

## Department of Planning and Zoning

149 Church Street  
Burlington, VT 05401  
<http://www.burlingtonvt.gov/PZ/>  
Telephone: (802) 865-7188  
(802) 865-7195 (FAX)

David E. White, AICP, Director  
Ken Lerner, Assistant Director  
Sandrine Thibault, AICP, Comprehensive Planner  
Jay Appleton, Senior GIS/IT Programmer/Analyst  
Scott Gustin, AICP, CFM, Senior Planner  
Mary O'Neil, AICP, Senior Planner  
Nic Anderson, Zoning Clerk  
Elsie Tillotson, Department Secretary



### MEMORANDUM

To: Development Review Board  
From: Mary O'Neil, AICP, Senior Planner *moniel*  
Date: August 20, 2013  
RE: ZP 13-1240CA/CU and ZP 13-1241 CA/CU; 78  
and 80 Sherman 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.**

**File:** ZP 13-1240CA/CU, 13-1241CA/CU

**Location:** 78 and 80 Sherman Street

**Zone:** RM **Ward:** 3

**Date application accepted:** June 11, 2013

**Parking District:** Neighborhood

**Applicant/ Owner:** Crosby Hard

**Request:** Demolish two existing single family homes (on separate lots), reconstruct new single family residences.

#### **Background:**

##### **78 Sherman Street:**

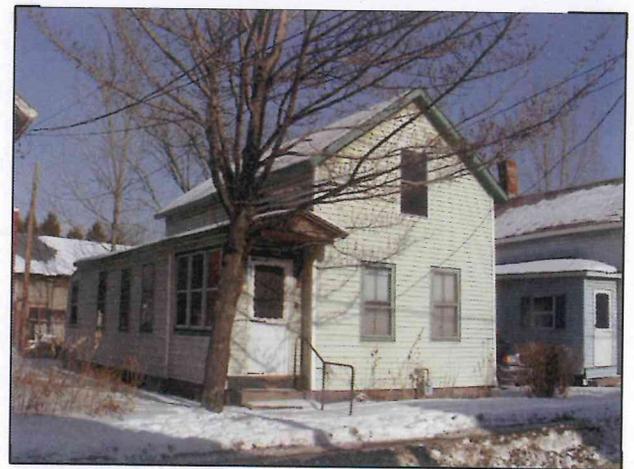
- Sketch Plan Review 05-504SP; remove existing buildings, create six single family cottages. May 2005.
- Zoning Permit 87-589; erect 4' chain link fence along south east and north property lines. Approved November 1987.

##### **80 Sherman Street**

- Sketch Plan Review 05-504SP; remove existing buildings, create six single family cottages. May 2005.



78 Sherman Street



80 Sherman Street

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

- Zoning Permit 04-377; Remove existing vinyl siding to reveal existing clapboard siding and replace windows. Approved February 2004.

**Overview:** The applicant, owner of contiguous properties at 74, 78 and 80 Sherman Street, proposes demolition of 78 and 80 Sherman Street and construction of 2 new single family homes. Each is on a separate parcel of land. The proposed replacement structure(s) are identical plans to each other.

The **Design Advisory Board** reviewed the applications at their July 9, 2013 meeting. The board voted to recommend approval to the DRB, with the following additional conditions:

1. Provide lighting plan/information.
2. Provide a landscaping plan.
3. Approval for retention of existing overhead electrical service.

Vote 4-0 to recommend approval.



**Recommendation:** Conditional use approval, per the following findings and conditions:

**I. Findings**

**Article 3: Applications, Permits and Project Review**

**Part 3: Impact Fees**

**Sec. 3.3.2 Applicability**

*Any new development or additions to existing buildings which result in new dwelling units...*

No new residential units are proposed within this proposal. Impact Fees do not apply.

Not applicable.

**Part 4: Site Plan and Design Review**

(a) *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.*

Both applications are for the replacement of existing single family dwellings. Design Review, however, applies.

(b) **Design Review:**

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

1. *Any development subject to the provisions of Article 3, Part 5 – conditional Use and Major Impact Review.*

And 3. *Any development subject to the provisions of Article 5, Part 4 – Special Use Regulations.*

The subject properties are within the Design Review Overlay, and eligible for historic designation (Section 5.4.8.) Therefore, Design Review provisions apply.

**Part 5: Conditional Use and Major Impact Review**

**Sec. 3.5.3 Exemptions**

*Major Impact Review shall not apply to applications involving one of more of the following:*

a) *Single family dwellings*

Both applications are for replacement single family homes. This provision is not applicable.

