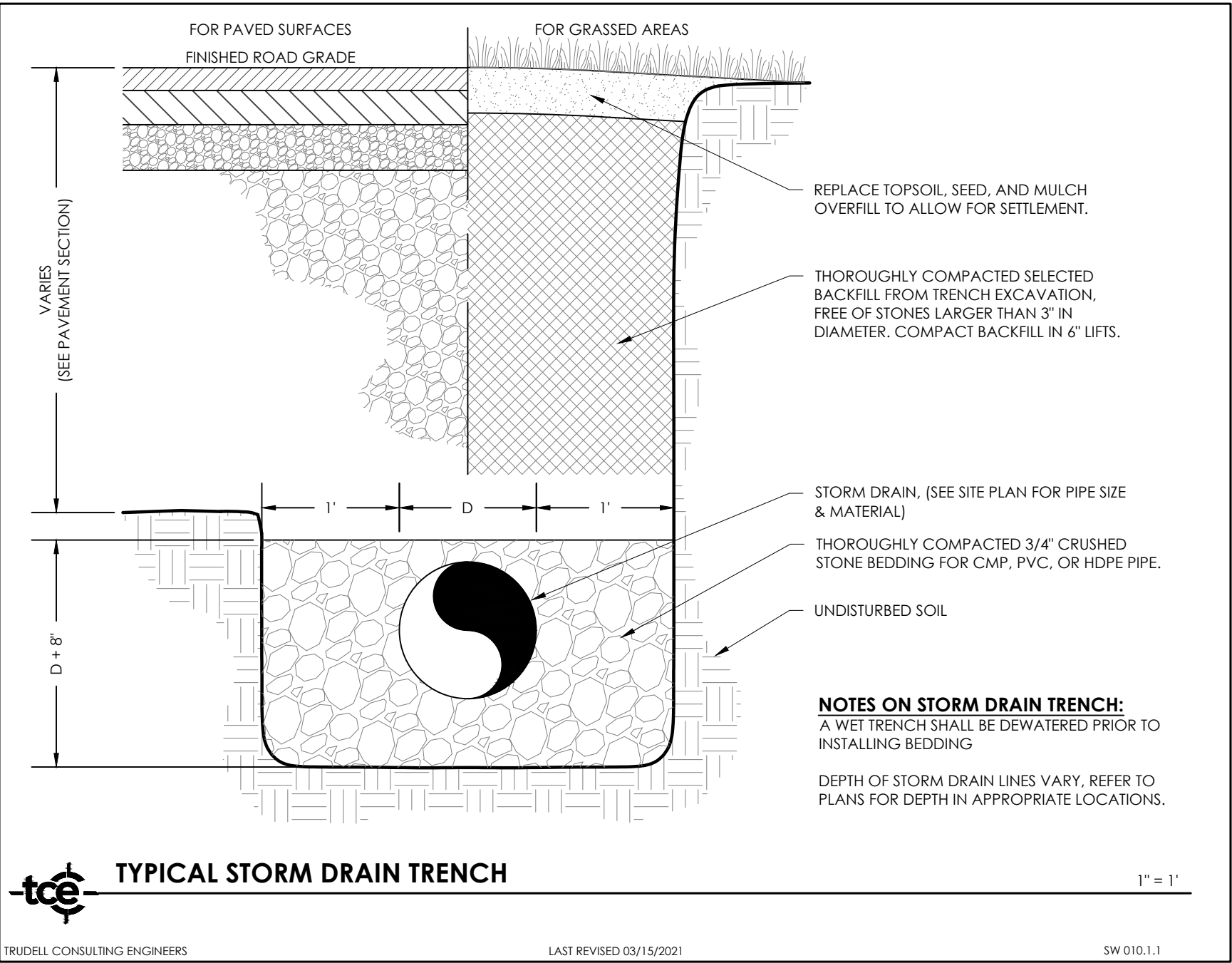
Bissonette
72-76 Elmwood Avenue
Burlington, VT

Sheet Title

Water Details & Notes

Date: 05/26/2022
Scale: _____
Project Number: 22-100
Drawn By: SCR
Project Engineer: JPP
Approved By: JPP
Field Book: 364

C8-02



CONTRACTOR'S CERTIFICATION REQUIRED

PRIOR TO THE DESIGN ENGINEER CERTIFYING THAT THE INSTALLATION HAS BEEN INSTALLED IN ACCORDANCE WITH THE PERMITTED DESIGN, THE CONTRACTOR SHALL PROVIDE A CERTIFICATION THAT THE STORMWATER SYSTEM WAS INSTALLED AND TESTED (IF APPLICABLE) IN GENERAL ACCORDANCE WITH THE APPROVED DESIGN PLANS. STATE PERMITS REQUIRE THERE SHALL BE NO SIGNIFICANT DEVIATIONS FROM THE APPROVED PLANS WITHOUT PRIOR APPROVALS. THE DESIGN ENGINEER SHALL BE NOTIFIED AND ALLOWED TO OBSERVE THE CRITICAL PHASES OF CONSTRUCTION INCLUDING ANY REQUIRED TESTS. LIKEWISE, THE DESIGN ENGINEER SHALL BE NOTIFIED OF ANY DEVIATIONS FROM THE APPROVED PLANS. SINCE THE DESIGN ENGINEER DOES NOT CUSTOMARILY OBSERVE ALL PHASES OF THE WORK, OR ALL TESTING, HE WILL RELY ON THE CONTRACTOR'S CERTIFICATION AS THE BASIS FOR FINAL CERTIFICATION. CRITICAL STORMWATER SYSTEM COMPONENTS TO BE CERTIFIED MAY INCLUDE, BUT ARE NOT NECESSARILY LIMITED TO, SHAPES OF DRAINAGE SWALES, VOLUMES OF TREATMENT PRACTICES, SLOPE OF DISCONNECT AREAS, AND OUTLET SIZE AND ELEVATIONS. THE CONTRACTOR SHALL THEREFORE SIGN AND RETURN A COPY OF THE FOLLOWING CERTIFICATION UPON COMPLETION OF THE WORK:

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

CONTRACTOR NAME: _____

AUTHORIZED AGENTS NAME: _____

SIGNATURE: _____ DATE: _____

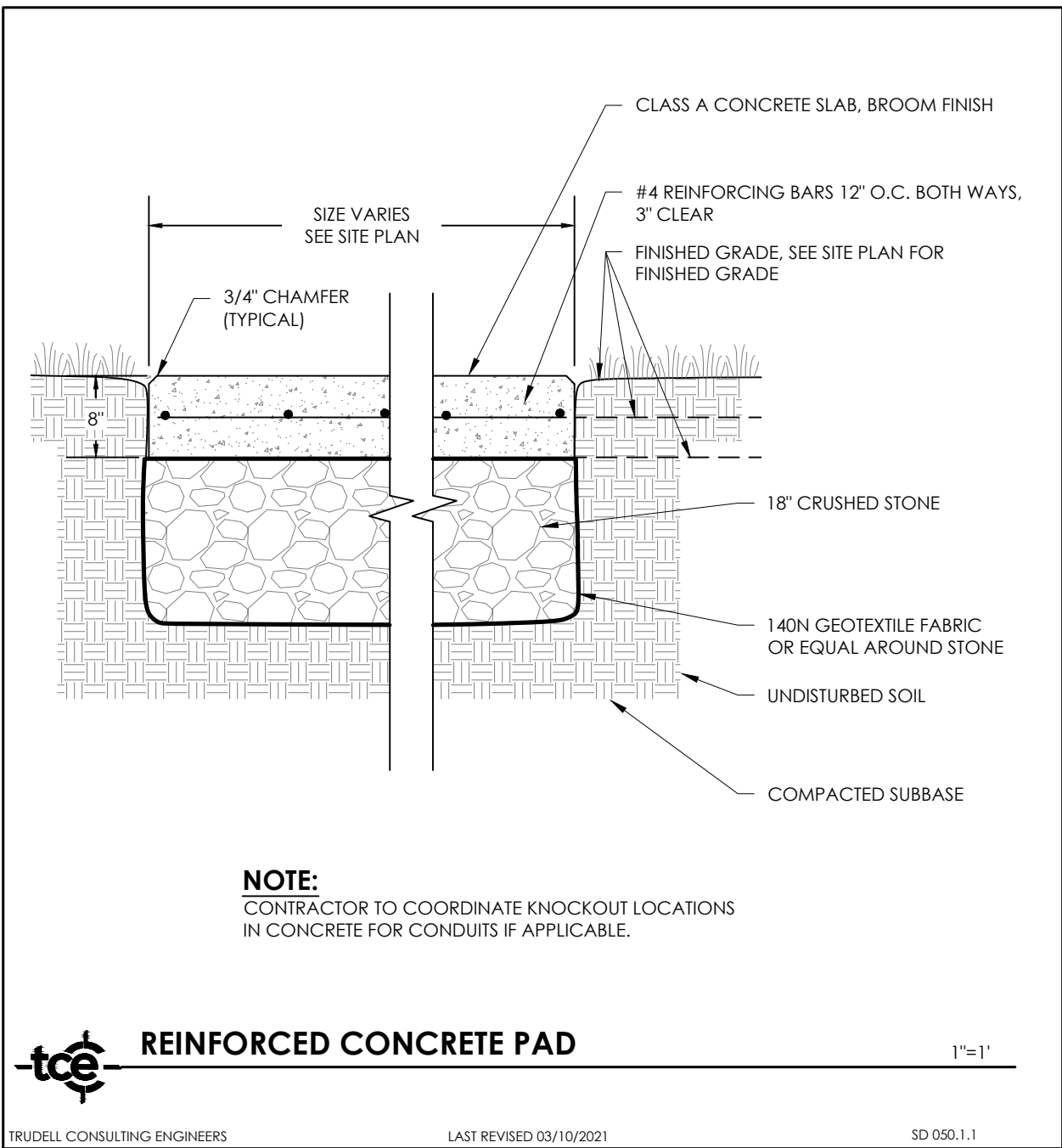
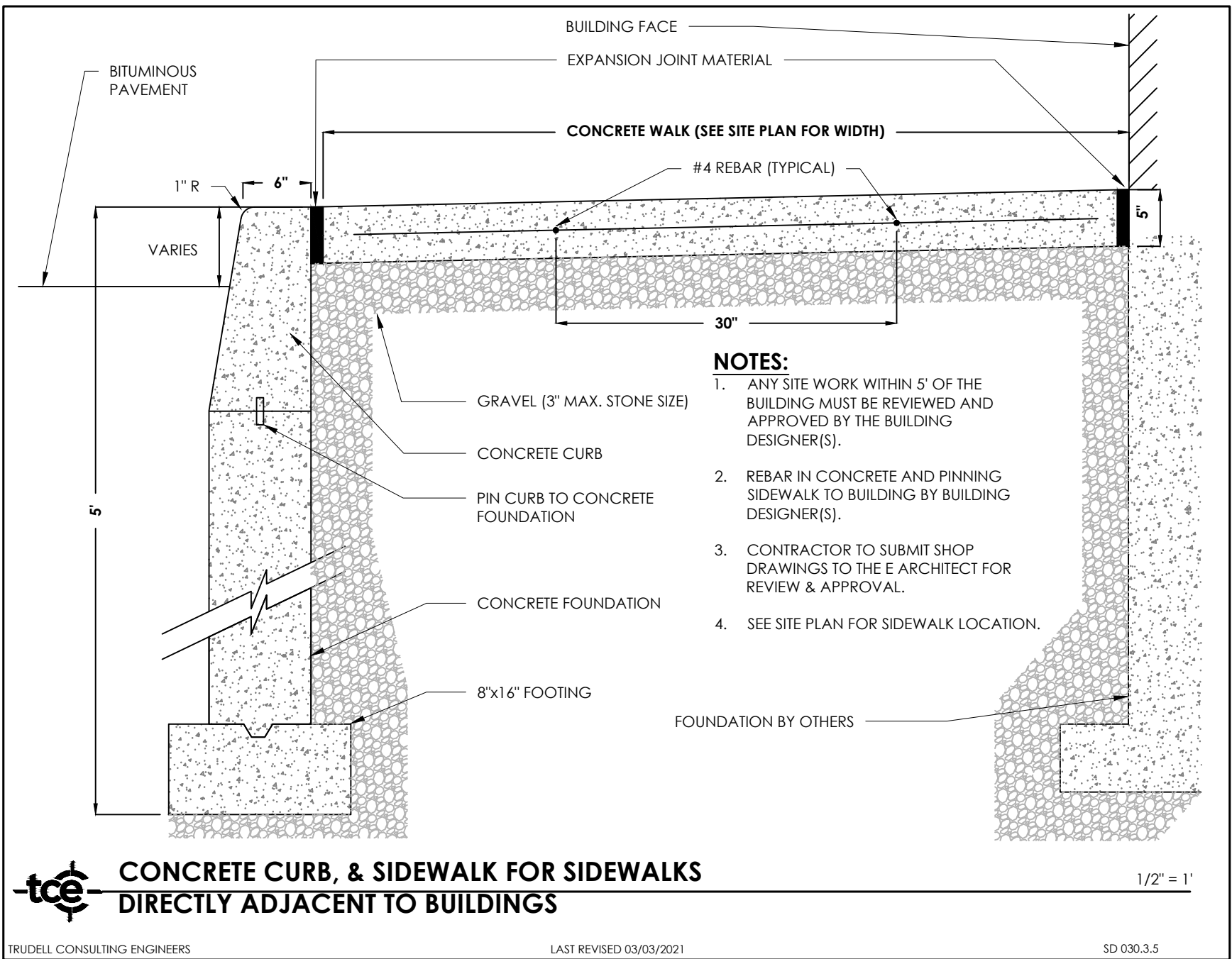
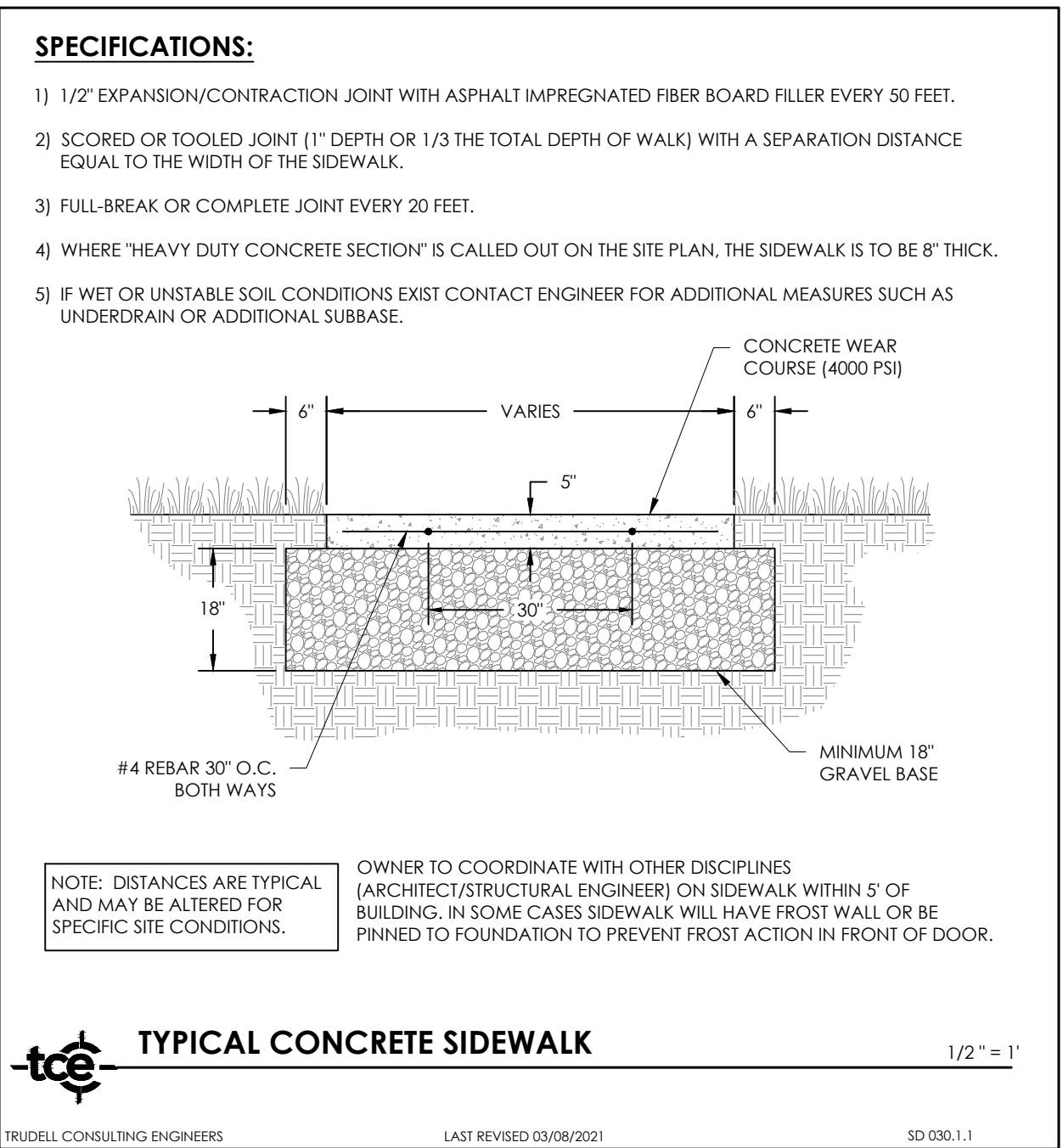
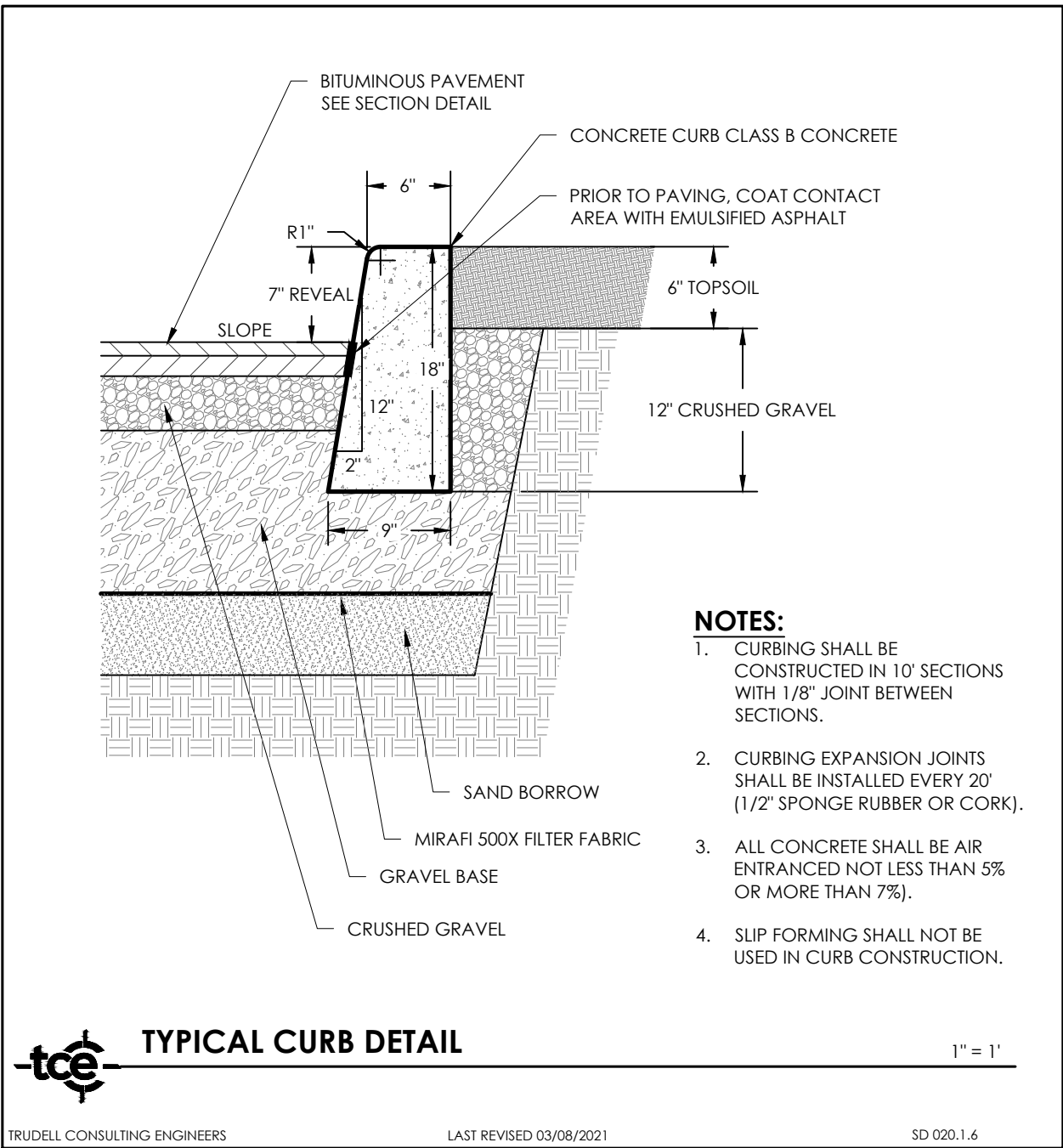
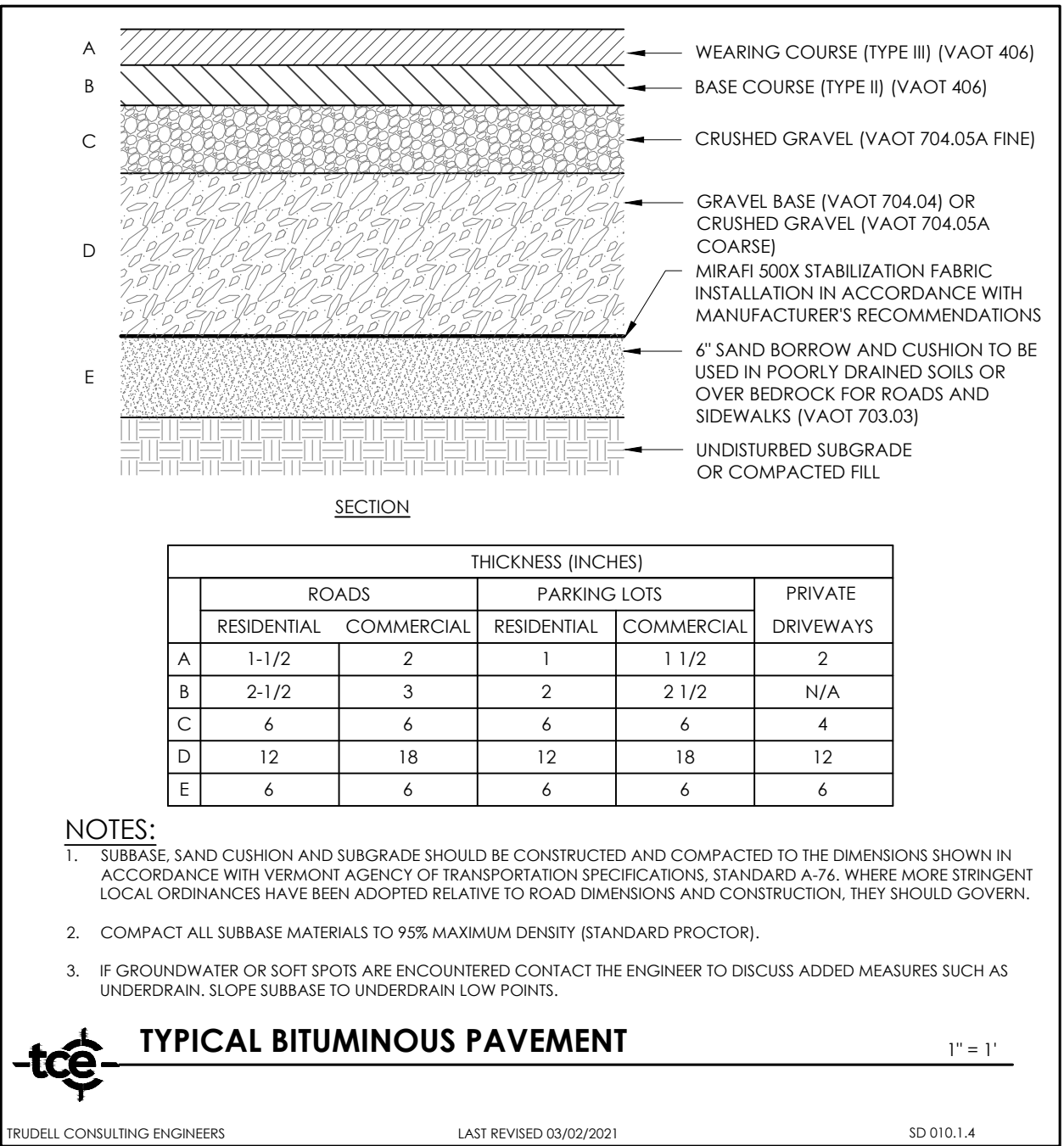
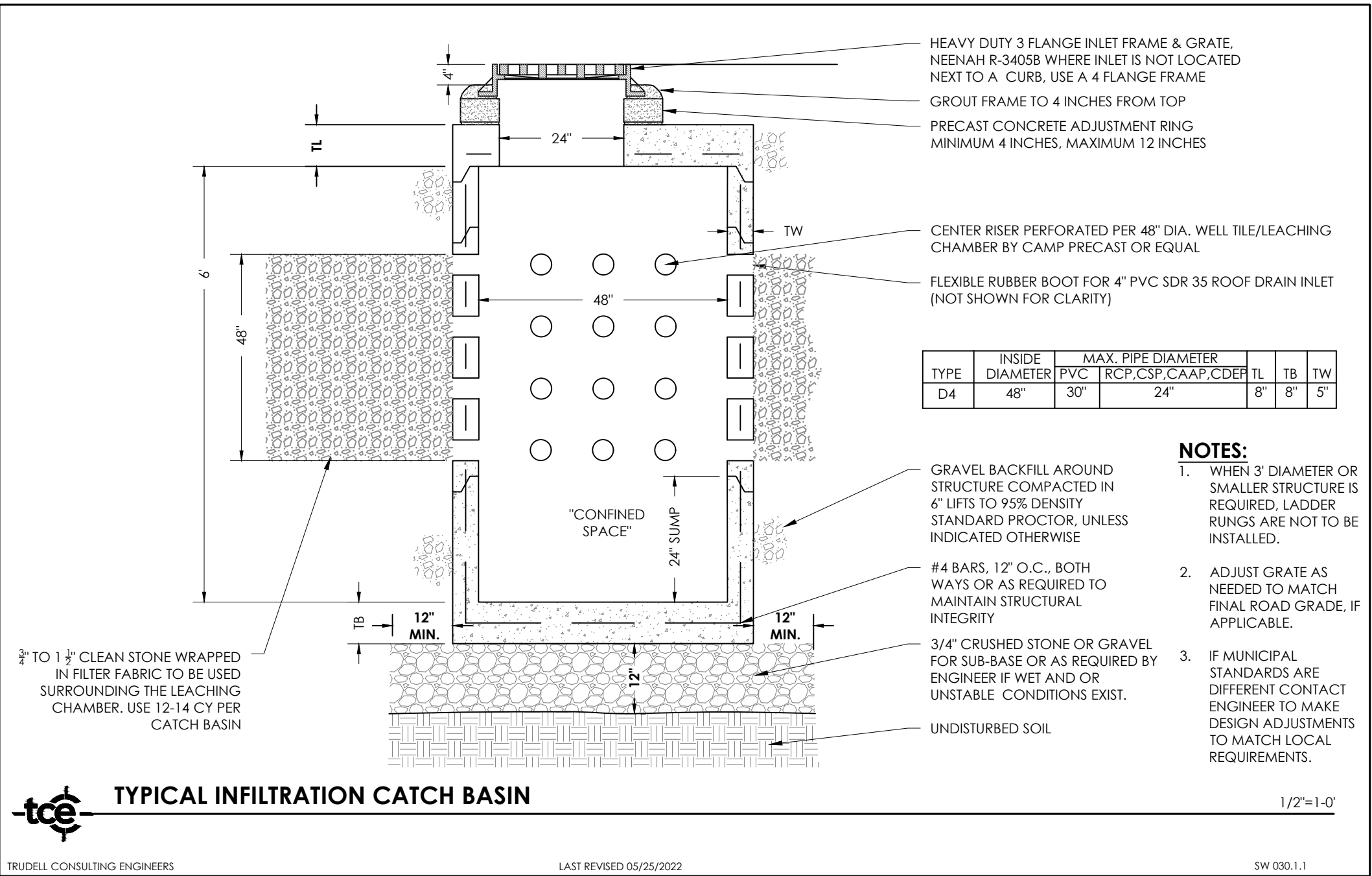
NOTE ANY DEVIATIONS FROM APPROVED PLANS HERE: _____