**Sec. 3.5.6 (a) Conditional Use Review Standards**

Both houses are historically sensitive and eligible for historic designation. Demolition of historic structures requires Conditional Use Review per Section 5.4.8 (d), below.

1. *Capacity of existing or planned community facilities.*

A replacement single family home will have negligible impact on community facilities.

**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.*

This is a residential zoning district. Two new single family homes are consistent with the existing zoning and within the character of the area. **Affirmative finding.**

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

Replacement housing, meeting the existing number of units one-for-one and on a smaller footprint will have no impact on traffic on roads and highways in the vicinity. **Affirmative finding.**

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

The applicant shall be required to complete Small Project Sediment and Erosion Control plans, as well as stormwater management plans, as required by Chapter 26 of City Ordinances. Energy efficiency standards, as defined by Burlington Electric, will be required as well. **Affirmative finding as conditioned.**

*5. The utilization of renewable energy resources;*

No part of this application prevents the use of wind, water, solar, or other alternative energy measures. **Affirmative finding.**

*and,*

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

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

The area is zoned for residential housing. Replacement housing is the basis of the application. **Affirmative finding.**

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

All provisions of the functional family ordinance shall be applicable in this zoning district.



Existing access drive between 74 and 78 Sherman St.

**Affirmative finding as conditioned.**

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

There is only one (existing) access point to both properties; over 74 Sherman Street. No new access points are proposed. Neither 78 nor 80 Sherman Street have driveways. The existing access shall be protected by easement or other instrument to continue the current method of vehicular access and parking for both properties. **Affirmative finding as conditioned.**

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

No signs are included. Any signage will require a separate sign permit. **Affirmative finding as conditioned.**

10. may require suitable mitigation measures, including landscaping, where necessary to reduce noise and glare and to maintain the property in a character in keeping with the surrounding area.

Submitted site plans include minor landscaping (“Japanese Rose, existing white birch”) The Design Advisory Board has requested a more comprehensive landscaping plan for post construction. Landscaping will play an important role in screening glare from the rear parking area, and to obscure proposed trash receptacles. **Affirmative finding as conditioned.**

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

Zoning permits have a 2 year life. Any time extension will require return to the DRB. **Affirmative finding as conditioned.**

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

Typically construction hours are limited to 7:00 am – 6:00 pm Monday-Friday, with Saturday hours limited to interior work. **Affirmative finding as conditioned.**

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

This is a statutory provision. **Affirmative finding.**

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

This is an extremely confined public street. Anticipated heavy construction equipment (excavators, trucks, steel waste receptacles) may inhibit traffic during peak demolition and excavation. The applicant is advised to work with the Department of Public Works to manage the construction site(s) so as to minimize the amount of impact to the public street and immediately adjacent neighbors. Other performance standards may be defined by the DRB.

**Affirmative finding as conditioned.**

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

16. This is at the discretion of the DRB.

**Article 4: Zoning Maps and Districts**

**Table 4.4.5-3 Residential District Dimensional Standards**

Zoning District	Max. Lot coverage	Setbacks			Max. Height
		Front	Side	Rear	
RM	40%	Min/Max: Ave of 2 adjacent lots on both sides +/- 5-feet	Min: 10% of lot width, but in no event less than 5-feet Max required: 20-feet	Min: 25% of lot depth but in no event less than 20' Max required: 75-feet	35'

78 Sherman Street	Existing: 40.91% Proposed: 39.14%	No change	Existing: 1'7" east, 8' west (non- conforming) Proposed: 5' east, 8' west.	Parking abuts property line. Structure set back 29.5' existing; 27.75' proposed.	Approximately 22'
80 Sherman Street	Existing: 32.6% Proposed: 34.32%	No change.	Existing: 3'1" east, 6'6" west. (non- conforming) Proposed: 8' east, 5' west.  (25% = 20')	Existing: 27'9" Proposed: 29'6".  (25% = 20')	Approximately 22'

**Affirmative finding.**

**Section 4.4.5 (d) District Specific Regulations**

**A. Encroachment for Residential Driveways**

*For purposes of allowing existing, developed, nonconforming lots containing single family homes to create a driveway and provide a maximum of two tandem parking spaces, driveways may encroach into a required sideyard setback up to the property line with DRB approval. Such approval shall be based on demonstrated necessity on the part of the property owner as well as unique physical circumstances of the lot, conditional use criteria and findings that there shall be no undue adverse impact on all of the following items of concern: drainage, safety, protection of neighboring side yard, light and air. In addition, the lot shall be found to have dimensions that are smaller than the existing standards for lot size or frontage. The maximum relief from the 5' minimum setback shall be the minimum necessary for the purposes of creating such a driveway and parking spaces and shall be allowed only after a finding that driveway and parking configuration cannot be otherwise located on the lot. With such approval by the DRB, the lot shall not be considered nonconforming due to the decreased setback for the creation of the driveway and parking spaces.*

Currently, there is no driveway at either 78 or 80 Sherman Street. As the same person owns 74, 78, and 80 Sherman Street, access has been allowed on the rear of 74 Sherman Street for the collective parking of all contiguous single family residences under his ownership. There has been a single parking space observed on the rear of 78 Sherman Street; however access to this has been over the single lane driveway on 74 Sherman Street. By title and evidence, there are no access drives to either 78 or 80 Sherman Street.

The applicant wishes to continue to offer a single parking space at 78 Sherman Street, albeit on the rear boundary line without observing setbacks. While access will continue to be provided via 74 Sherman, a rear yard will be retained for resident use at 78 Sherman. 80 Sherman Street has never had a driveway or parking. The applicant wishes to permit the replacement of the single family home without providing any new parking. Staff has recommended reservation of a single parking space on the rear of 74 Sherman for the use of the 80 Sherman Street parcel; however the applicant is hesitant to bind his home parcel in a manner that may prevent future development. As both sites are currently non-conforming, it is recommended that the single parking space at 78 Sherman be permitted as proposed (with

deeded access over 74 Sherman Street access lane.) 80 Sherman Street is non-conforming with no driveway and parking on-site, and may be continued as an existing condition.  
**Affirmative finding as conditioned.**

## **Article 5: Citywide General Regulations**

### **Section 5.1.2 Structures**

See Section 5.3.5, Non conforming Structures

### **Section 5.2.3 Lot coverage requirements**

See Table 4.4.5-3, above. **Affirmative finding.**

### **Section 5.2.4 Buildable Area Calculation**

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

### **Section 5.2.5 Setbacks**

See Table 4.4.5-3, above.

*(b) Exceptions to Yard Setback Requirements:*

*a. 4. Accessory Structures and Parking areas.*

A single car parking spot is proposed on the rear property line at 78 Sherman Street. See provision within **Section 4.4.5 (d) District Specific Regulations**

**A. Encroachment for Residential Driveways (above)**

For allowance to place a parking spot within a required setback.

**Affirmative finding as conditioned.**

### **Section 5.2.6 Building Height Limits**

See Table 4.4.5-3, above. **Affirmative finding.**

### **Section 5.2.7 Density and Intensity of Development Calculations**

A single family home exists on each of the properties. A replacement single family home is proposed as part of this development. **Affirmative finding.**

## **Part 3: Non-conformities**

### **Section 5.3.3 Continuation**

*Except as otherwise specified in this Article, any nonconformity which lawfully existed at the time of passage of the applicable provisions of this or any prior ordinance or any amendment thereto may be continued subject to the provisions of this Part.*

The existing parcels are currently non-conforming to parking, setback, and lot coverage. The application seeks to continue some non-conformity (no driveway at either parcel; no parking at 80 Sherman Street, a single parking space within the rear yard setback at 78 Sherman Street) while coming into conformance in other areas (side yard setbacks, lot coverage.) **Affirmative finding.**

### **Section 5.3.5 Nonconforming Structures**

**(a) Changes and Modifications:**

*Any change or modification to a nonconforming structure, other than to full conformity under this Ordinance, shall only be allowed subject to the following:*

- 1. Such a change or modification should seek to reduce the degree of nonconformity and shall not expand the degree of nonconformity;*
- 2. Such a change or modification shall not create any new nonconformity,*
- 3. Such a change or modification shall be subject to review and approval under the Design Review provisions of Article 3, Part 4.*

The application seeks to move to greater conformity under the CDO; meeting minimum side yard setbacks, meeting rear setbacks, and reducing lot coverage to limitations of the ordinance.

**Affirmative finding.**

#### **(b) Demolition**

*A nonconforming structure that has been demolished or moved shall not be re-built or relocated in any way other than in full conformance with the provisions of this ordinance. Structures or any portion thereof that are structurally unsound, and are required to be removed by order of the building inspector, may be replaced within the original footprint provided both the requirement to demolish the building is not the result of demolition by neglect and the replacement does not expand the degree of nonconformity.*

The building inspector has not ordered either building to be removed. There have been no charges or demolition by neglect. An engineer's report has been submitted that alludes to structural deficiencies in both buildings that warrant consideration of demolition. The new structures are proposed to be built in compliance with dimensional standards of the CDO.