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

CONTRACTOR'S CERTIFICATION FOR STORMWATER SYSTEM

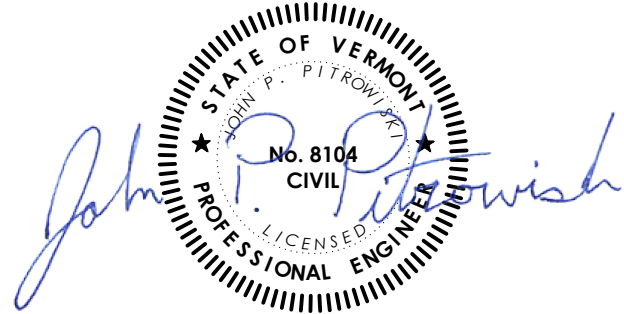
1" = 1'

TRUDELL CONSULTING ENGINEERS LAST REVISED 03/08/2021 SW 000.1.1



Revisions			
No.	Description	Date	By

- Use of These Drawings
1. Unless otherwise noted, these Drawings are intended for preliminary planning, coordination with other disciplines or utilities, and/or approval from the regulatory authorities. They are not intended as construction drawings unless noted as such or marked approved by a regulatory authority.
 2. By use of these drawings for construction of the Project, the Owner represents that they have reviewed, approved, and accepted the drawings, obtained all necessary permits, and have met with all applicable parties/disciplines, including but not limited to, the Engineer and the Architect, to insure these plans are properly coordinated including, but not limited to, contract documents, specifications, owner/contractor agreements, building and mechanical plans, private and public utilities, and other pertinent permits for construction.
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 6. It is the User's responsibility to ensure this copy contains the most current revisions.



Project Title

Bissonette
72-76 Elmwood Avenue
Burlington, VT

Sheet Title

Stormwater & Miscellaneous Details

Date: 05/26/2022

Scale:

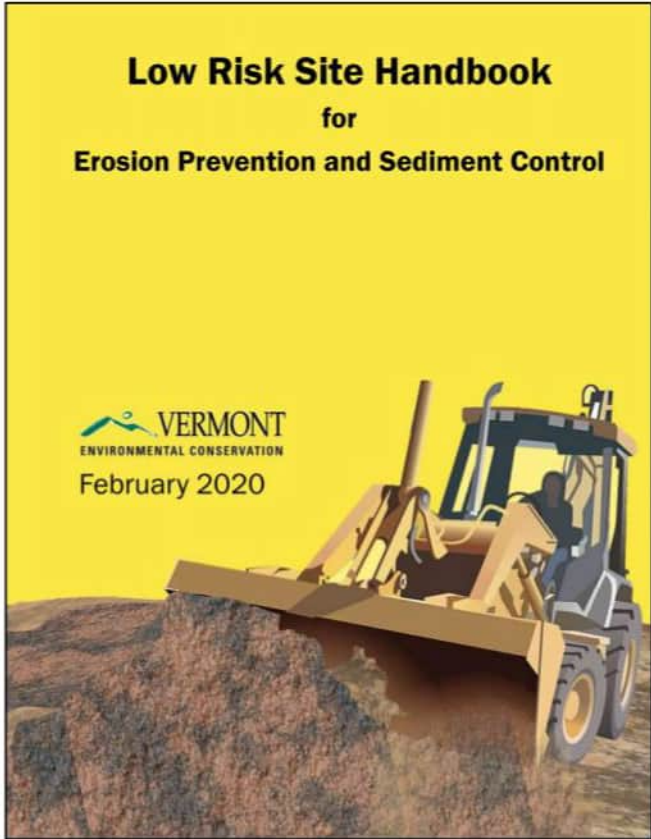
Project Number: 22-100

Drawn By: SCR

Project Engineer: JPP

Approved By: JPP

Field Book: 364



2. Pollution Prevention

Purposes:

Many construction sites require storage of chemicals and materials that have detrimental effects if released into our waterways. A storage plan for these potential pollution sources as well as a spill prevention and clean up plan are required to mitigate these risks.

Requirement:

Design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants. At a minimum, such measures must be designed, installed, implemented and maintained in accordance with the following requirements.

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Hydrosseed

As per manufacturer's instructions.

- Must include mulch component
- Not acceptable stabilization for winter construction period



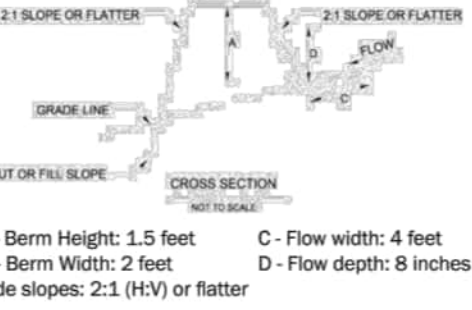
Excellent application of hydrosseed with a mulch component. Entire soil surface has been covered and is temporarily stabilized.



Poor hydrosseed application. Not applied at the appropriate rate, soil not prepared, and very little mulch component in mix.

Site Stabilization 12

Diversion Berm Installation:



1. Construct berm to the minimum specification above.

2. Compact the berm with a shovel or earth-moving equipment.

3. Seed and mulch berm or cover with erosion control matting immediately after installation.

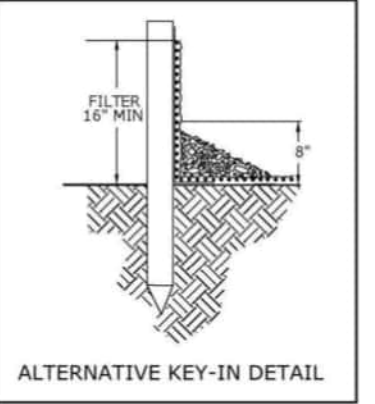
4. Stabilize the flow channel with seed and mulch or erosion control matting. Line the channel with 4 inch stone if the channel slope is greater than 20%.

5. Ensure the berm drains to an outlet stabilized with riprap. Ensure that there is no erosion at the outlet.

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Excellent installation of reinforced silt fence and J-hooks in front of a stone-lined drainage channel.



Install Perimeter Controls 26

Low Risk Site Handbook for Erosion Prevention and Sediment Control

A construction stormwater discharge permit must be obtained for construction activity that results in total land disturbance of equal to or greater than 1 acre, including construction activities where disturbance is less than 1 acre, but is part of a larger common plan of development. If the larger development will ultimately result in the disturbance of 1 or more acres.

Vermont Construction General Permit (CGP) 3-9020 guides an applicant in assessing the potential risk to water quality from the proposed construction activity and categorizes the project activity as Low Risk, Moderate Risk, or that which requires an Individual Permit.

The practices in this handbook serve as the required Erosion Prevention and Sediment Control Plan for construction activity that is determined to be "Low Risk" under CGP 3-9020.

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Section 1: Introduction

What is erosion prevention and sediment control? . . . 1

How to comply:

1. Minimize the exposure of the following to precipitation and to stormwater:

- building materials,
- building products,
- construction wastes,
- trash,
- landscape materials,
- fertilizers,
- pesticides,
- herbicides,
- detergents,
- sanitary waste, and
- other materials present on the site.

2. Minimization of exposure is not required in cases where the exposure to precipitation and to stormwater will not result in a discharge of pollutants, or where exposure of a specific material or product poses little risk of stormwater contamination (such as final products and materials intended for outdoor use).

Pollution Prevention 6

Requirements for Dust Control:

Construction roads, access points, and other disturbed areas subject to surface dust movement and dust blowing during dry periods where off-site damage may occur if dust is not controlled shall be sprayed with water to prevent dust mobilization. **Chemical applications, including the use of chloride, shall not be applied without written approval from the VT DEC.**

Requirements for Final Stabilization:

All areas of disturbance must have permanent stabilization within 48 hours of reaching final grade.

- Bring the site or sections of the site to final grade as soon as possible after construction is completed. This will reduce the need for additional sediment and erosion control measures and will reduce the total disturbed area.
- Prepare bare soil for seeding by grading the top 4 to 6 inches of soil and removing any large rocks or debris, and apply seed per suppliers specifications.

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6. The diversion berm shall remain in place until the disturbed areas are completely stabilized.



Good construction, seeding, and stabilization of diversion berm. Note that diversion ditch is lined with grass on flatter part of slope, and with rock on steeper part.

Divert Upland Runoff 20

Erosion Control Berms

Erosion control berms are comprised of a dense mixture of intertwining wood fragments and grit that form a stable, long lasting mulch. Common sources include stump grindings, and aged wood waste.

Erosion Control Berm Installation:

- Stump grindings from land clearing are an excellent source of material for erosion control berms, and may be readily produced when the area to be developed is forested.
- Erosion control berms are effective on frozen ground, rock outcrops, and forested areas with heavy rock cover. It may be necessary to pack down or remove vegetation to prevent the creation of voids or bridges which will allow berm washout and pass sediment laden water offsite.
- The erosion control berm should be a minimum of 1 foot tall and 2 feet wide. On longer or steeper slopes a larger berm may be necessary.

Erosion Control Berm Maintenance:

- Erosion control berms must be redressed and reshaped as necessary to ensure that sediment doesn't accumulate more than halfway up the berm face.

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Section 2: The Requirements

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How to estimate area 63

3. Limit Concurrent Earth Disturbance

Purpose:

Limit the amount of soil exposed at one time to reduce the potential erosion on the construction site.

Requirement:

The maximum area of concurrent earth disturbance is specified on the site's written authorization to discharge. Earth disturbance at any one time cannot exceed the maximum concurrent disturbance identified in the authorization. Areas that are at final stabilization or that have been temporarily stabilized in accordance with Section 4 of this handbook, are not counted toward the maximum concurrent disturbance area.

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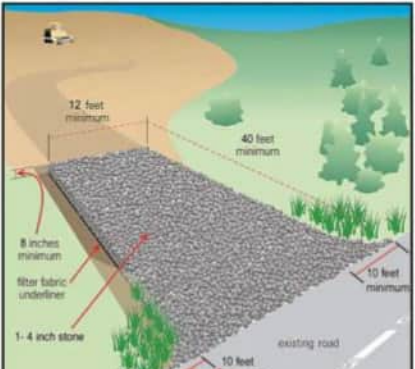
5. Stabilized Construction Access

Purpose:

A stabilized construction access helps remove mud and sediment from vehicles and equipment to prevent tracking onto streets.

Requirements:

If there will be any vehicle or equipment traffic off of the construction site, you must install a stabilized construction access at the start of construction.



Construction access detail. Access pad must keep mud from tracking onto both paved and gravel roads.

Stabilized Construction Access 14

7. Install Perimeter Controls

Purpose:

Silt Fence and Erosion Control Berms intercept runoff and allow suspended sediment to settle or filter out. Filter Socks and Straw Watties also filter construction runoff and are acceptable for use in specific situations. Silt Fence, Erosion Control Berms, Filter Socks and Straw Watties are all acceptable perimeter controls based on site specific conditions. Permittee(s) must ensure the right practice is selected for erosion prevention and sediment control.

Requirements:

Perimeter controls must be installed:

- On the downhill side of the construction activities
- Between any ditch, swale, storm drain, or surface water and the disturbed soil
- Perimeter controls not labeled as biodegradable shall be removed once the drainage area has reached final stabilization

** Hay bales must not be used exclusively as sediment barriers due to their tendency to degrade and fall apart and may only be used in support of other required practices.*

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Filter Socks

A manufactured tube made of either a synthetic material or an organic fiber which is filled with erosion control mix or other finely shredded organic material such as coconut fiber. They are an excellent practice for slowing runoff on long open slopes and for use around stockpiles.

Filter Sock Installation:

- Filter socks are best used for small areas of disturbance, at the base of stockpiles, across slope contours and across paved areas.
- Full contact with the ground is critical for filter socks to be effective and to prevent bypass. A trench 2"-3" deep shall be dug along the path of the filter sock, with the exception of installations across paved areas.
- Most applications will require staking at 10 ft intervals, which should help both keep the filter sock in place and push it downward for maximum contact with the ground.

Filter Sock Maintenance:

- Accumulated sediment should be removed and placed in an upland location when material reaches half of the filter sock height.
- Filter socks can be reshaped if they become flattened or caked in sediment.

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Section 1 Introduction

What is erosion prevention and sediment control?

Stormwater runoff carrying sediment into streams, lakes, and wetlands is a large contributor to surface water quality problems in Vermont. Sediment discharges from unmanaged construction sites can adversely impact aquatic habitat, and may have lasting impacts on fish and other aquatic organisms.

On most construction sites, the existing vegetation that holds the soil in place and protects it from the erosive forces of rain and runoff is removed, leaving large areas of soil exposed. During rainfall or snowmelt, the exposed soil may be easily eroded and transported to nearby streams, lakes, or wetlands*.

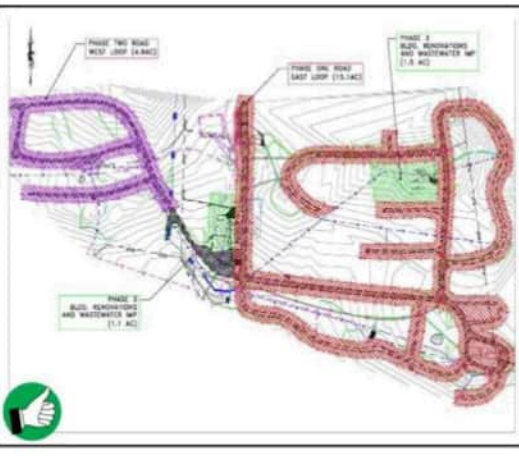


1

How to comply:

Plan ahead and phase the construction activities to ensure that no more than the permitted maximum concurrent acreage is disturbed and unstabilized at one time.