**Affirmative finding.**

#### **Section 5.3.6 Nonconforming Lots**

##### **(c) Changes to a non-conforming lot**

*No change shall be permitted to any nonconforming lot which would have the effect of increasing the density at which the property is being used, or increasing the structure located upon such lot, if the dimensional requirements and standards, including parking, of the underlying zoning district are not met as a result thereof. Any changes proposed on a non-conforming lot are subject to conditional use review.*

Replacement of existing single family home(s) on existing non-conforming lots (2800 sf each) would not increase the density and intensity of use on either lot.

Neither lot is proposed to be altered in size.

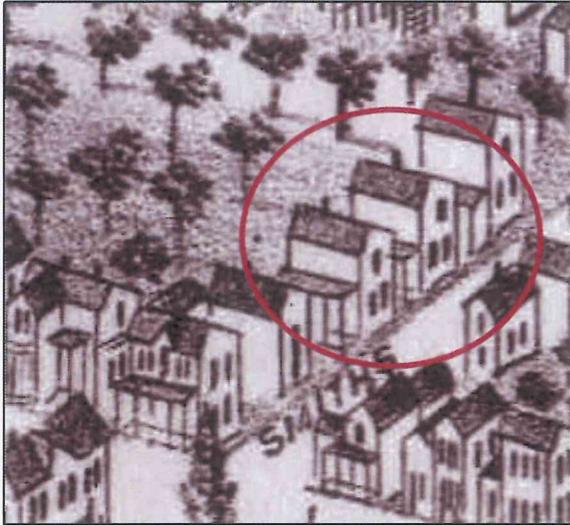
The lots are both non-conforming for access and parking. The permit application seeks to continue the existing conditions; assuring the continued parking plan for 78 Sherman Street, and acknowledging the absence of parking at 80 Sherman Street. Neither would increase the existing level of non-conformity. **Affirmative finding as conditioned.**

#### **Part 4: Special Use Regulations**

##### **Sec. 5.4.8 Historic Buildings and Sites**

Historic background of 78 and 80 Sherman Street, from 05-504SP:

The two homes the applicant proposes to raze were part of an identical trio constructed by Frederick Smith, Director of the Champlain Glass Works (corporate name of *Loomis, Smith & Company*; later *Smith, Wilken & Landon*.) With the growth of the glass manufactory, Smith was recognized as developing Battery Street north of Pearl (1842), George Street and Charles Street,



Detail, 1877 Birdseye Map of Burlington

specifically for providing housing for workers at his glassworks. Smith's own house, on the corner of Park and Sherman, was constructed about 1840. After the closing of the glassworks in 1850, Smith became a founder of the Burlington Aqueduct Company (1852) and managing director in a stock company that raised money for the establishment of the Pioneer Mechanics Shop. Business reverses forced the sale in 1856 of numerous plots of land he held surrounding the former glassworks. Smith went into the lumber, feed and grain business with his son, retiring in 1867 to his home on North Battery (Park) Street.

Upon Smith's death in 1892, **the three homes on Sherman Street** (formerly known as Smith's Lane) were deeded to his son, Charles P. Smith. 78, 80 and 82 Sherman Street had been constructed on

Smith's homestead lot, and he retained them until his death. The three identical homes (as well as 74 Sherman Street) appear on the 1877 Bird's Eye Map of Burlington, and were conveyed together through land records for decades. It is not known for whom the three houses were constructed, but their inclusion on Smith's primary lot ranks them of a particular significance that prevented their sale at public auction.

The strength of the group lies not singularly in the identity of their owner, but in their relationship as a trio of identical, single family residences. Much of their interest can be attributed to the relationship each shares with its triplet. Sherman Street, in itself, is a very narrow, confined avenue which gives a certain intimacy to those houses nestled there. The proposed removal of two of these structures demands close examination of their impact on the streetscape and historic fabric, as well as their inter-relationship.

Neither of the structures (78 and 80 Sherman) is listed on the Vermont State Register of Historic Places, nor on the National Register of Historic Places. They have, however, been acknowledged as eligible for historic designation as they appear on the University of Vermont's Historic Burlington website (see attached material) and as represented on the historic 1877 *Birdseye View of Burlington* map (Stoner, 1877.)

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

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

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

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

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

*(a) Applicability:*

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

*As such, a building or site may be found to be eligible for listing on the state or national register of historic places and subject to the provisions of this section if all of the following conditions are present:*

*1. The building is 50 years old or older;*

Both buildings are over 50 years old constructed sometime before 1877.

*2. The building or site is deemed to possess significance in illustrating or interpreting the heritage of the City, state or nation in history, architecture, archeology, technology and culture because one or more of the following conditions is present:*

*A. Association with events that have made a significant contribution to the broad patterns of history;*

Both buildings have been associated with Burlington's manufacturing past, as well as patterns of residential development.