Be sure to properly stabilize exposed soil using one of the methods introduced in Section 4 of this handbook before beginning work in a new section of the site.



Limit Concurrent Earth Disturbance 8

How to install:

Rock Size: Use a mix of 1 to 4 inch stone

Depth: 8 inches minimum

Width: 12 feet minimum, flared at road for vehicle turning

Length: 40 feet minimum (or length of driveway for residential projects, if shorter)

Geotextile: Place filter cloth under entire stone bed

Maintenance:

Redress with clean stone or scarify to open voids as required to keep sediment from tracking onto the street.



Good stabilized construction access. Adequate width to accommodate construction traffic and prevent mud tracking offsite. Ensure that the pad is 8 inches deep and 40 feet long.

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How to Comply:

Select and install a perimeter control from the following options: Silt Fence, Erosion Control Berms, Filter Socks, or Straw Watties.

Where to place:

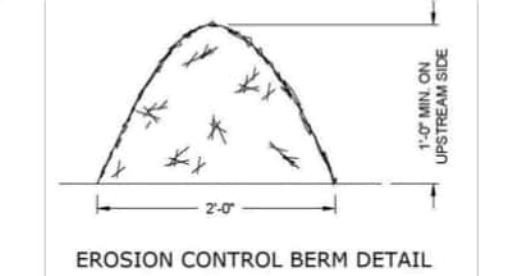
- Place perimeter controls on the downhill side of disturbed soil. If space is available, place perimeter control 10 ft from the bottom of the slope, otherwise place along the contour at the bottom of the slope.
- Ensure the perimeter control catches all runoff from disturbed soil.
- Maximum drainage area is ¼ acre for 100 feet of silt fence and erosion control berm.
- Install perimeter controls across the slope (not up and down slope)
- Install multiple rows of perimeter control on long slopes to intercept flow.
- Do not install perimeter controls across ditches, channels, or streams.
- Maximum slope length (in feet) above a filter sock or straw wattle:

Slope (%)	12"	18"	24"	36"
4%	225	225	225	225
5-9%	225	225	225	225
10-14%	180	180	180	180
15-19%	150	150	150	150
20-24%	120	120	120	120
25-29%	90	90	90	90
30-34%	60	60	60	60
35-39%	45	45	45	45
40-44%	30	30	30	30
45-49%	22	22	22	22

Install Perimeter Controls 22



The erosion control berm above is allowing for both ponding and filtering of stormwater.



EROSION CONTROL BERM DETAIL

Install Perimeter Controls 28

To prevent this from happening, a small number of practices to prevent erosion and contain soil on the construction site must be used. The most effective approach to prevent a sediment discharge is temporary and final stabilization of exposed soils. Controls for sediment laden runoff are necessary at times, but should not be used as the primary means of prevention.

*Projects involving work within a jurisdictional (perennial) waterway for stream alteration, please contact your regional River Management Engineer for technical and permitting assistance.

*Projects involving work within jurisdictional wetlands or buffers, please contact your regional Wetland Ecologist for technical and permitting assistance.

Introduction 2

4. Site Stabilization

Purpose:

Seeding and mulching, applying erosion control matting, and hydrosseeding are all methods to temporarily stabilize exposed soil and prevent soil erosion prior to vegetative growth. Mulches and matting protect the soil surface while grass is establishing. Areas of earth disturbance may also be stabilized with stone, such as rip-rap or gravel, or other impervious surfaces such as pavement and concrete.

Requirements for Temporary Stabilization:

All areas of earth disturbance must have temporary or final stabilization within 14 days of initial disturbance, as stated in the project authorization. After the time, disturbed areas must be temporarily stabilized or permanently stabilized in advance of any runoff producing event. A runoff producing event is an event that produces runoff from the construction site.

The following exception applies:

- Temporary stabilization is not required if the work is occurring in a self-contained excavation (i.e. no outlet) with a depth of 2 feet or greater (e.g. house foundation excavation, utility trenches), provided any dewatering, if necessary, is conducted in accordance with Part 13.

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Poor construction access. Rock pad is poorly constructed; rock is too small. Filter fabric is required under the 1-4 inch rock. Must should not be tracked onto street.

- Where sediment has been tracked-out from your site onto paved roads, sidewalks, or other paved areas outside of your site, remove the deposited sediment by the end of the same business day in which the track-out occurs or by the end of the next business day if track-out occurs on a non-business day.
- Remove the track-out by sweeping, shoveling, or vacuuming these surfaces, or by using other similarly effective means of sediment removal.
- You are prohibited from hosing or sweeping tracked-out sediment into any stormwater conveyance, storm drain inlet, or water of the state.

16

Perimeter Control Construction Specifications

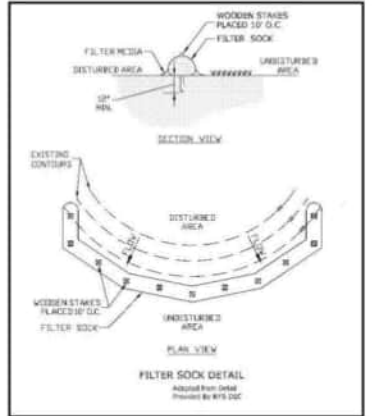
Silt Fence

A temporary barrier of geotextile fabric installed on the contours across a project site to intercept sediment laden runoff from small drainage areas of disturbed soil.

Silt Fence Installation:

- Dig a trench 6 inches deep across the slope
- Unroll silt fence along the trench
- Ensure stakes are on the downhill side of the fence
- Join fencing by rolling the end stakes together
- Drive stakes in against downhill side of trench
- Drive stakes until 16 inches of fabric is in trench
- Push fabric into trench spread along bottom
- Fill trench with soil and pack down
- Gravel can be used to create ground contact with filter fabric when bedrock, ledge, or nearby tree roots do not allow for trenching. (A secondary perimeter control can be effective in these locations as well.)

23



SILT FENCE DETAIL



Good use of filter socks along a slope to slow runoff velocity.

Install Perimeter Controls 30

Section 2 The Requirements

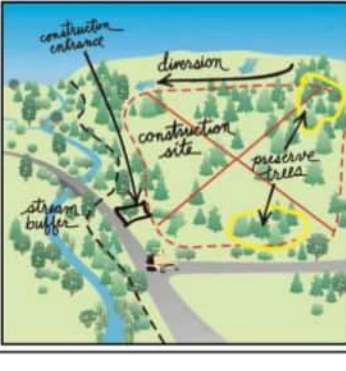
1. Demarcate Limits of Disturbance

Purpose:

Delimiting the site will help to limit the area of disturbance to only what is necessary for construction, prevent unauthorized disturbance, preserve existing vegetation, and limit erosion potential on the site.

Requirement:

You must physically mark the limits of construction activity using one of the methods described below.



Demarcate Limits of Disturbance 3

How to comply:

As required by the authorization, temporary stabilization for areas of earth disturbance shall be completed utilizing one or more of the methods below:

Hay or Straw Mulch

Mulching Rates

April 16 - Oct. 14 – Hay or Straw*: 1 inch deep (1-2 bales/1000 s.f.)

Oct. 15 - April 15 – Hay or Straw*: 2 inch deep (2-4 bales/1000 s.f.)

*seed may also be incorporated



Excellent application of hay mulch. Good mulch cover and perimeter control around soil stockpile.

Site Stabilization 10

6. Divert Upland Runoff

Purpose:

Division berms intercept stormwater runoff contributing from above the construction site and direct it around the disturbed area. This prevents offsite runoff from entering the construction site, thus reducing the potential for erosion and reducing the drainage area contributing to the site.

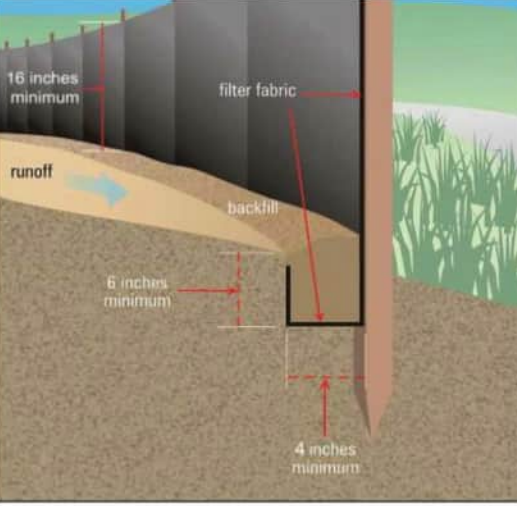
Requirements:

If stormwater runoff contributes to the construction site from upslope areas and the site meets the following two conditions, you are required to first install a diversion berm and stabilized swale before disturbing any additional soil.

1. One or more acres of soil will be disturbed at any one time.
2. Average slope of the disturbed area is 20% or steeper.*

* See page 63 for slope calculations.

17



SILT FENCE MAINTENANCE

- Remove accumulated sediment before it is halfway up the fence.
- Ensure that silt fence is trenched in ground and there are no gaps.
- Replace any silt fence that is torn, ripped, or otherwise damaged that is no longer effective.

Install Perimeter Controls 24

Straw Watties

Straw watties are similar to filter socks, but with less density due to straw filling material. These can be used in successive rows to slow sheet flow and collect sediment on long slopes or around the base of soil stock piles, but are not appropriate for application on impervious surfaces such as asphalt, concrete, or ledge.

Straw Wattle Installation:

Straw Watties are best used for small areas of disturbance, at the base of stockpiles, and across slope contours.

- Full contact with the ground is critical for straw watties to be effective and to prevent short circuiting. A trench 2"-3" deep shall be dug along the path of the wattle.
- Straw watties shall be secured with 18-24" stakes every 3-4' and with a stake at each end. Stakes shall be driven through the middle of the wattle and perpendicular to slope, leaving at least 2-3" of stake extending above wattle. In limited cases, watties may be secured without stakes by use of sandbags if staking is not feasible.
- Adjacent watties shall tightly abut or overlap.

Straw Wattle Maintenance:

- Accumulated sediment should be removed and placed in an upland location.

31

How to comply:

Before initiating any earth disturbing activities, install a perimeter fence, orange barrier tape, or flagging on stakes or trees to physically demarcate the approved limits of earth disturbance.



Properly placed barrier tape marks the boundaries and limits of construction on this site.

Demarcate Limits of Disturbance 4

Wood Chip Mulch or Stump Grindings

Cover entire area with 2-7 inches or more of wood chip mulch or stump grindings.



Good application of wood chip mulch and stump grindings.

11



Berms and ditches divert upslope contributing runoff around construction sites and reduce erosion and sedimentation problems. Stabilize berms and ditches after construction.

Divert Upland Runoff 18



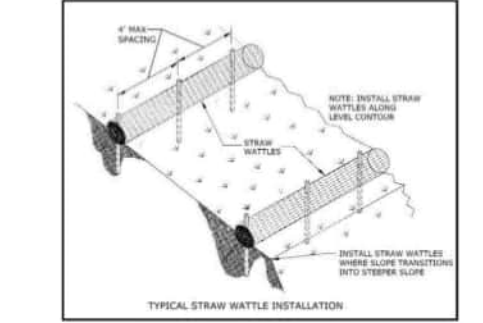
Good use of J-hook in silt fence to trap sediment in water running along the fence. Sediment must be removed if it reaches halfway to top of fence.



Poor installation of silt fencing. Silt fence must be trenched in along bottom. Hay bales are not approved as sediment barriers.

Install Perimeter Controls 25

- Straw watties can be reshaped if they become flattened or caked in sediment.



TYPICAL STRAW WATTLE INSTALLATION



Straw wattle properly staked in and providing settling of runoff from this shallow slope. Note a clean wattle was placed in front of an older less effective wattle.

Install Perimeter Controls 32

-tce-

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Revisions

No.	Description	Date	By

Use of These Drawings

1. Unless otherwise noted, these Drawings are intended for preliminary planning, coordination with other disciplines or utilities, and/or approval from the regulatory authorities. They are not intended as construction drawings unless noted as such or marked approved by a regulatory authority.

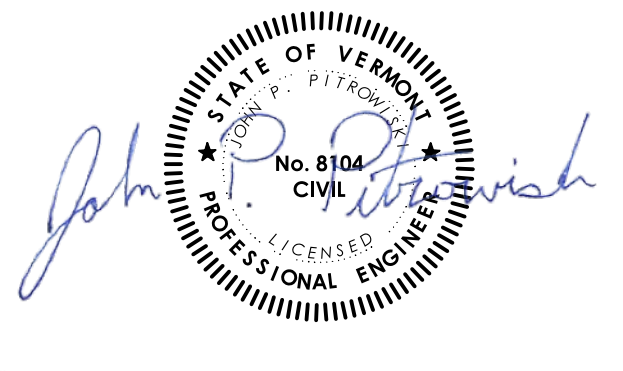
2. By use of these drawings for construction of the Project, the Owner represents that they have reviewed, approved, and accepted the drawings, obtained all necessary permits, and have met with all applicable parties/disciplines, including but not limited to, the Engineer and the Architect, to insure these plans are properly coordinated including, but not limited to, contract documents, specifications, owner/contractor agreements, building and mechanical plans, private and public utilities, and other pertinent permits for construction.

3. Owner and Architect, are responsible for final design and location of buildings shown, including an area measured a minimum five (5) feet around any building and coordinating final utility connections shown on these plans.

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

5. These Drawings are specific to the Project and are not transferable. As instruments of service, these drawings, and copies thereof, furnished by TCE are its exclusive property. Changes to the drawings may only be made by TCE. If errors or omissions are discovered, they shall be brought to the attention of TCE immediately.

6. It is the User's responsibility to ensure this copy contains the most current revisions.



Bissonette

72-76 Elmwood Avenue

Burlington, VT

Project Title

Sheet Title

EPSC Low Risk

Sheet 1

Date: 05/25/2022

Scale:

Project Number: 22-100

Drawn By: SCR

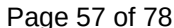
Project Engineer: JPP

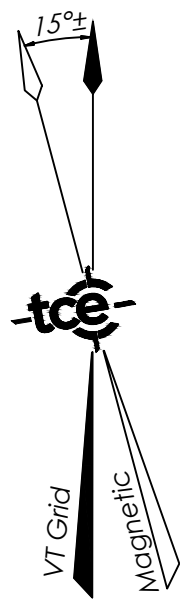
Approved By: JPP

Field Book: 364

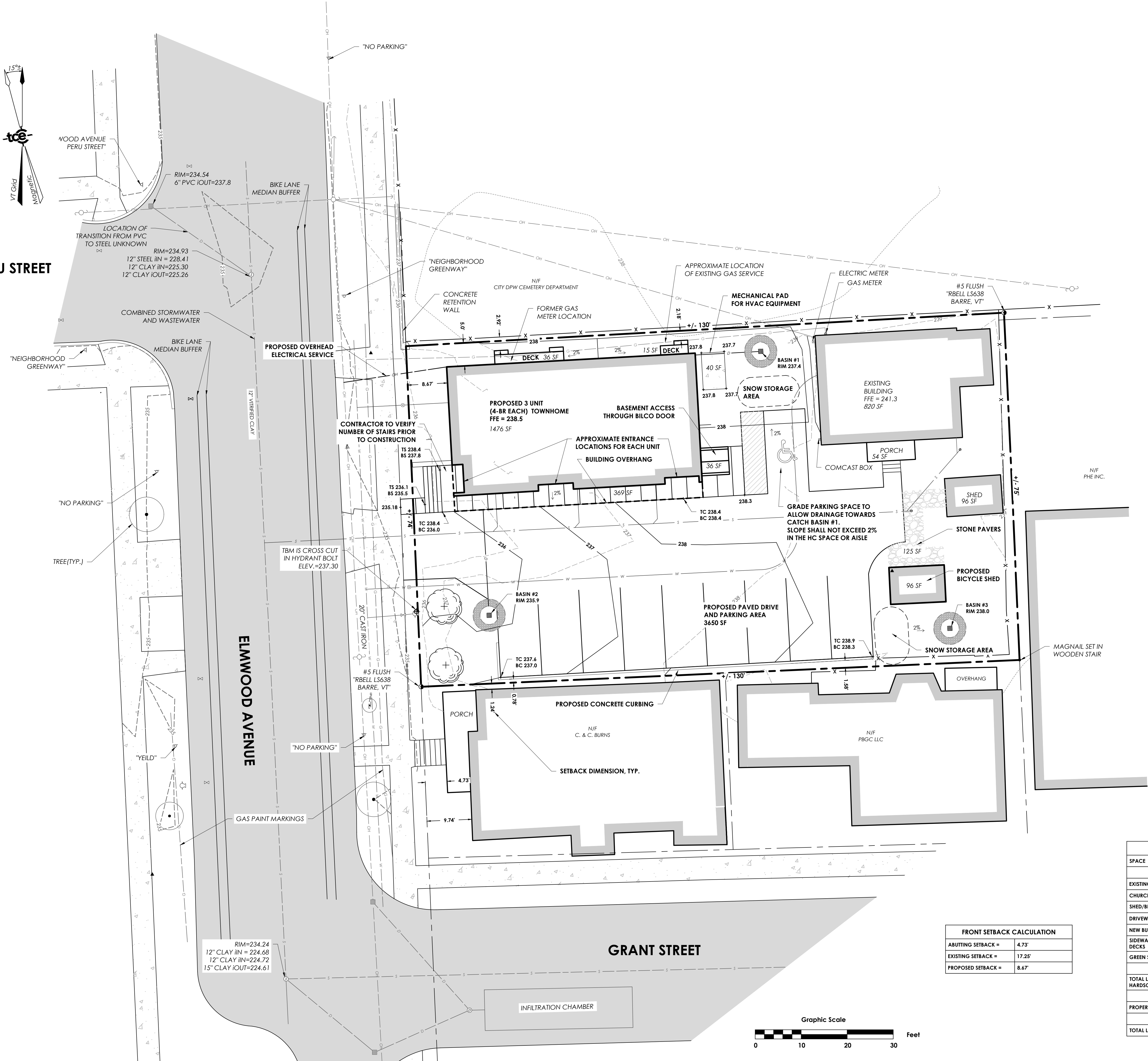
C8-04

Page 55 of 78





PERU STREET



I HEREBY CERTIFY THAT, IN THE EXERCISE OF MY REASONABLE PROFESSIONAL JUDGMENT, THE DESIGN RELATED INFORMATION SUBMITTED WITH THIS APPLICATION IS TRUE AND CORRECT AND THE DESIGN INCLUDED IN THIS APPLICATION FOR A PERMIT COMPLIES WITH THE VERMONT WASTEWATER SYSTEM AND POTABLE WATER SUPPLY RULES." (REF: ENVIRONMENTAL PROTECTION RULES CHAPTER 1 §1-306 (b)).