*or,*

*B. Association with the lives of persons significant in the past;*

Both buildings are associated with Frederick Smith, Director of the Champlain Glass Works (corporate name of *Loomis, Smith & Company*; later *Smith, Wilken & Landon*.)

*or,*

*C. Embodiment of distinctive characteristics of a type, period, or method of construction, or representation of the work of a master, or possession of high artistic values, or representation of a significant or distinguishable entity whose components may lack individual distinction;*

Both residential buildings reflect a type of modest residential architecture that was common building plan in Burlington, repeated within this streetscape.

*or,*

*D. Maintenance of an exceptionally high degree of integrity, original site orientation and virtually all character defining elements intact;*

The buildings clearly retain their similar identity, but have witnessed some modifications in porches, siding, and materials. In massing, association, details, and feeling, they still retain their visual and historic integrity.

*or,*

*E. Yielding, or may be likely to yield, information important to prehistory;*

There are no known archaeological resources on site. Should any be discerned through new development, they shall be isolated, identified, and appropriately *archived*.

*and,*

3. *The building or site possess a high degree of integrity of location, design, setting, materials, workmanship, feeling, and association*

See above.

*(b) Standards and Guidelines:*

1. *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*
2. *The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*
3. *Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*
4. *Changes to a property that have acquired historic significance in their own right will be retained and preserved.*
5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*
6. *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials recognizing that new technologies may provide an appropriate alternative in order to adapt to ever changing conditions and provide for an efficient contemporary use. Replacement of missing features will be substantiated by documentary and physical evidence.*
7. *Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*
8. *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*
9. *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.*
10. *New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

**The application proposes demolition of the historic buildings. See Section 5.4.8 (d), below.** Demolition by neglect has not been suggested nor has the building inspector ordered them removed; but one building has been gutted and the chimney removed. Both are vacant. A recent engineer's report detailing the conditions of the structural integrity of the buildings is enclosed, although the Design Advisory Board was not convinced that the buildings were in such poor condition so as to suggest demolition. They noted his findings to be "vague" with contradicting statements.

The owner / applicant wishes to raze both structures and erect two new single family homes meeting current codes.

*(d) Demolition of Historic Buildings:*

*The purpose of this subsection is:*

- . To discourage the demolition of a historic building, and allow full consideration of alternatives to demolition, including rehabilitation, adaptive reuse, resale, or relocation;*
- . Provide a procedure and criteria regarding the consideration of a proposal for the demolition of a historic building; and,*
- . To ensure that the community is compensated for the permanent loss of a historic resource by a redevelopment of clear and substantial benefit to the community, region or state.*

*1. Application for Demolition.*

*For demolition applications involving a historic building, the applicant shall submit the following materials in addition to the submission requirements specified in Art. 3:*

*A. A report from a licensed engineer or architect who is experienced in rehabilitation of historic structures regarding the soundness of the structure and its suitability for rehabilitation;*

See attached letter, dated May 31, 2013 from Richard M. Doherty, Professional Engineer.

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

*C. Where a case for economic hardship is claimed, an economic feasibility report prepared by an architect, developer, or appraiser, or other person experienced in the rehabilitation and adaptive reuse of historic structures that addresses:*

No economic hardship is asserted, although the engineer's report opines that "these two are not worth the cost and effort of renovation."

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

No such cost estimate has been provided; however estimated construction costs for each parcel (excluding the value of the land) exceed \$185,000. The present value of 78 Sherman Street, as given by the Assessor's office is \$148,900 (building value \$57,200); for 80 Sherman Street \$107,400 (building value \$15,700.) Clearly a significant increase in real estate value is reflected in the redevelopment proposal.

*and,*

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

A significant part of the redevelopment request is related to the substandard construction reflected in the existing buildings at 78 and 80 Sherman Street. Their greatest value may lie in the story and association with Frederick Smith; however as functional, code compliant structures, they are deficient in many aspects.

*D. A redevelopment plan for the site, and a statement of the effect of the proposed redevelopment on the architectural and historical qualities of other structures and the character of the neighborhood around the sites;*

A redevelopment plan is the basis for this application.

*and,*

*E. Elevations, drawings, plans, statements, and other materials which satisfy the submission requirements specified in Art. 3, for any replacement structure or structures to be erected or constructed pursuant to a development plan.*

See attached plans.