LAST REVISED 02/25/2023

PROJECT INFORMATION:

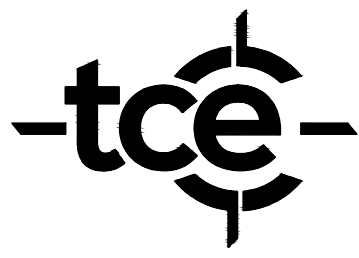
- OWNER OF RECORD: PBGC LLC
100 NORTH STREET
BURLINGTON, VERMONT 05401
- TAX PARCEL ID: 044-4-056
- PHYSICAL ADDRESS OF PROPERTY: 72-76 ELMWOOD AVENUE
BURLINGTON, VT 05401
- PARCEL SIZE: 0.22± ACRES
- ZONING DISTRICT: RESIDENTIAL - MEDIUM DENSITY

LEGEND

EXISTING	
PAVED DRIVE OR ROAD	---
GRAVEL DRIVE OR ROAD	---
PAVED DRIVE OR ROAD WITH CURB	---
TOPOGRAPHIC CONTOURS	124
LIDAR CONTOURS	124
SEWER MAINS AND SERVICES	S
WATER MAINS AND SERVICES	W
STORM DRAINAGE	D
LIQUID PROPANE OR NATURAL GAS	G
OVERHEAD UTILITY	OH
PROPERTY LINE	---
ADJOINING PROPERTY LINE	---
FENCE	X
SIGN	Ⓢ
SEWER, DRAINAGE OR TELEPHONE MANHOLE (SMH/DMH/TMH)	Ⓢ
CATCH BASIN (CB)	Ⓢ
VALVE	Ⓢ
FIRE HYDRANT (HYD)	Ⓢ
UTILITY POLE	Ⓢ
GAS OR ELECTRICAL METER	Ⓢ
BENCHMARK	Ⓢ
MAGNAIL (BOUNDARY MONUMENT)	Ⓢ
STEEL REBAR	Ⓢ
PROPOSED	
PAVED DRIVE OR ROAD	---
PAVED DRIVE OR ROAD WITH CURB	---
TOPOGRAPHIC CONTOURS	124
SEWER MAINS AND SERVICES	S
WATER MAINS AND SERVICES	W
STORM DRAINAGE	D
CLEANOUT (CO)	Ⓢ
CATCH BASIN (CB)	Ⓢ
CURB STOP (CS)	Ⓢ

FRONT SETBACK CALCULATION	
ABUTTING SETBACK =	4.73'
EXISTING SETBACK =	17.25'
PROPOSED SETBACK =	8.67'

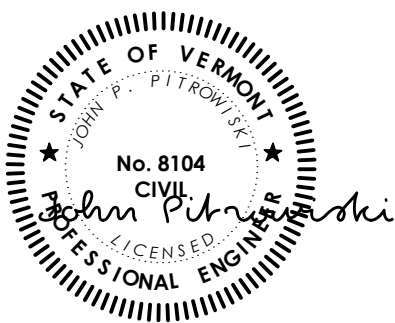
LOT COVERAGE		
SPACE	EXISTING AREA	PROPOSED AREA
EXISTING RESIDENCE	820 SF	820 SF
CHURCH AND RESIDENCE	2,215 SF	-----
SHED/BIKE SHED/MECH PAD	96 SF	232 SF
DRIVEWAY AND PARKING	3,259 SF	3,650 SF
NEW BUILDING & BULKHEAD	-----	1,512 SF
SIDEWALK, STONE PAVERS, AND DECKS	559 SF	599 SF
GREEN SPACE	2,769 SF	2,951 SF
TOTAL LOT BUILDING AND HARDSCAPES	6,949 SF	6,813 SF
PROPERTY	9,718 SF	9,718 SF
TOTAL LOT COVERAGE	71.50%	70.10%



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Revisions	No.	Description	Date	By
△	Revise CB #2 Location		07/14/2022	SCR
△	Edits per Zoning Review Comments		10/20/2023	SCR
△	Edits per Zoning Review Comments		10/23/2023	SCR

- Use of These Drawings
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 - By use of these drawings for construction of the Project, the Owner represents that they have reviewed, approved, and accepted the drawings, obtained all necessary permits, and have met with all applicable parties/disciplines, including but not limited to, the Engineer and the Architect, to insure these plans are properly coordinated including, but not limited to, contract documents, specifications, owner/contractor agreements, building and mechanical plans, private and public utilities, and other pertinent permits for construction.
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Project Title

Bissonette
72-76 Elmwood Avenue
Burlington, VT

Sheet Title

Site & Grading Plan

Date:	05/26/2022
Scale:	1" = 10'
Project Number:	22-100
Drawn By:	SCR
Project Engineer:	JPP
Approved By:	JPP
Field Book:	364

C2-01



72 - 76 ELMWOOD AVENUE TOWNHOUSES

PERMIT SET

SHEET INDEX

ARCHITECTURAL

- A-100 FIRE DIAGRAM | TYPICAL FLOORS AND WALLS
- A-200 FLOOR PLANS
- A-201 FLOOR PLAN
- A-400 ELEVATIONS
- A-450 SECTIONS
- A-451 SECTIONS
- A-800 INTERIOR ELEVATIONS
- E-200 ELECTRICAL PLANS
- E-201 ELECTRICAL PLAN

CIVIL

- C1-01 EXISTING CONDITIONS
- C2-01 SITE AND GRADING PLAN
- C2-02 UTILITIES PLAN
- C2-03 EROSION PREVENTION AND SEDIMENT CONTROL
- C8-01 SEWER DETAILS AND NOTES
- C8-02 WATER DETAILS AND NOTES
- C8-03 STORMWATER AND MISC
- C8-04 EPSC LOW RISK SHEET 1
- C8-05 LOW RISK SHEET 2
- D1091 WATER SYSTEM DETAILS

STRUCTURAL

- S000 - GENERAL NOTES
- S100 - FOUNDATION AND 1ST FLOOR FRAMING PLANS
- S101 - 2ND FLOOR & 3RD FLOOR FRAMING PLANS
- S102 - ROOF FRAMING PLAN - TRUSS SECTION
- S200 - BUILDING SECTION
- S201 - BUILDING SECTION
- S300 - FOUNDATION DETAILS
- S301 - FOUNDATION DETAILS
- S401 - FRAMING DETAILS
- S402 - FRAMING DETAILS

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OWNER

BISSONNETTE
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05401

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RICHARD W. BELL
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CONTRACTOR

PROFESSIONAL STAMP

REVISION HISTORY

Date	Issue
06 01 2022	75% ISSUED FOR COORDINATION
06 01 2022	PERMIT SET (BUILDING PERMIT)

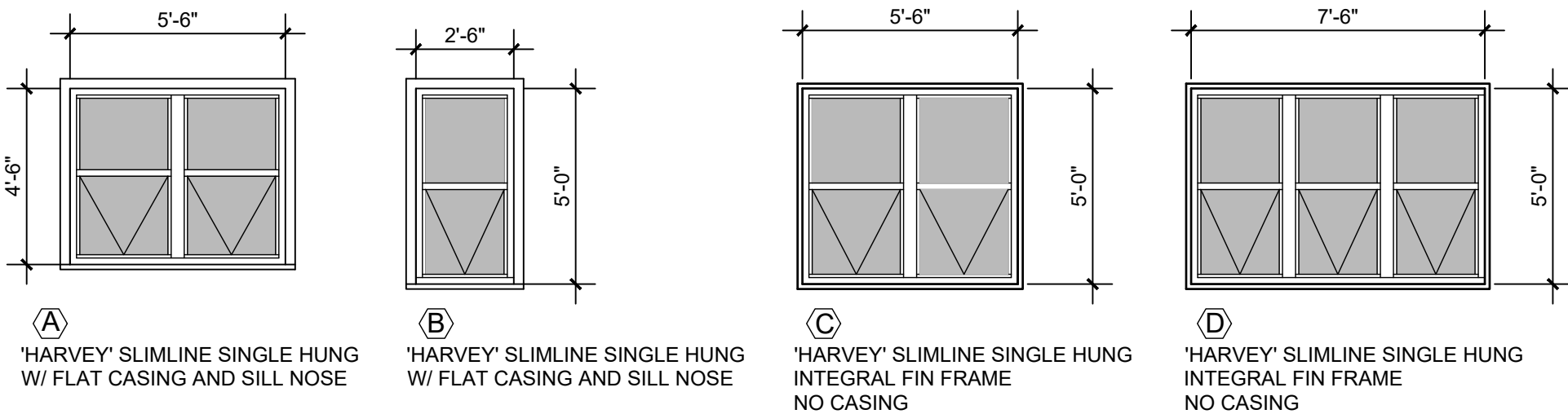
COVER PAGE

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Project No:	2020-192
Date:	06/02/2022
Scale:	AS-NOTED
Drawn by:	WJR/MFA

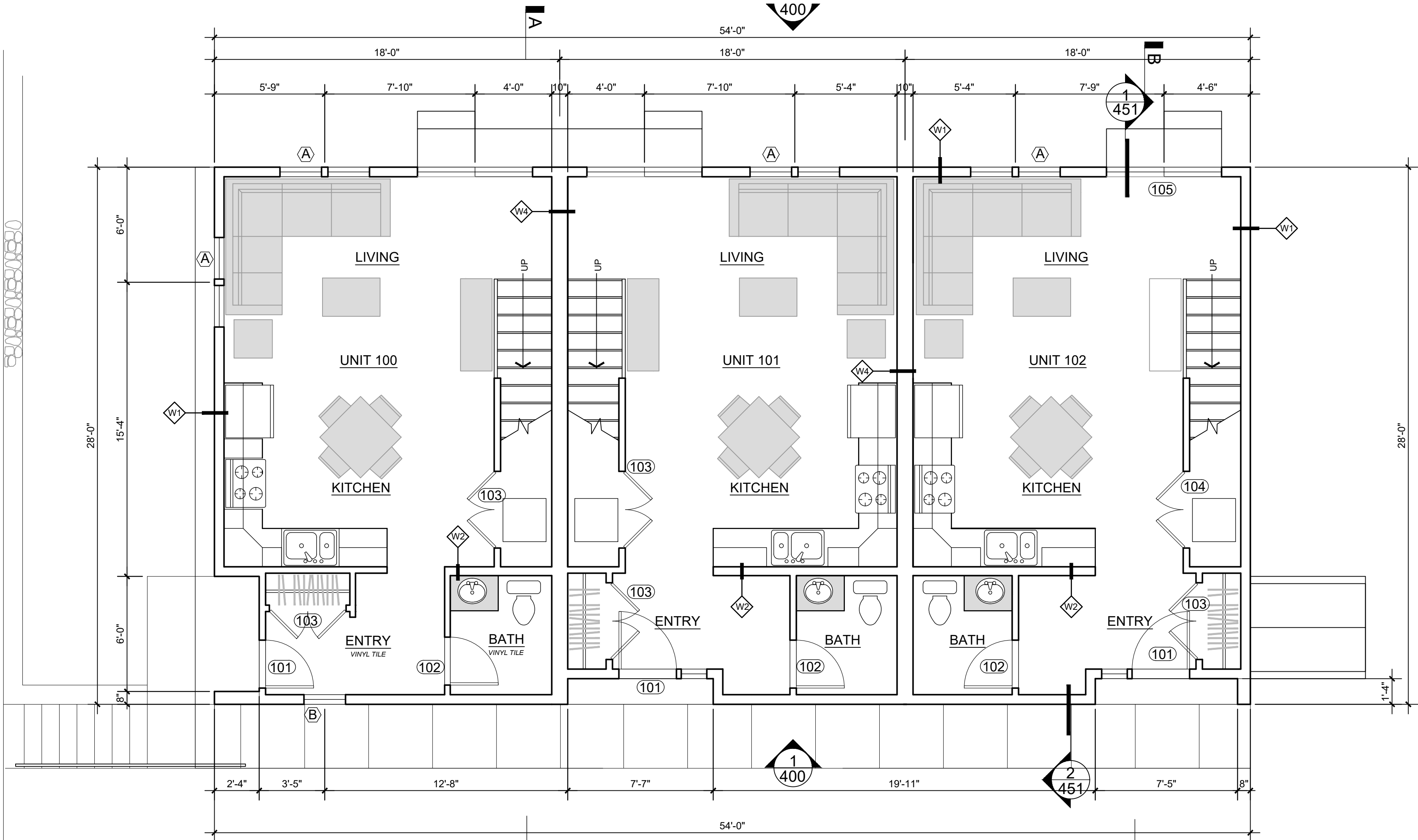
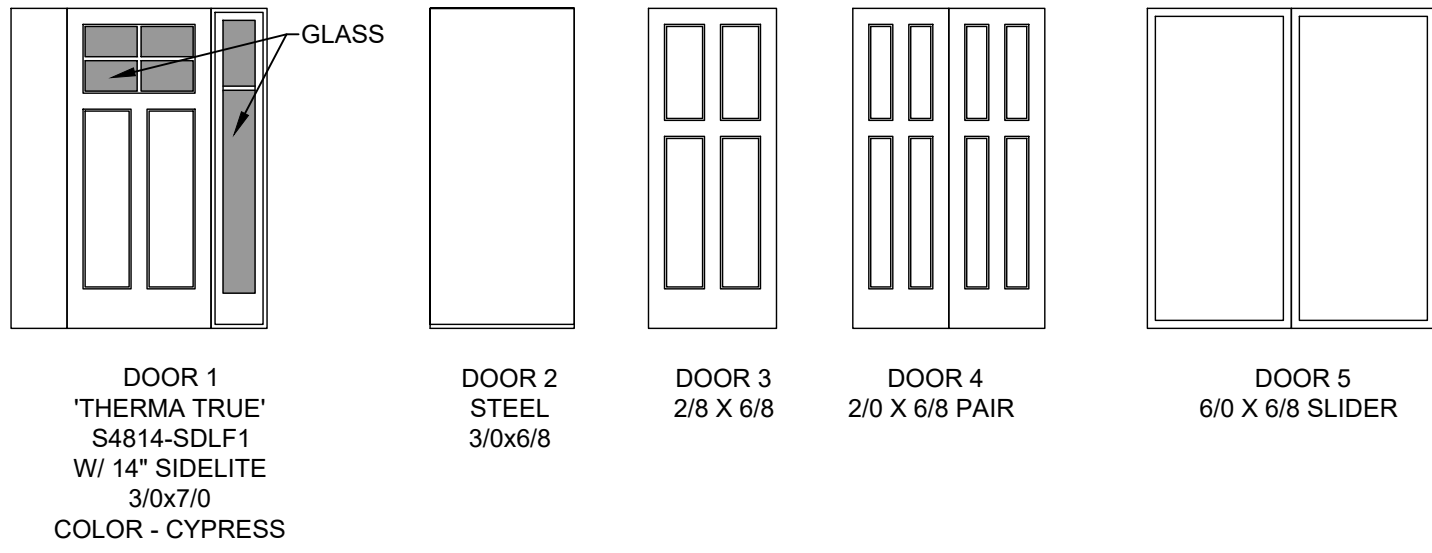
COV

06 08 2022 CONSTRUCTION REVIEW SET

DOOR SCHEDULE					
No.	SIZE	DOOR ELEV.	MATERIAL	HARDWARE	REMARKS
001	3/0 X 6/8	2	STEEL	ENTRY	
002	3/0 X 6/8	2	STEEL	ENTRY	
003	3/0 X 6/8	2	STEEL	ENTRY	
004	3/0 X 6/8	2	STEEL	ENTRY	
101	3/0 X 6/8	1	FIBERGLASS	ENTRY	THERMA-TRU S4814-SDLF1 W/ SIDELITE
102	2/8 X 6/8	3	MASONITE	PRIVACY	
103	2/0 X 6/8 PAIR	4	MASONITE	CLOSET	
104	2/0 X 6/8 PAIR	4	MASONITE	CLOSET	
105	6/0 X 7/0 SLIDER	5	FIBERGLASS	SLIDING HANDLE	3" FLAT CASING
201	2/8 X 6/8	3	MASONITE	CLOSET	
202	2/8 X 6/8	3	MASONITE	PRIVACY	
203	2/8 X 6/8	3	MASONITE	PRIVACY	
204	2/8 X 6/8	3	MASONITE	PRIVACY	
205	2/8 X 6/8	3	MASONITE	CLOSET	
301	2/0 X 6/8 PAIR	4	MASONITE	CLOSET	
302	2/8 X 6/8	3	MASONITE	PRIVACY	
303	2/8 X 6/8	3	MASONITE	PRIVACY	
304	2/8 X 6/8	3	MASONITE	PRIVACY	
305	2/0 X 6/8 PAIR	4	MASONITE	CLOSET	

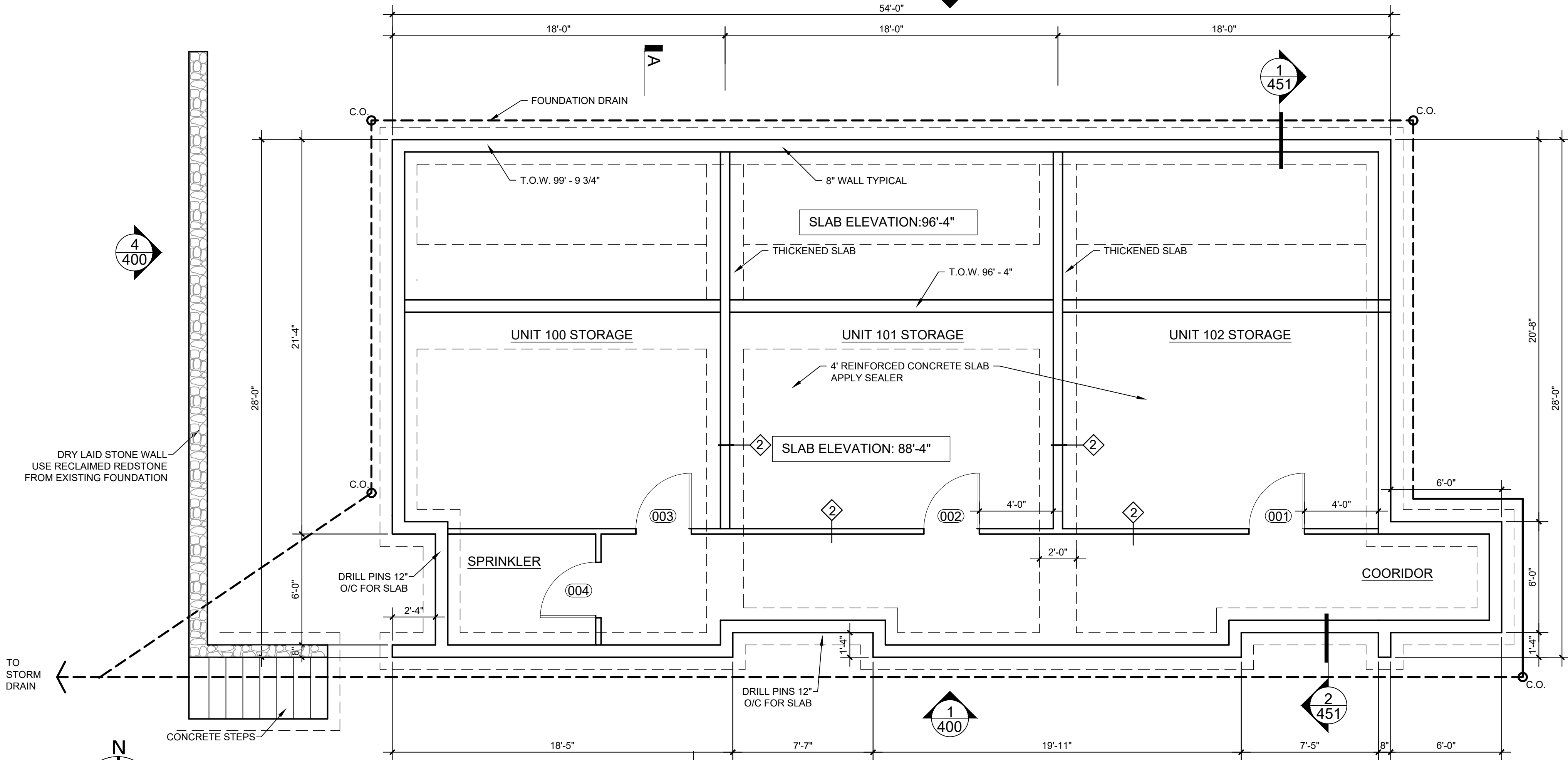


NOTE:
SIZES SHOWN ARE UNIT SIZES
EXTERIOR COLOR - BLACK
INTERIOR COLOR - ALMOND



GROUND LEVEL

SCALE: 1/4"=1'-0"



FOUNDATION LEVEL

SCALE: 1/4"=1'-0"

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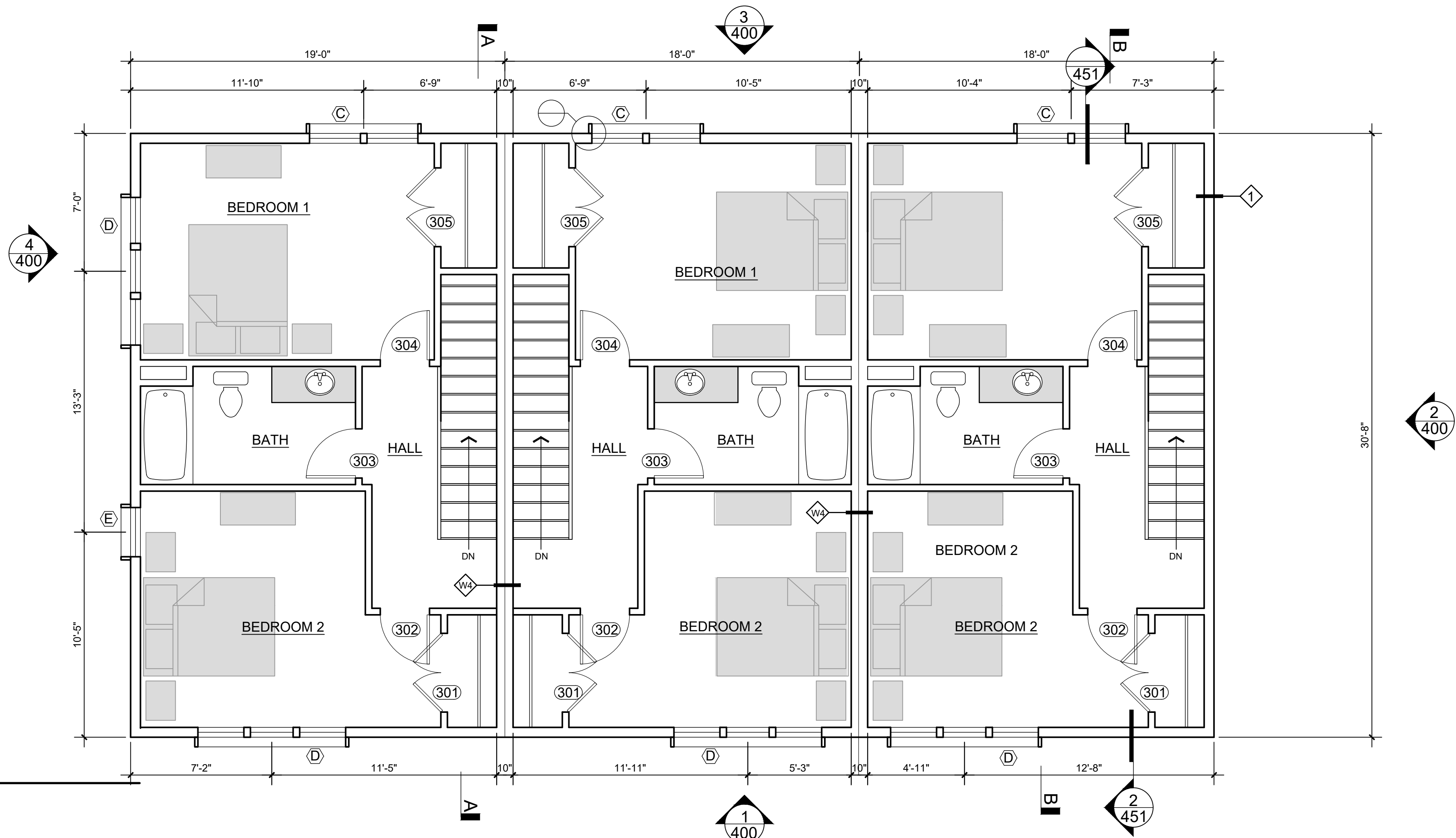
FLOOR PLANS

Drawing Title	2020-157
Project No.	06/01/2022
Date	AS-NOTED
Scale	WJR/MFA
Drawn by	

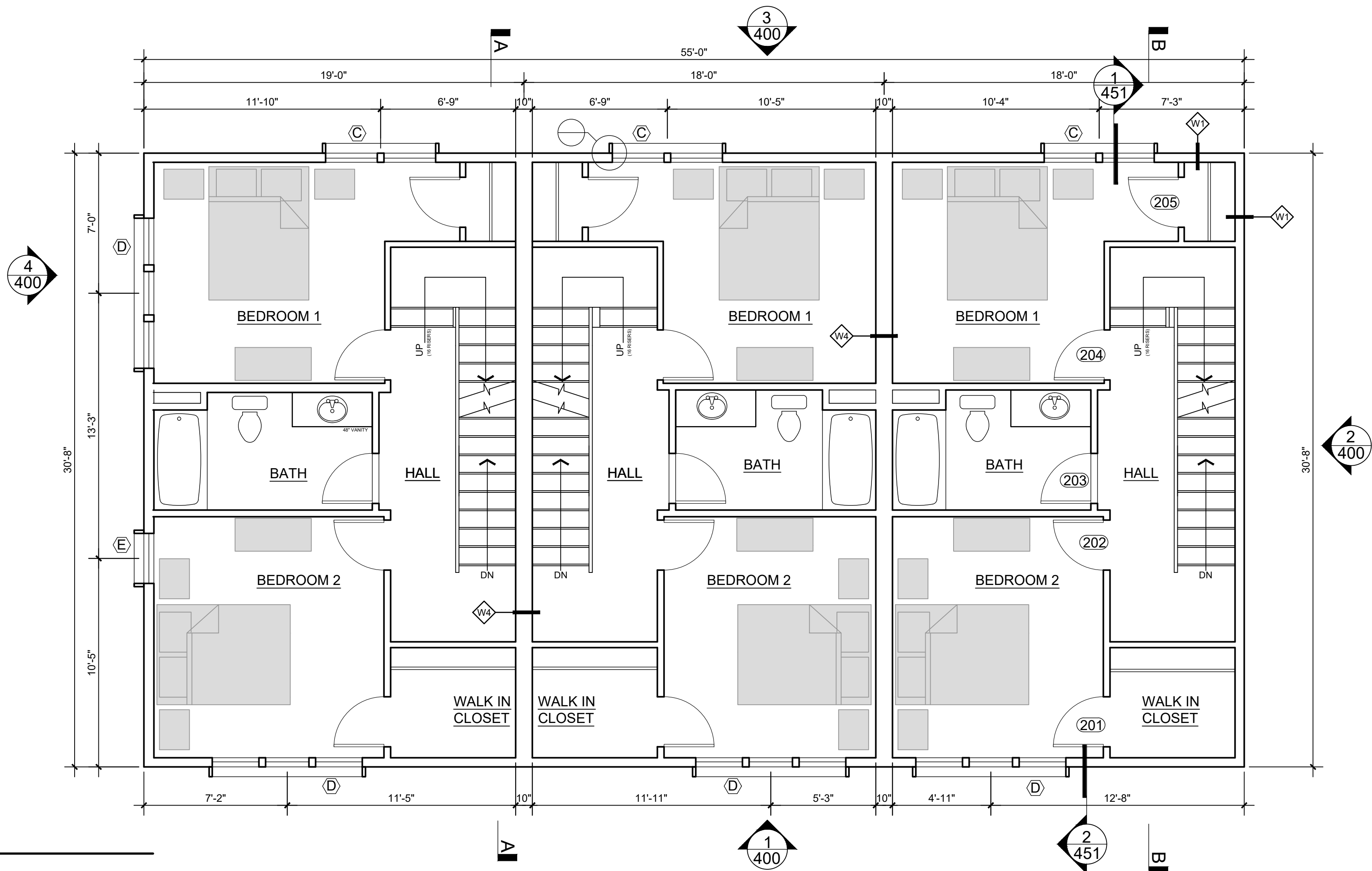
A200

06 08 2022 CONSTRUCTION REVIEW SET

THIRD LEVEL
SCALE: 1/4=1'-0



SECOND LEVEL
SCALE: 1/4=1'-0



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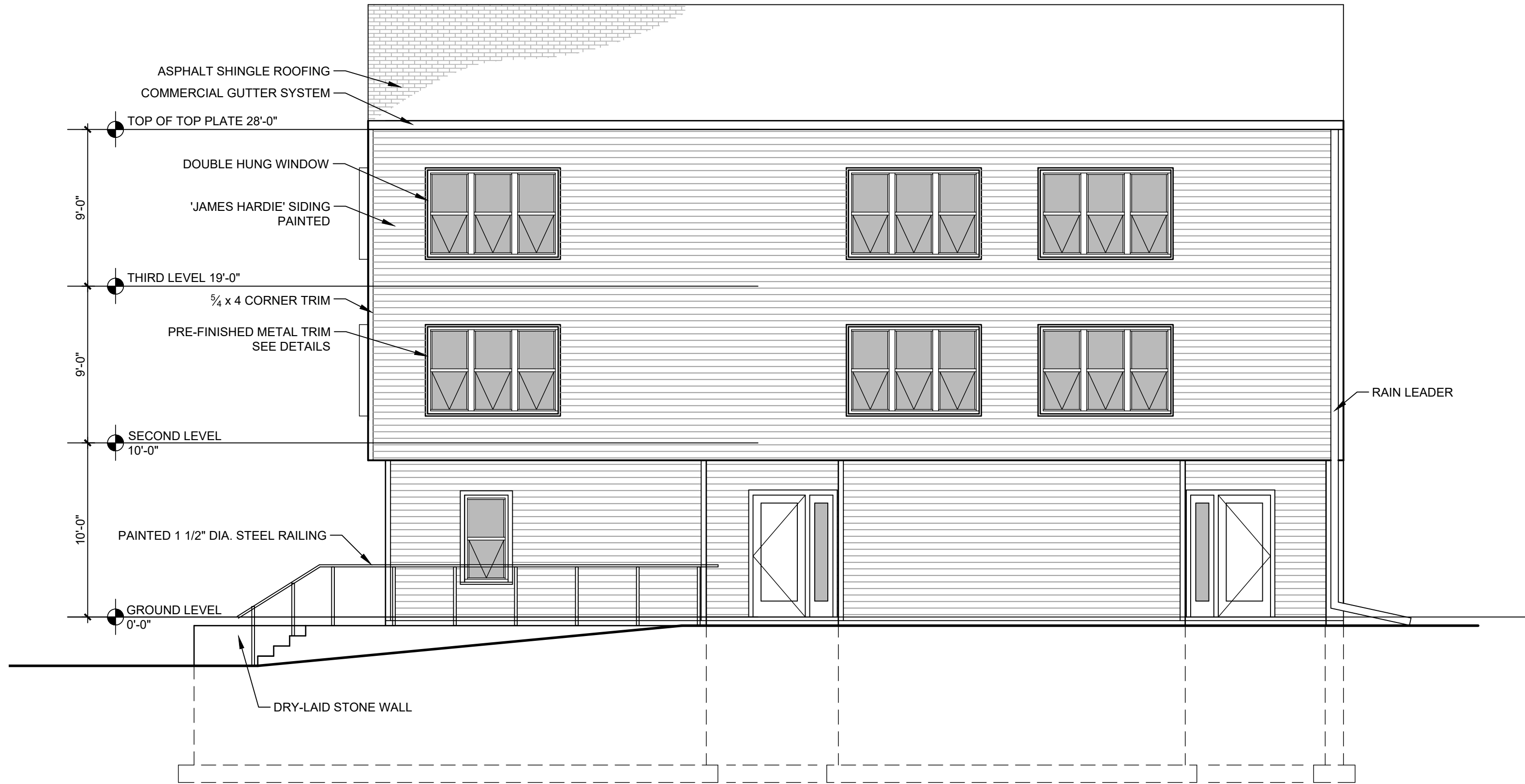
Date	Issue
02-18-2022	75% ISSUED FOR COORDINATION
06-01-2022	PERMIT SET (BUILDING PERMIT)

FLOOR PLANS

Drawing Title	
Project No.	2020-157
Date	06/01/2022
Scale	AS-NOTED
Drawn by	WJR/MFA

A201

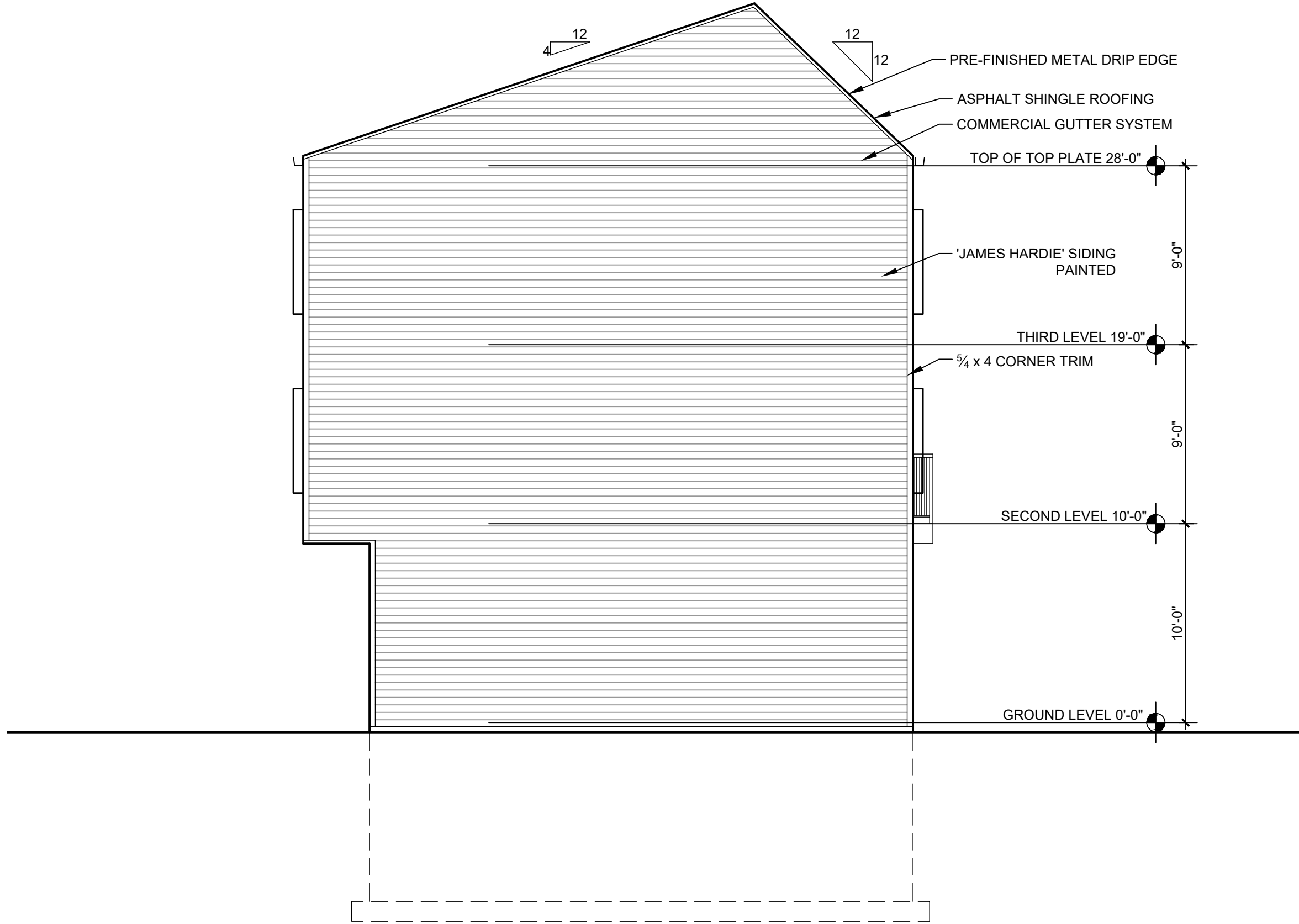
06 08 2022 CONSTRUCTION REVIEW SET



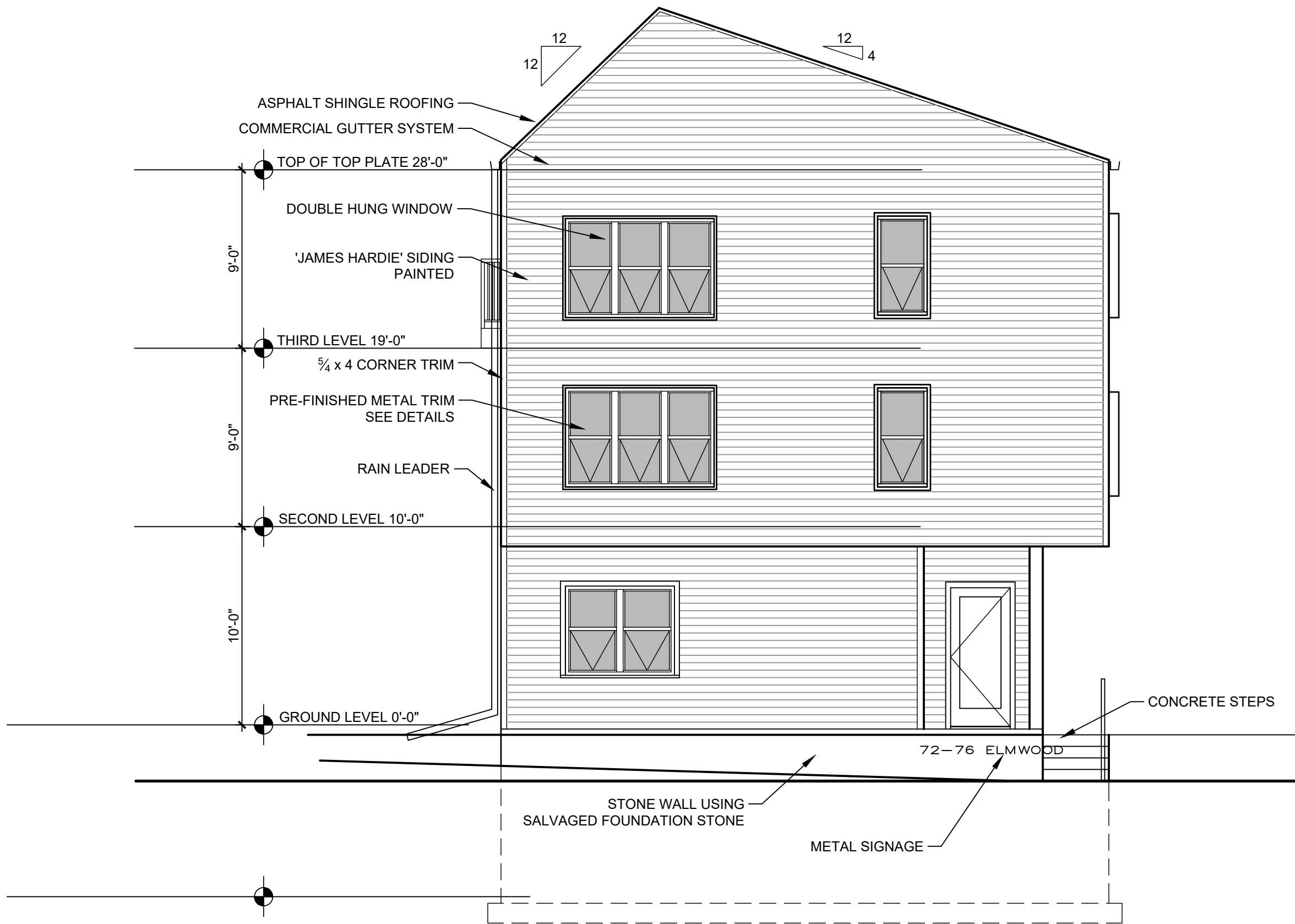
01 - 400 | SOUTH ELEVATION
SCALE: 3/16" =1'-0



03 - 400 | NORTH ELEVATION
SCALE: 3/16" =1'-0



02 - 400 | EAST ELEVATION
SCALE: 3/16" =1'-0



04 - 400 | WEST ELEVATION
SCALE: 3/16" =1'-0

06 08 2022 CONSTRUCTION REVIEW SET

ELMWOOD TOWNHOUSES

LOCATION
72 - 76 ELMWOOD AVENUE
BURLINGTON, VERMONT 05401

OWNER

BISSONNETTE
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PBCC LLC
100 NORTH STREET
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REVISION HISTORY		
Date	Issue	
02 18 2022	75% ISSUED FOR COORDINATION	
06 01 2022	PERMIT SET (BUILDING PERMIT)	

ELEVATIONS	
Drawing Title	
Project No:	2020-157
Date:	06/01/2022
Scale:	AS-NOTED
Drawn by:	WJR/MFA

A400

ELMWOOD
TOWNHOUSES

LOCATION
72 - 76 ELMWOOD AVENUE
BURLINGTON, VERMONT 05401

OWNER
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BURLINGTON VERMONT
05401

CIVIL / SURVEYOR
RICHARD W. BELL
LAND SURVEYING, INC
297 SOUTH MAIN STREET
BARRE, VERMONT 05641

CONTRACTOR

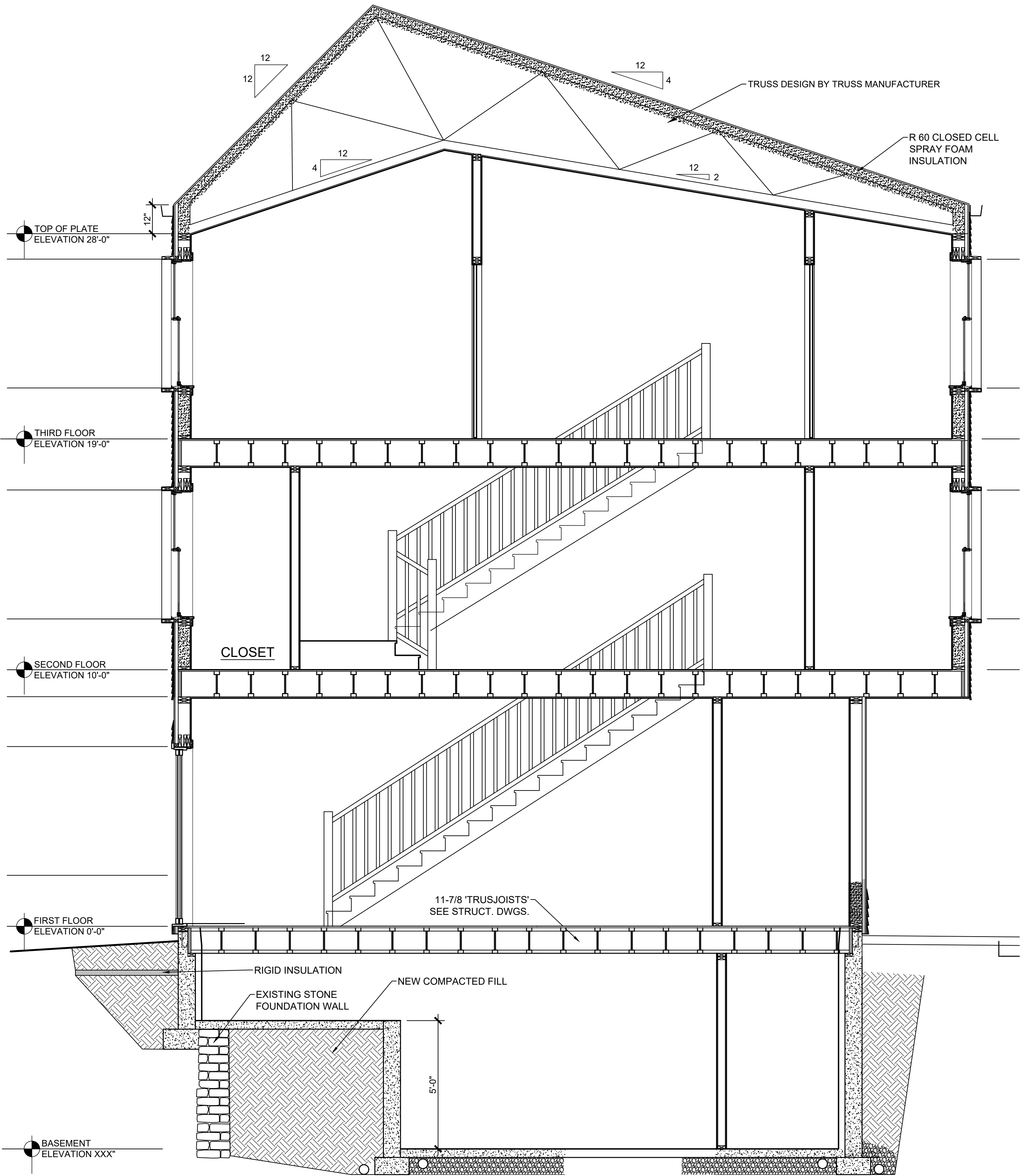
PROFESSIONAL STAMP

REVISION HISTORY		
Date	Issue	
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06/01/2022	PERMIT SET (BUILDING PERMIT)	