*2. Standards for Review of Demolition.*

*Demolition of a historic structure shall only be approved by the DRB pursuant to the provisions of Art. 3, Part 5 for Conditional Use Review and in accordance with the following standards:*

*A. The structure proposed for demolition is structurally unsound despite ongoing efforts by the owner to properly maintain the structure;*

See attached letter from Richard M. Doherty, Professional Engineer. There are building and zoning permits on file, reflecting the owner's efforts to maintain the property.

*or,*

*B. The structure cannot be rehabilitated or reused on site as part of any economically beneficial use of the property in conformance with the intent and requirements of the underlying zoning district; and, the structure cannot be practicably moved to another site within the district;*

No request has been made to re-use the existing buildings, or to move them. Given the structural deficiencies of both buildings, it is unlikely this would be a consideration. The engineer's letter does not support the rehabilitation of either structure.

*or,*

*C. The proposed redevelopment of the site will provide a substantial community-wide benefit that outweighs the historic or architectural significance of the building proposed for demolition.*

The applicant has submitted that the residences have ceased to be appropriate for rental housing, due to structural failure and code deficiencies. The opportunity to provide safe, attractive housing in the City of Burlington is always a priority. Given the present condition of the structures, and the opportunity to better the housing stock, the proposed redevelopment may be viewed as providing a substantial community benefit.

*And all of the following:*

*D. The demolition and redevelopment proposal mitigates to the greatest extent practical any impact to the historical importance of other structures located on the property and adjacent properties;*

It demolition is deemed to be acceptable, the significance of the existing buildings could be captured with thorough documentation, including photos, of existing conditions as a permanent record.

*E. All historically and architecturally important design, features, construction techniques, examples of craftsmanship and materials have been properly documented using the applicable standards of the Historic American Building Survey (HABS) and made available to historians, architectural historians and others interested in Burlington's architectural history;*

As the buildings proposed for demolition are not on the National Register, nor does information suggest *national* importance for the structures, documentation standards meeting HABS and HAER standards are not demanded.

*and,*

*F. The applicant has agreed to redevelop the site after demolition pursuant to an approved redevelopment plan which provides for a replacement structure(s).*

*(i) Such a plan shall be compatible with the historical integrity and enhances the architectural character of the immediate area, neighborhood, and district;*

*(ii) Such plans must include an acceptable timetable and guarantees which may include performance bonds/letters of credit for demolition and completion of the project; and,*

*(iii) The time between demolition and commencement of new construction generally shall not exceed six (6) months.*

See attached plans. Project would be conditioned to meet the last standard.

*This requirement may be waived if the applicant agrees to deed restrict the property to provide for open space or recreational uses where such a restriction constitutes a greater benefit to the community than the property's redevelopment.*

The applicant has not agreed to deed restrict the property – nor would this be a requirement, as redevelopment within the proposed timeline is anticipated.

### *3. Deconstruction: Salvage and Reuse of Historic Building Materials.*

*The applicant shall be encouraged to sell or reclaim a structure and all historic building materials, or permit others to salvage them and to provide an opportunity for others to purchase or reclaim the building or its materials for future use. An applicant may be required to advertise the availability of the structure and materials for sale or salvage in a local newspaper on at least three (3) occasions prior to demolition.*

The applicant is encouraged to offer the building materials for re-use or recycling.

**Affirmative finding as conditioned.**

## **Section 5.4.9 Brownfield Remediation**

None identified. Not applicable.

## **Part 5: Performance Standards**

### **Section 5.5.1 Nuisance Regulations**

To observe neighborhood peace and quiet, project construction will be required to observe the recommended hours (M-F 7:00 am – 6:00 pm. Saturday hours for interior work only.) The replacement of two existing single family homes with two new single family homes of similar mass and scale should have no measurable impact on the immediate environment. **Affirmative finding.**

### **Section 5.5.2 Outdoor Lighting**

The applicant proposes recessed ceiling can lights for both front porches. No lights are identified at the rear of the structures, yet would be anticipated as parking for 78 Sherman is proposed for the rear yard. Any additional lighting will need to be identified and submitted to staff for review and approval. **Affirmative finding as conditioned.**

**Section 5.5.3: Stormwater and Erosion Control**

The applicant has submitted a Small Project Sediment and Erosion Control Plan to address the proposed development at both parcels. Review and approval by the City Stormwater Administrator will be a condition of approval. **Affirmative finding as conditioned.**

**Section 5.5.4: Tree Removal**

No tree removal has been included within this proposal. The DAB has requested a post-construction landscaping plan, however. **Affirmative finding as conditioned.**

**Article 6: Development Review Standards**

**PART 1: LAND DIVISION DESIGN STANDARDS**

Not applicable.