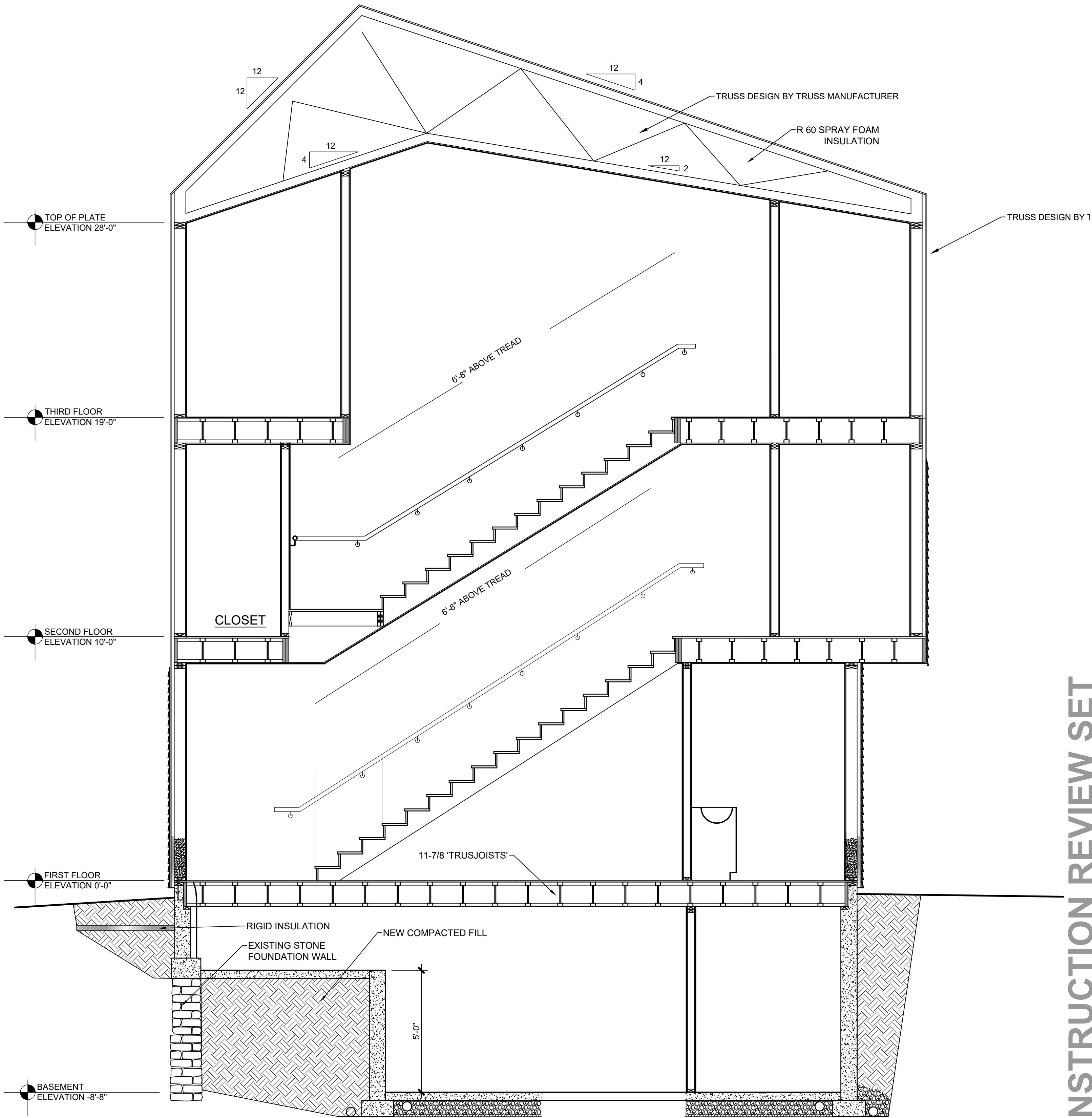
BUILDING SECTIONS

Drawing Title	
Project No.	2020-157
Date:	06/01/2022
Scale:	AS-NOTED
Drawn by:	WJR/MFA

A450



SECTION A-A
SCALE: 3/8=1'-0

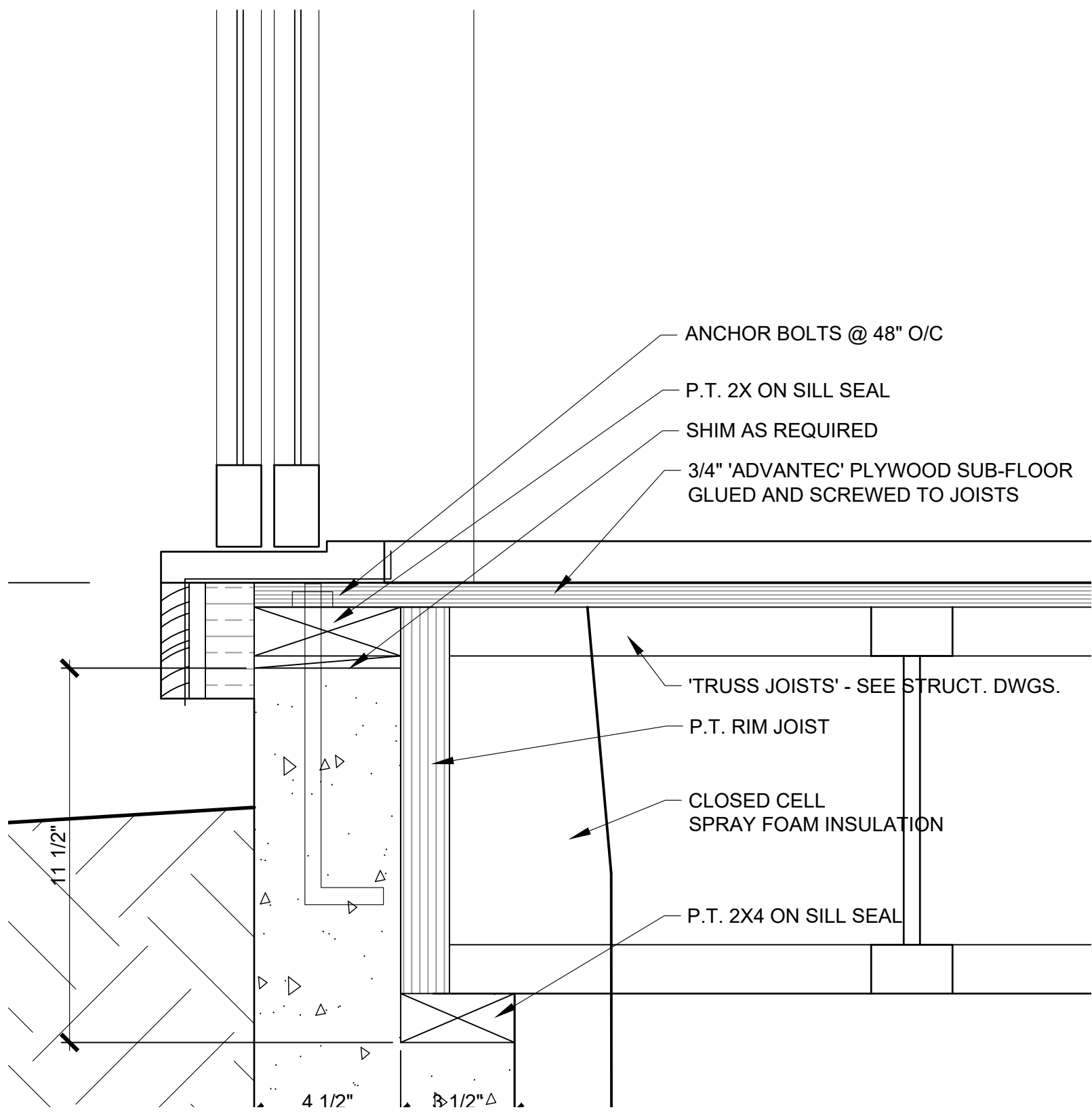


SECTION B-B
SCALE: 3/8=1'-0

NOTES RE: HANDRAILS

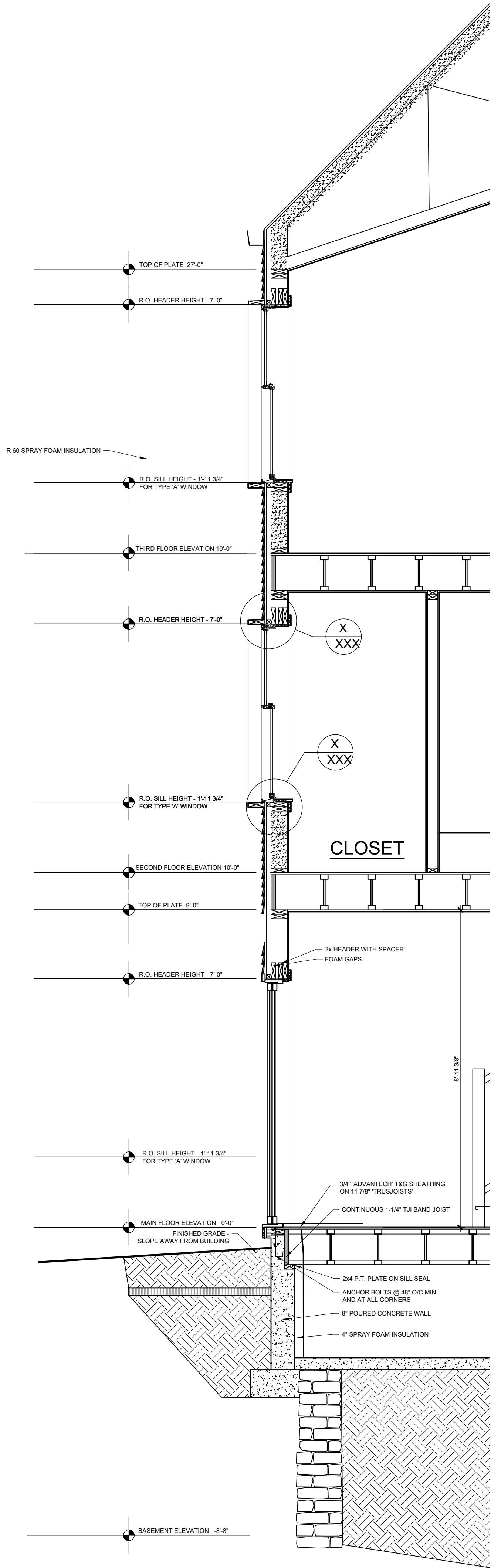
1. A HANDRAIL IS REQUIRED ON ONE SIDE OF THE STAIRWELL IN DWELLING UNITS.
2. THEY MUST BE BETWEEN 34 AND 38" ABOVE THE TREAD WHEN MEASURED FROM THE NOSING TO THE TOP OF THE RAIL.
3. HANDRAILS MUST RETURN TO THE WALL OR FLOOR AT ENDS (THIS PREVENTS CLOTHING GETTING CAUGHT WHEN RUSHING DOWN STAIRS).
4. CLEARANCE OF 2 1/4" MINIMUM BETWEEN THE HANDRAIL AND THE WALL.
5. THE HANDRAILS MUST BE CONTINUOUSLY GRASPABLE ALONG THEIR ENTIRE LENGTH.
6. AT ANY LANDING THE HANDRAIL MUST CONTINUE HORIZONTALLY FOR 12" PAST THE LAST RISER.
7. THE DIAMETER OF THE HANDRAIL CAN BE NO LESS THAN 1 1/2" AND NO GREATER THAN 2".
8. SPACE BETWEEN BALUSTERS TO BE 4" OR LESS.
9. GUARD HEIGHT TO BE 42" ABOVE NOSING WHERE STAIRS ARE MORE THAN 30" ABOVE THE FLOOR.

06 08 2022 CONSTRUCTION REVIEW SET



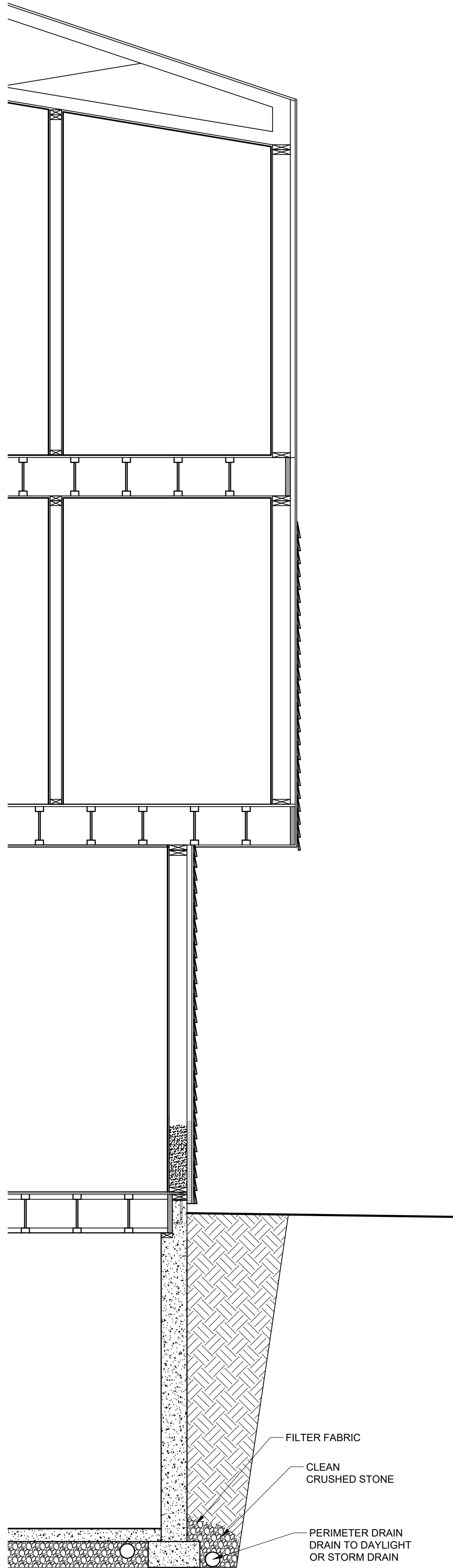
03 FOUNDATION DETAIL

SCALE: 3/4=1'-0



01 WALL SECTION

SCALE: 3/4=1'-0



02 WALL SECTION

SCALE: 3/4=1'-0

ARCHITECT

JRMA

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www.jrmadesignstudio.com

JRMA DESIGN STUDIO LLP
175 SUMMIT CIRCLE
SHELBURNE VERMONT

ELMWOOD TOWNHOUSES

LOCATION

72 - 76 ELMWOOD AVENUE
BURLINGTON, VERMONT 05401

OWNER



PBGC LLC
100 NORTH STREET
BURLINGTON VERMONT
05401

CIVIL / SURVEYOR

RICHARD W. BELL
LAND SURVEYING, INC
297 SOUTH MAIN STREET
BARRE, VERMONT 05641

CONTRACTOR

PROFESSIONAL STAMP

REVISION HISTORY

Date	Issue
02-18-2022	75% ISSUED FOR COORDINATION
06-01-2022	PERMIT SET (BUILDING PERMIT)

WALL SECTIONS

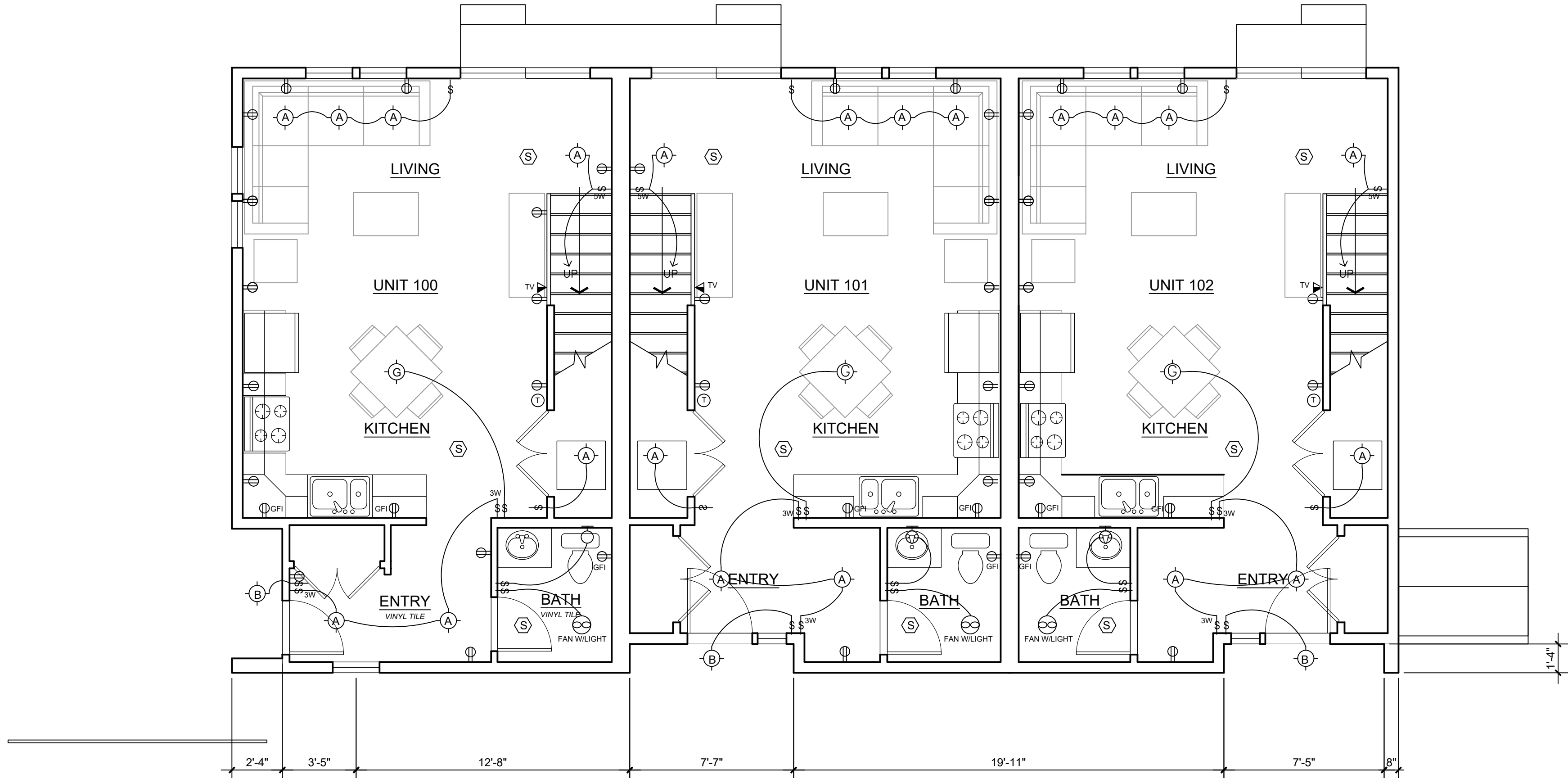
Drawing Title	
Project No:	2020-157
Date:	06/01/2022
Scale:	AS-NOTED
Drawn by:	WJR/MFA