**PART 2: SITE PLAN DESIGN STANDARDS**

**Sec. 6.2.2 Review Standards**

**(a) Protection of Important Natural Features:**

78 and 80 Sherman Street are not part of the protected Open Space area of the Burlington. The yard is very small; little landscaping exists of note. **Affirmative finding.**

**(b) Topographical Alterations:**

None proposed.

**(c) Protection of Important Public Views:**

There are no protected public views from either 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).*

See Article 5, Section 5.4.8, above.

**(e) Supporting the Use of Renewable Energy Resources:**

No part of this application would prevent the use of wind, solar, water, or other alternative energy device. **Affirmative finding.**

**(f) Brownfield Sites:**

None identified. **Affirmative finding.**

**(g) Provide for nature's events:**

The plan includes both a front porch and a rear canopy/overhang to protect residents from inclement weather. There are no driveways on either property (either existing or proposed.) Parking is provided on the rear lot, which is owned by the application, and a single parking space on 78 Sherman Street, accessed from the single lane drive at 74 Sherman St. Snow storage remains as existing on that rear parcel.

An abutting neighbor has expressed concern at the Design Advisory Board meeting about sewer service. He expressed that the houses were built without sewer service, and it is unclear where the sewer lines are now. He wants to assure that his sewer connection is safe during construction. The applicant has been working with a representative from the Department of Public Works relative to sewer location. **Affirmative finding as conditioned.**

**(h) Building Location and Orientation:**

The orientation of the new single family residences echoes that of the existing buildings: facing south toward Sherman Street. Both are proposed to have front porches, oriented toward the public right-of-way. No accessory buildings are proposed. **Affirmative finding.**

**(i) Vehicular Access:**

Neither property currently has a driveway; the applicant has allowed access via his adjacent property at 74 Sherman Street. 78 Sherman Street currently has a parking space on the rear of the lot; 80 has no parking on site. A single parking space is proposed to be retained at the rear of 78 Sherman, albeit in a different configuration. No parking is proposed for 80 Sherman Street, which is an existing condition. It would be beneficial for at least a single parking space to be secured on the rear of 74 Sherman Street for the benefit of 80 Sherman, but that would be at the discretion of the property owner as by title and deed, there is currently no parking afforded 80 Sherman.

Access needs to be guaranteed over 74 Sherman Street for the single parking space proposed for 78 Sherman Street. This may be by easement or other instrument, and a condition of approval. **Affirmative finding as conditioned.**

**(j) Pedestrian Access:**

Front walkways are proposed for both single family homes. Rear walkways (toward the rear of 74 Sherman Street lot) are illustrated on the site plans. A pedestrian walkway is understandable as residents will wish to walk to their parking space.

A walkway is provided in the rear of 80 Sherman Street as well; however this may be unnecessary as no parking is provided on the rear lot of 74 Sherman Street. It is acknowledged that 80 Sherman Street has never had dedicated parking associated with the parcel.

**Affirmative finding.**

**(k) Accessibility for the Handicapped:**

None is required for single family homes; however encouraged.

**(l) Parking and Circulation:**

At present, only 78 Sherman Street has an off-street parking space (accessed from the rear of lot 74 Sherman.) 80 Sherman Street has no parking on-site. The proposal for new development assures continued parking for one car at 78 Sherman St.

80 Sherman Street has no off street parking. In redevelopment, it would be possible to reconstruct the single family residence without any parking, as this would continue an existing condition without exacerbating it. (Not increase the level of non-conformity.) It may be wiser, however, to provide SOME parking to make the residence more appealable and to increase its value. Exploration of options, which may include an easement to park on the rear lot, or paired (single) parking spaces on either side of the property line should be made. The latter option would provide at least one parking space per parcel, and would meet **Sec. 4.4.5 (d) 1 A., Encroachment for Residential Driveways**, and coverage limitations for the RM district.

No bicycle parking is explicitly proposed or required, but is encouraged.

**Affirmative finding.**

**(m) Landscaping and Fences:**

The submitted proposed site plan show both existing trees (white birch, lilacs, maples) and proposed (Japanese Roses.) Shrubs around the porch and trash enclosure have not been identified, and should be well thought-out prior to advancing to the DRB. The DAB has requested a comprehensive landscaping plan. **Affirmative finding as conditioned.**

**(n) Public Plazas and Open Space:**

There are no public plazas or open spaces on either site. Not applicable.

**(o) Outdoor Lighting:**

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

See Sec. 5.5.2, above.

**(p) Integrate infrastructure into the design:**

*On-site utilities shall be placed underground whenever practicable.*

Gas meter and electric meter are illustrated on the building elevation plans. The applicant hopes to retain the overhead electrical service as undergrounding would involve going under Sherman Street (as the pole service is on the opposite side of the street, and located a distance down.) Given the expense of undergrounding (electric) utilities at this site, consideration should be afforded this request. The Design Advisory Board supports continuance of overhead electrical.