A451

06 08 2022 CONSTRUCTION REVIEW SET

GROUND LEVEL

SCALE: 1/4=1'-0

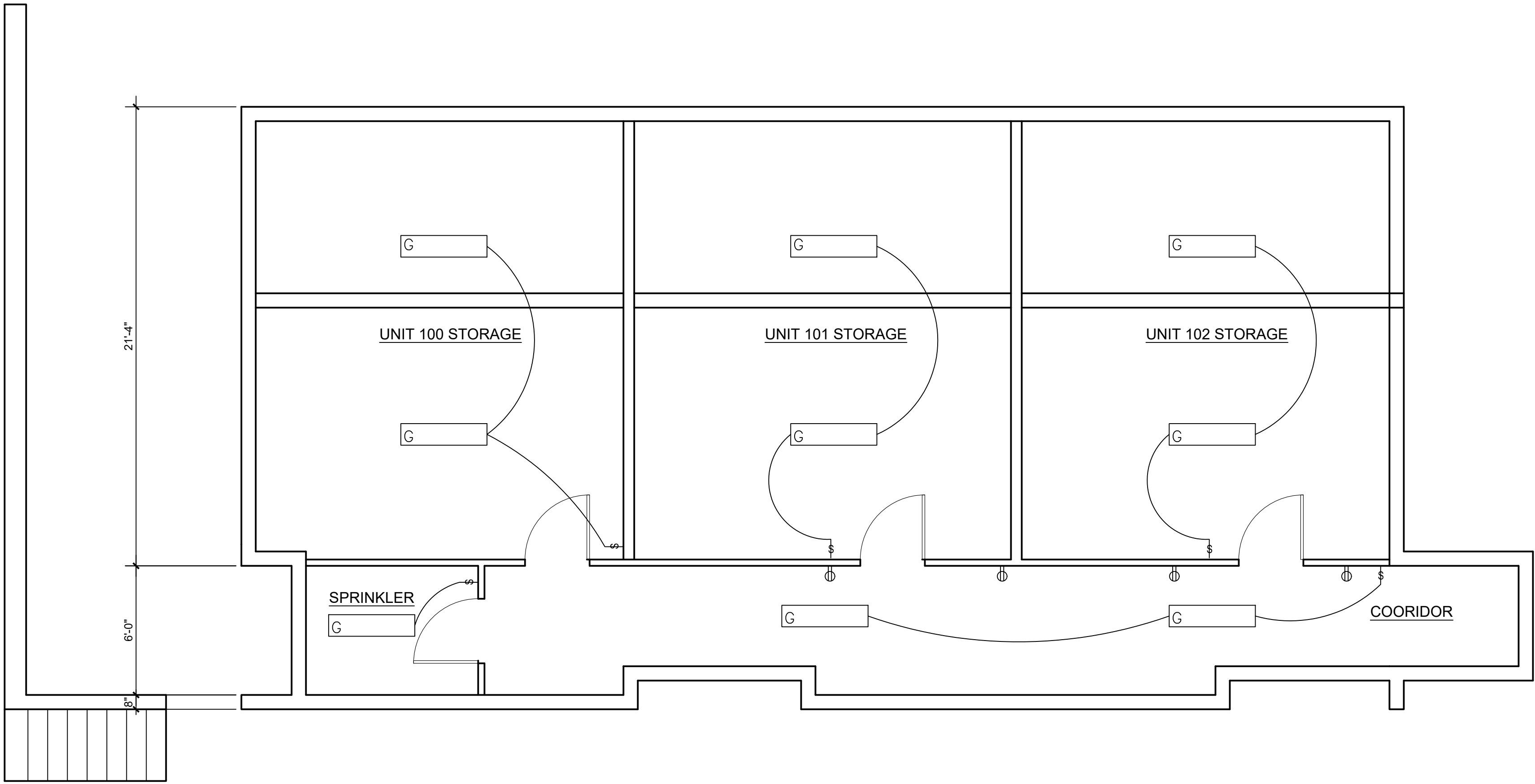


LEGEND

- SWITCH
- 3 WAY SWITCH
- 4 WAY SWITCH
- 2 TUBE 48" LED
- 2x2 LED
- 4" 9 WATT LED RECESSED CAN
- 6" 13 WATT RECESSED LED CAN
- SURFACE MOUNTED LIGHT
- OWNER SUPPLIED
- LED SHOWER LIGHT
- PORCELAIN SOCKET
- SCONCE
- OWNER SUPPLIED
- LED UNDER CABINET
- LED STRIP - INTERIOR
- 'DIODE' - 'BLAZE' DI-12V-BL27-80100
- 2700K
- 'OMNIDRIVE' DIMMABLE DI-TD-12V-80W
- COVER - DI-TAPE-GRD-CL
- GFI GFI OUTLET
- USB OUTLET WITH USB PORT
- OUTLET WITH NIGHT LIGHT
- DUPLEX OUTLET
- QUAD OUTLET
- DATA PORT
- PHONE PORT
- SMOKE / CO DETECTOR
- EXIT LIGHT
- EMERGENCY LIGHT
- DOOR BELL
- CENTRAL VACUUM OUTLET
- T-STAT
- FAN/LIGHT COMBO
- FAN
- MINI-SPLIT WALL UNIT

FOUNDATION LEVEL

SCALE: 1/4=1'-0



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175 SUMMIT CIRCLE
SHELburnE VERMONT

ELMWOOD
TOWNHOUSES

LOCATION

72 - 76 ELMWOOD AVENUE
BURLINGTON, VERMONT 05401

OWNER

BISSONNETTE
PROPERTIES | BURLINGTON, VERMONT

PBCC LLC
100 NORTH STREET
BURLINGTON VERMONT
05401

CIVIL / SURVEYOR
RICHARD W. BELL
LAND SURVEYING, INC
297 SOUTH MAIN STREET
BARRE, VERMONT 05641

CONTRACTOR

PROFESSIONAL STAMP

REVISION HISTORY

Date	Issue
02.18.2022	75% ISSUED FOR COORDINATION
06.01.2022	PERMIT SET (BUILDING PERMIT)

ELECTRICAL PLAN
FOUNDATION LEVEL

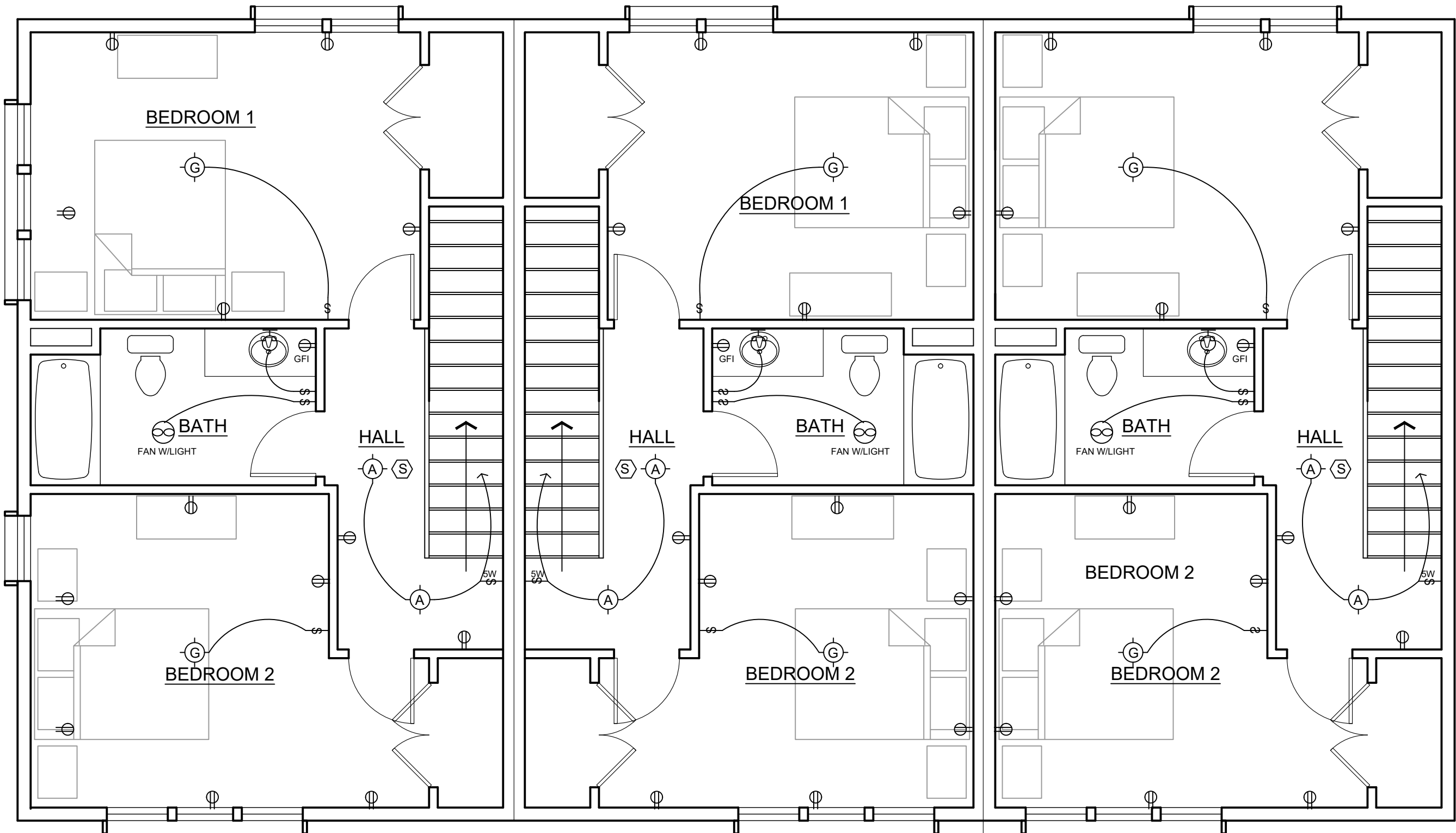
Drawing Title	2020-157
Project No.	06/01/2022
Date	AS-NOTED
Scale	WJR/MFA
Drawn by	

E200

06 08 2022 CONSTRUCTION REVIEW SET

THIRD LEVEL

SCALE: 1/4=1'-0



LEGEND

- SW

3W

4W

G

H

A

B

C

D

F

E

O

LED

DIODE

OMNIDRIVE

COVER

SWITCH

3 WAY SWITCH

4 WAY SWITCH

2 TUBE 48" LED

2x2 LED

4" 9 WATT LED RECESSED CAN

6" 13 WATT RECESSED LED CAN

SURFACE MOUNTED LIGHT

OWNER SUPPLIED

LED SHOWER LIGHT

PORCELAIN SOCKET

SCONCE

OWNER SUPPLIED

LED UNDER CABINET

LED STRIP - INTERIOR

'DIODE' - 'BLAZE' DI-12V-BL27-80100

'OMNIDRIVE' DIMMABLE DI-TD-12V-80W

COVER - DI-TAPE-GRD-CL
- GFI

USB

NL

Q

Q

Q

Q

S

E

EM

DB

CV

T

F

FL

GFI OUTLET

OUTLET WITH USB PORT

OUTLET WITH NIGHT LIGHT

DUPLEX OUTLET

QUAD OUTLET

DATA PORT

PHONE PORT

SMOKE / CO DETECTOR

EXIT LIGHT

EMERGENCY LIGHT

DOOR BELL

CENTRAL VACUUM OUTLET

T-STAT

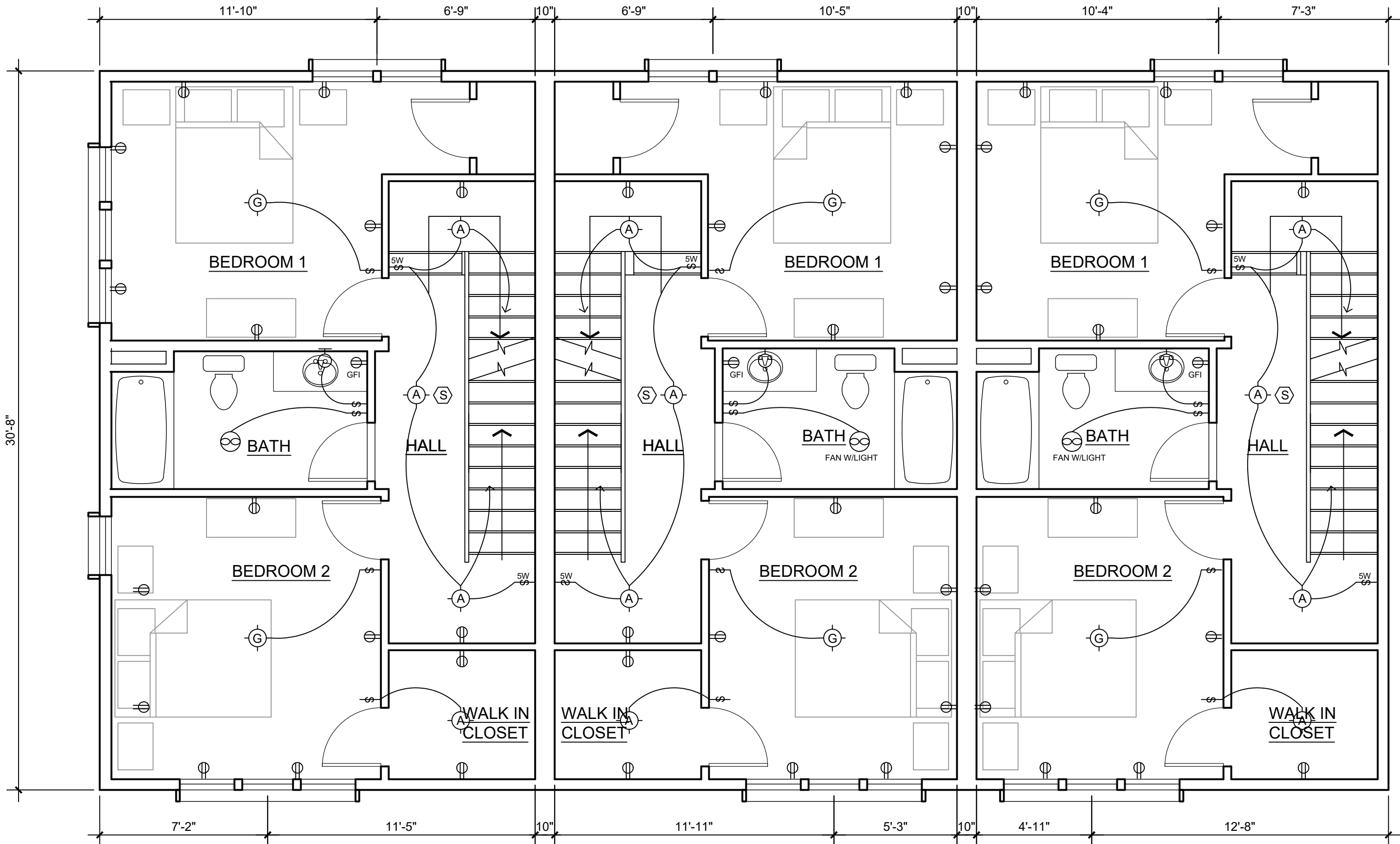
FAN

FAN/LIGHT COMBO
- MINI-SPLIT

WALL UNIT

SECOND LEVEL

SCALE: 1/4=1'-0



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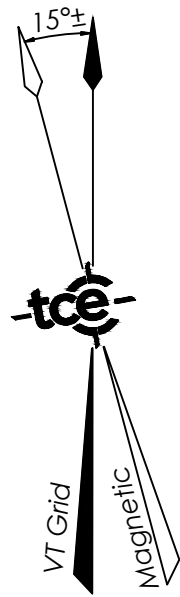
Date	Issue
02-18-2022	75% ISSUED FOR COORDINATION
06-01-2022	PERMIT SET (BUILDING PERMIT)

ELECTRICAL PLAN
GROUND LEVEL

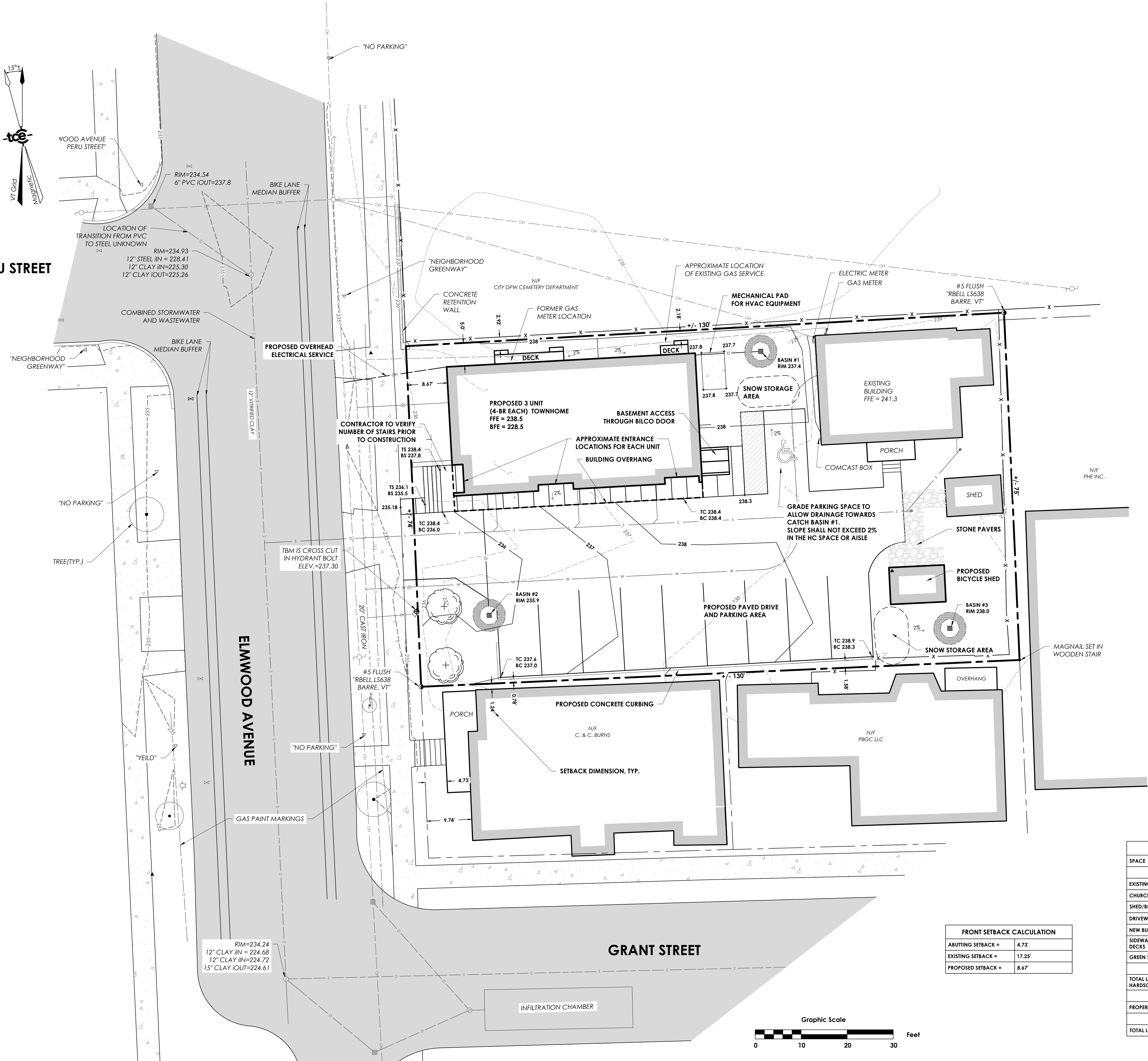
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Project No:	2020-157
Date:	06/01/2022
Scale:	AS-NOTED
Drawn by:	WJR/MFA

E201

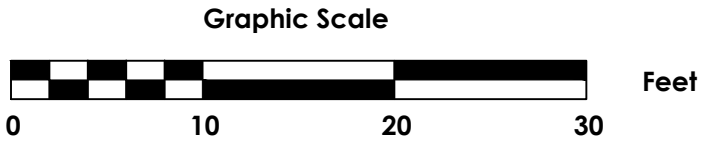
06 08 2022 CONSTRUCTION REVIEW SET



PERU STREET



FRONT SETBACK CALCULATION	
ABUTTING SETBACK =	4.73'
EXISTING SETBACK =	17.25'
PROPOSED SETBACK =	8.67'



"I HEREBY CERTIFY THAT, IN THE EXERCISE OF MY REASONABLE PROFESSIONAL JUDGMENT, THE DESIGN RELATED INFORMATION SUBMITTED WITH THIS APPLICATION IS TRUE AND CORRECT AND THE DESIGN INCLUDED IN THIS APPLICATION FOR A PERMIT COMPLIES WITH THE VERMONT WASTEWATER SYSTEM AND POTABLE WATER SUPPLY RULES." (REF: ENVIRONMENTAL PROTECTION RULES CHAPTER 1 §1-306 (b)).

LAST REVISED 02/25/2020

PROJECT INFORMATION:

- OWNER OF RECORD: PBGC LLC
100 NORTH STREET
BURLINGTON, VERMONT 05401
- TAX PARCEL ID: 044-4-056
- PHYSICAL ADDRESS OF PROPERTY: 72-76 ELMWOOD AVENUE
BURLINGTON, VT 05401
- PARCEL SIZE: 0.22± ACRES
- ZONING DISTRICT: RESIDENTIAL - MEDIUM DENSITY

LEGEND

EXISTING	
PAVED DRIVE OR ROAD	---
GRAVEL DRIVE OR ROAD	---
PAVED DRIVE OR ROAD WITH CURB	---
TOPOGRAPHIC CONTOURS	--- 124 ---
LIDAR CONTOURS	--- 124 ---
SEWER MAINS AND SERVICES	---
WATER MAINS AND SERVICES	---
STORM DRAINAGE	---
LIQUID PROPANE OR NATURAL GAS	---
OVERHEAD UTILITY	---
PROPERTY LINE	---
ADJOINING PROPERTY LINE	---
FENCE	---
SIGN	---
SEWER, DRAINAGE OR TELEPHONE MANHOLE (SMH/DMH/TMH)	---
CATCH BASIN (CB)	---
VALVE	---
FIRE HYDRANT (HYD)	---
UTILITY POLE	---
GAS OR ELECTRICAL METER	---
BENCHMARK	---
MAGNAIL (BOUNDARY MONUMENT)	---
STEEL REBAR	---
PROPOSED	
PAVED DRIVE OR ROAD	---
PAVED DRIVE OR ROAD WITH CURB	---
TOPOGRAPHIC CONTOURS	--- 124 ---
SEWER MAINS AND SERVICES	---
WATER MAINS AND SERVICES	---
STORM DRAINAGE	---
CLEANOUT (CO)	---
CATCH BASIN (CB)	---
CURB STOP (CS)	---

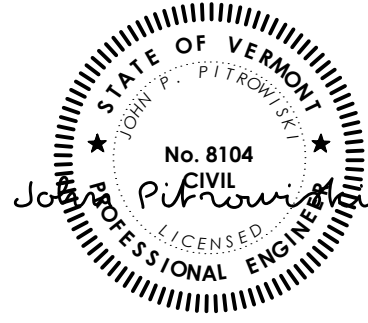
LOT COVERAGE		
SPACE	EXISTING AREA	PROPOSED AREA
EXISTING RESIDENCE	820 SF	820 SF
CHURCH AND RESIDENCE	2,215 SF	-----
SHED/BIKE SHED/MECH PAD	96 SF	232 SF
DRIVEWAY AND PARKING	3,259 SF	3,650 SF
NEW BUILDING	-----	1,476 SF
SIDEWALK, STONE PAVERS, AND DECKS	559 SF	589 SF
GREEN SPACE	2,769 SF	2,951 SF
TOTAL LOT BUILDING AND HARDSCAPES	6,949 SF	6,767 SF
PROPERTY	9,718 SF	9,718 SF
TOTAL LOT COVERAGE	71.50%	69.43%



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PLANNING • ENVIRONMENTAL
478 BLAIR PARK ROAD | WILLISTON, VERMONT 05495
802 879 6331 | WWW.TCEVT.COM

Revisions	No.	Description	Date	By
Revise CB #2 Location	1		07/14/2022	SCR
Edits per Zoning Review Comments	2		10/20/2023	SCR

- Use of These Drawings
- Unless otherwise noted, these Drawings are intended for preliminary planning, coordination with other disciplines or utilities, and/or approval from the regulatory authorities. They are not intended as construction drawings unless noted as such or marked approved by a regulatory authority.
 - By use of these drawings for construction of the Project, the Owner represents that they have reviewed, approved, and accepted the drawings, obtained all necessary permits, and have met with all applicable parties/disciplines, including but not limited to, the Engineer and the Architect, to insure these plans are properly coordinated including, but not limited to, contract documents, specifications, owner/contractor agreements, building and mechanical plans, private and public utilities, and other pertinent permits for construction.
 - Owner and Architect, are responsible for final design and location of buildings shown, including an area measuring a minimum five (5) feet around any building and coordinating final utility connections shown on these plans.
 - Prior to using these plans for construction layout, the user shall contact TCE to ensure the plan contains the most current revisions.
 - These Drawings are specific to the Project and are not transferable. As instruments of service, these drawings, and copies thereof, furnished by TCE are its exclusive property. Changes to the drawings may only be made by TCE. If errors or omissions are discovered, they shall be brought to the attention of TCE immediately.
 - It is the User's responsibility to ensure this copy contains the most current revisions.



Project Title

Bissonette
72-76 Elmwood Avenue
Burlington, VT

Sheet Title

Site & Grading Plan

Date: 05/26/2022

Scale: 1" = 10'

Project Number: 22-100

Drawn By: SCR

Project Engineer: JPP

Approved By: JPP

Field Book: 364

C2-01

Department of Permitting & Inspections

Zoning Division
645 Pine Street
Burlington, VT 05401
Telephone:(802) 865-7188

William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Garret King, Associate Planner
Joseph Cava, Planning Technician
Ted Miles, Code Compliance Officer
Ted Boylan, DPI Administrator



TO: Development Review Board
FROM: Scott Gustin
DATE: November 8, 2023
RE: Proposed DRB Bylaw Amendment

=====

The HOME Act passed by the Vermont legislature earlier this year includes substantial reforms to land use regulation in the state. The proposed amendment seeks to align the administrative review provisions of the bylaws with the current statute. It also addresses CDO amendment impacts on prior DRB approvals.

A couple of examples:

Multi-family homes have long been prohibited in the RL zones unless approved as part of a planned unit development or as an additional unit to an existing multi-family home via conditional use, both subject to DRB review. Under the current statute, 3- and 4-unit multifamily buildings are now permitted. Changes to duplexes or creation of 3- and 4-unit buildings had previously required DRB review. Now, such changes may be approved as permitted uses.

Parking waivers under the provisions of Article 8 routinely required DRB review. With the substantial changes to Article 8, including deletion of minimum onsite parking standards, subsequent changes to parking may be reviewed administratively.

Existing thresholds for DRB review relative to scale of development, independent of conditional vs. permitted uses, will remain. New construction of a triplex building will still require DRB review and approval. Likewise, construction of a new parking lot would require DRB review.

CITY OF BURLINGTON DEVELOPMENT REVIEW BOARD (DRB)

Rules of Procedure and Conflict of Interest Policy

Section I: Authority and Purpose.

The Development Review Board of the City of Burlington hereby adopts the following rules of procedure (hereinafter referred to as “Rules”) in accordance with 24 V.S.A. § 4461(a), 1 V.S.A. §§ 312(e), (f), and (h), and Section 2.4.1-2.4.6 of the Burlington Comprehensive Development Ordinance.

Legal Requirements

The DRB is required to adopt rules of procedure and rules of ethics with respect to conflicts of interest to guide its official conduct under Sec. 2.4.3 Rules of Procedure of the *Burlington Comprehensive Development Ordinance* and 24 VSA §4461(a), and must conduct its proceedings in accordance with Vermont’s Open Meeting Law.

The Role of the Chair

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

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

Section II: Policy.

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

Section III: Definitions.

- A. “DRB” means the Development Review Board.
- B. “Board member” means a regular or alternate member of the DRB.
- C. “Conflict of interest” means any one of the following:
 - 1. A direct personal interest of a board member, his or her spouse, household member, child, stepchild, parent, grandparent, grandchild, sibling, aunt or uncle, brother or sister in law, business associate, employer or employee, an individual with a close personal relationship to a board member in the outcome of a cause, proceeding, application or any other matter pending before the DRB.
 - 2. A direct or indirect financial interest of a board member, his or her spouse, household member, child, stepchild, parent, grandparent, grandchild, sibling, aunt or uncle, brother or sister in law, business associate, employer or employee, an individual with a close personal relationship to a board member in the outcome of a cause, proceeding, application or any other matter pending before the DRB.
 - 3. A situation where a board member has publicly displayed or expressed a prejudgment of the merits of a particular proceeding before the DRB. This shall not apply to a member’s particular political views or general opinion on a given issue.
 - 4. A situation where a board member has not disclosed ex parte communications with a party in a proceeding before the DRB, pursuant to Section XII of these Rules.
- D. “Deliberative session” means a public or private session of the DRB to weigh, examine, and discuss the reasons for and against an act or decision, from which the public may be excluded. There shall be neither taking of evidence nor submission of testimony, nor is a deliberative session required to be publicly noticed. The DRB may enter deliberative session by majority vote, and shall be deemed to be in deliberative session from the close of the final public hearing until the issuance of a written decision.
- E. “Executive session” means a session of a public body from which the public is excluded, pursuant to 1 V.S.A. § 313. Such private session may only be held for one of the reasons permitted by the statute, and no binding action may be taken in executive session.
- F. “Ex parte communication” means direct or indirect communication between a member of the DRB and any party, party’s representative, party’s counsel or any person regarding any proposal before the panel that occurs outside of a public proceeding, and concerns the substance or merits of the proceeding.
- G. “Official act or action” means any legislative, administrative or quasi-judicial act performed by any board member.

- I. “Recuse” means to remove oneself from a particular DRB proceeding because of a real or perceived conflict of interest.

Section IV: Appointment and Removal of members

Pursuant to Article 2, Part 4 of the Burlington Comprehensive Development Ordinance, the DRB shall consist of seven regular and two alternate members appointed by City Council. Appointment to the DRB shall be for a term of three consecutive years. Members may be appointed to successive terms without limitation. Any member desiring reappointment, or city resident desiring an appointment to the DRB, must apply to the City Clerk’s office and obtain a nomination form from a member of the City Council.

At a meeting in July of each year, the DRB shall hold an organizational meeting and elect by majority vote, a Chair and Vice Chair from its members, and shall also elect a Clerk who may or may not be a DRB member or a municipal employee. Vacancies in these offices may be filled for the unexpired terms only by majority vote of the DRB.

- A. The Chair shall preside at all meetings, hearings, and deliberative sessions, decide all points of order or procedure, and appoint members to any committee of the DRB. The Chair may administer oaths and may request the attendance of witnesses and the production of material germane to any issue under consideration.
- B. The Vice Chair shall assume the duties of the Chair whenever the Chair is absent, recused or at the Chair’s request. In the event that both the Chair and Vice Chair are absent or recused, the remaining longest serving member of the board shall assume the duties of Chair.
- C. It shall be the duty of all members to review the minutes and other official records of DRB meetings and actions, and correct and ratify these when appropriate and necessary.
- D. Department of Permitting & Inspections staff shall take minutes of all meetings.

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

- A. Whenever a regular member is recused or is expected to be absent from the DRB, the chairperson of the DRB, or his or her designee, may request that an alternate serve as an active member of the DRB by selecting an individual from the roster.
- B. An alternate member who is called upon to serve shall be required to be a part of the DRB until a final decision is made on any application heard by the DRB while serving as an active member. Participation includes attending deliberative sessions and any continuance of a public hearing if the application has been tabled or adjourned to another date.

Upon majority vote, the DRB may request that the City Council remove a board member from the DRB. Board members may be removed for cause by the City Council upon written charges and after public hearing. 24 V.S.A. § 4460(c).

Section V: Committees

- A. **Standing Committees.** The Board shall appoint at least one (1) member to the Planning Commission Ordinance Committee, and at least one (1) member to the Planning Commission Long-Range Planning Committee.
- B. **Ad hoc Committees and Commission Liaisons:** From time to time ad hoc committees and board liaisons to other ad hoc committees may be established by the DRB for special assignments that do not fall within the general purview of standing committees.

Section VI: Regular and Special Meetings.

Regular meetings shall be held in the City Hall, or other publicly accessible location, as warranted based on the number of projects pending. Meeting length shall be at the discretion of the Chair in concurrence with the majority of members present, but should generally not exceed 3 hours. The Chair may cancel meetings at any time.

- A. Special meetings may be called by the Chair, provided at least 24 hours notice is given to each member, and the time and place of each special meeting is publicly announced at least 24 hours before the meeting.
- B. A quorum shall consist of four participating members of the board.
- C. Board members may participate by telephone or other communication device as long as the absent member can hear everything that is occurring at the meeting and everyone present at the meeting can hear the board member.
- D. All meetings shall be open to the public unless the DRB has entered a closed deliberative or executive session. The DRB may only hold an executive session pursuant to the reasons permitted by 1 V.S.A. § 313, and only after a majority vote to enter executive session.
- E. All business shall be conducted in the same order as it appears on the agenda, except the Chair may alter the order of items to be considered as needed, such as to accommodate a late or missing project applicant.
- F. The Chair shall rule on all questions of order or procedure and shall enforce these rules pursuant to 1 V.S.A. § 312(h).
- G. At each meeting, speakers may participate on an agenda item but only when recognized by the Chair. Such comment may be limited to three minutes per speaker, unless the Chair sets a different time limit.

- H. Notice for hearings on the adoption, amendment, or repeal of the bylaw and other regulatory tools shall be pursuant to 24 V.S.A. § 4444, as amended and Section 2.6.2 of the Burlington Comprehensive Development Ordinance.

Section VII: Executive Session.

(a) The DRB may hold an executive session from which the public is excluded after the affirmative vote of a majority of its members present. A motion to go into executive session shall indicate the nature of the business of the executive session, and no other matter may be considered in the executive session. Such vote shall be taken in the course of an open meeting and the result of the vote recorded in the minutes. No formal or binding action shall be taken in executive session. Minutes of an executive session need not be taken, but if they are, shall not be made public. The DRB may not hold an executive session except to consider one or more of the following:

1. Contracts, mediation, civil actions, or prosecutions, where premature general public knowledge would clearly place the municipality, other public body, or person involved at a substantial disadvantage;
2. Discussion of the conduct of a board member;
3. A clear and imminent peril to the public safety;
4. Discussion or consideration of records or documents excepted from the access to public records provisions of section 317(b) of 1 V.S.A. Discussion or consideration of the excepted record or document shall not itself permit an extension of the executive session to the general subject to which the record or document pertains;

(b) Attendance in executive session shall be limited to members of the DRB, and, in the discretion of the DRB, its staff, clerical assistants and legal counsel, and persons who are subjects of the discussion or whose information is needed.

Section VIII: Proceedings and Order of Business.

All meetings shall be conducted as quasi-judicial proceedings pursuant to 1 V.S.A. § 310(5) (B). Proceedings shall be publicly noticed in accordance with 24 V.S.A. §§ 4464(a) (1), (2), as amended.

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

- A. Open the proceeding by reading the warning of the proceeding.
- B. Ask all who are interested in an agenda item to identify themselves at the time of proceeding on the item of interest and to provide contact information.
- C. Direct the applicant or his/her representative and all persons wishing to participate in a proceeding to take the following oath: *I hereby swear or affirm that the evidence I give in*

the cause under consideration shall be the whole truth and nothing but the truth, under the pains and penalties of perjury.

- D. Accept written information presented to the DRB, including but not limited to staff and other boards/commissions' recommendations.
- E. Invite the applicant or applicant's representative to present such application or proposal.
- F. Invite DRB members to ask questions of the applicant, applicant's representative, or of City staff.
- G. Invite the public to present information regarding the application or proposal.
- H. Invite the applicant, applicant's representative, city staff or members of the public to respond to information presented.
- I. Invite DRB members to ask any additional questions or provide comments.
- J. Allow final comments or questions from the applicant or applicant's representative.
- K. The Chair shall either adjourn the proceeding to a time certain, continue the proceeding without a time certain subject to additional public notice being provided as to the time and place of any future proceeding, or close the proceedings.
- L. If new information becomes available or if the DRB finds it needs more information to render its decision after the close of the proceeding, but before the DRB decision, then the DRB may re-open the proceeding. No information can be received while the proceeding is closed.
- M. Upon final adjournment, the DRB shall set a time and place for a deliberative session, which shall be public unless otherwise stated.
- N. Time limits for application review shall be as articulated in Sec. 3.2.5, *Completeness of Submission, Administrator's Action*, of the Comprehensive Development Ordinance.

Section IX: Site Visits.

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

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

- B. If necessary, the DRB may recess a hearing and conduct a site visit at a property which is the subject of an application before the DRB.
- C. If necessary, the DRB may adjourn a hearing to a time certain to conduct a site visit at a property which is the subject of an application before the DRB.
- D. The minutes of the proceeding shall reflect that a site visit was held, who was present, and the nature and duration of the site visit.

Section X: Service List.

Permitting & Inspections staff shall provide a sign up sheet for individuals present at the hearing to provide contact information and to identify the agenda item of interest. A service list shall be prepared from the provided sign up sheet and from any persons who provided testimony or requested to be added on the service list in writing. All decisions of the DRB, related to the particular agenda item, shall be mailed to those on the list.

Any other documents filed with the DRB that are requested must be provided to persons on the list upon payment of reproduction and mailing costs.

Section XI: Decisions.

The DRB may make decisions in deliberative session. Deliberative sessions may or may not be open to the public and agendas are to be posted at least 24 hours in advance. 1 V.S.A. §§ 312(e), (f). Members of the DRB who have not heard all testimony and reviewed all evidence submitted for a particular application or proposal shall not participate in that proceeding, unless such absent DRB members review video or audio recordings of the proceedings.

The following rules shall apply to voting on decisions:

- A. Motions shall be made in the affirmative.
- B. The chair has the same voting rights as other members and can make motions.
- C. A second shall be required for a motion to have the floor.
- D. All members present are expected to vote unless they have recused themselves.
- E. Abstentions are strongly discouraged and shall not count towards either the majority or the minority.
- F. For a motion to succeed, it must receive the concurrence of four participating members of the DRB, regardless of how many members are present. 1 V.S.A. § 172; 24 V.S.A. § 4461(a).
- G. The DRB shall issue a written decision within 45 days of the close of the final proceedings.

- a. In the case when a public hearing took place, a written decision signed by the Chair of the DRB constitutes a final decision. This written decision shall include any conditions of approval.
- b. In the case when no formal public hearing took place, the motion made by the board at the end of the proceeding constitutes a final decision.

Section XII: Conflicts of Interest.

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

1. **Participation.** A board member shall not participate in any official action where he or she has a conflict of interest in the matter under consideration.
2. **Disclosure.** Board members with a conflict of interest shall state so prior to commencement of the proceeding. (Refer to Section III of these bylaws for details on how to recognize a conflict of interest.)

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

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

3. **Recusal.** A board member shall recuse him or herself from any matter in which he or she has a conflict of interest, pursuant to the following:
 - a. The applicant or any person may request that a member recuse him or herself due to a conflict of interest. Such request shall not constitute a requirement that the member recuse him or herself.
 - b. The DRB may, by majority vote, (exclude or recuse) one of its members if there is reasonable public perception that a conflict of interest exists.
 - c. A board member who has recused him or herself from a proceeding shall not sit with the DRB, deliberate with the DRB, or participate in that proceeding as a board member in any capacity.
 - d. If a previously unknown conflict is discovered, the DRB may take evidence pertaining to the conflict, and if appropriate, adjourn to a deliberative session to address the conflict.

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

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

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

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

1. The Chair shall meet informally, in private, with the board member to discuss possible conflict of interest violation.
2. The DRB may meet to discuss the conduct of the board member. Executive session may be used for such discussion. 1 V.S.A. § 313(4). The board member may request that this meeting occur in public. If appropriate, the DRB may admonish the offending board member in private.
3. If the DRB decides that further action is warranted, the DRB may admonish the offending board member at an open meeting and reflect this action in the minutes of the meeting. The board member shall be given the opportunity to respond to the admonishment.
4. Upon majority vote, the DRB may request that the offending board member resign from the DRB. The DRB shall then notify the City Council of this majority vote.

Section XIII: Administrative Review.

The DRB hereby authorizes administrative review in addition to that which is already provided for in the Comprehensive Development Ordinance per Sec. 3.2.7 (b) *Further Delegation by the Development Review Board* for the following application types:

1. De minimus telecommunications facilities

2. Landscaping projects and regular turf maintenance including cutting, filling, re-grading, and reseeded that do not involve the construction of new buildings.
3. New single family homes under a PUD approval that conform to design templates reviewed and approved by the DRB, including those subject to design review.
4. New single family homes proposed as replacements for existing manufactured homes within the North Avenue Cooperative 1106 North Avenue (formerly Farrington's Trailer Park) consistent with the requirements of Section 5.4.12 Mobile Home Parks.
5. Any Level II zoning permit application within the NAC-Cambrian Rise (NAC-CR) zoning district that is not subject to Major Impact or Conditional Use review (Article 3, Part 5), Article 10 (Subdivision review), Article 11 (Planned Unit Development) or include any parking waiver.
6. Any new surface parking within an institutional core campus overlay district that otherwise qualifies for administrative review.
7. Any zoning permit application, that does not otherwise require DRB review, to amend a zoning permit previously approved by the DRB to reflect changes in applicable state statute or in the Comprehensive Development Ordinance.

If an application is submitted for such application type that results in substantial adverse impact under any of the standards set forth in the CDO, it shall not be eligible for administrative review under this section. Further, no amendment issued as an administrative review shall have the effect of substantively altering any DRB decision and related conditions of approval.

Section XIV: Amendments.

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