Mailboxes are illustrated on building fronts. No HVAC equipment is proposed.

*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.*

As submitted, trash cans are illustrated on a site plan adjacent to the rear property line. Assumably this is for proximity to the rear lot where other trash is located? Perhaps an agreement could be reached to share a dumpster/recycling location on the rear of 74 Sherman Street for all three parcels to enjoy. Conversely, a separate location on-site would be required that meets this standard – *enclosed on all four sides*. **Affirmative finding as conditioned.**

### **PART 3: ARCHITECTURAL DESIGN STANDARDS**

#### **Sec. 6.3.2 Review Standards**

**(a) Relate development to its environment:**

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

*The following shall be considered:*

**1. Massing, Height and Scale:**

The proposed replacement building(s) are similar in size and scale to the existing residences. **Affirmative finding.**

**2. Roofs and Rooflines.**

The proposed building rooflines are similar to the existing buildings – gable roof on the primary structure, with a modified hip on the porch roof. **Affirmative finding.**

**3. Building Openings**

The principle entrance is clearly discernible from the front. Window arrangement reflects a traditional pattern, and window styles are respectful of historic fenestration. **Affirmative finding.**

**(b) Protection of Important Architectural Resources:**

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

See Section 5.4.8.

**(c) Protection of Important Public Views:**

There are no public, protected views from these parcels; however the existing street view toward the lake will remain unobstructed. **Affirmative finding.**

**(d) Provide an active and inviting street edge:**

A very traditional front porch is proposed, much like presently exists at 74 Sherman Street. The open amenity will encourage social interaction and reinforce a building addition that typifies American residential architecture, particularly in the Old North End. In scale, dimension, massing, design and appearance, the proposed new structures will provide a welcome and familiar presence on Sherman Street. **Affirmative finding.**

**(e) Quality of materials:**

Shingle roof, cement clapboards, and Marvin Integrity windows are proposed. All are considered to be of acceptable durability for new construction. **Affirmative finding.**

**(f) Reduce energy utilization:**

*New structures should incorporate the best available technologies and materials in order to maximize energy efficient design. 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.*

All new construction will be required to meet requirements for energy efficient construction, as defined above and code overseen by Burlington Electric Department. **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:**

New development shall be required to meet all ingress and egress standards, as well as applicable building and life safety code as defined by the building inspector and the fire marshal.

**Affirmative finding as conditioned.**

**Article 8: Parking**

**Table 8.1.8-1 Minimum Off-Street Parking Requirements** in the Neighborhood parking district requires 2 parking spaces per residential unit. The existing parking for both parcels is non-conforming: 78 Sherman has a single parking space accessed from the rear of 74 Sherman Street. 80 Sherman Street has no parking (although the common owner at 74 has allowed tenants to park on the rear of that lot.) The existing conditions are proposed to be retained: One parking space at 78 Sherman Street, accessed from the single lane drive at 74 Sherman, and no parking will be provided at 80 Sherman Street. The applicant has been encouraged to continue to provide parking for 80 Sherman Street at the rear of his home lot (74 Sherman), but it is recognized that 80 Sherman has no dedicated parking on-site.

There will be no increase in the level of non-conformity with the proposed development.

**Affirmative finding as conditioned.**

**Section 8.1.7 Non-conforming Residential Structures**

*Single detached dwellings shall be exempt from this requirement...*

Both properties are single family residences. Not applicable.

**Part 2: Bicycle Parking**

None is required for a single family home within **Table 8.2.5-1**. Bike parking and storage, however, is encouraged at both locations. Not applicable.

**Article 9: Inclusionary and Replacement Housing**

**Part 2: Housing Preservation and Replacement/Demolition and Conversion**

**Section 9.2.3 Conditional Use Approval**

The removal of two residential units requires replacement unit-for-unit, which is proposed within this application. From submission information, it is understood that there currently are no tenants in either residence, so relocation and notice requirements of **Section 9.2.4** do not apply.

**Affirmative finding.**

**Section 9.2.5 Housing Replacement Requirement**

Both housing units are proposed to be replaced with new construction at the same location.

Failure to provide replacement housing by completion of this project will subject the applicant/owner to the obligation of identifying equivalent replacement housing to the satisfaction of the Housing Trust Fund Manager. **Affirmative finding as conditioned.**

**II. Conditions of Approval**

1. The applicant shall be required to complete Small Project Sediment and Erosion Control plans, as well as stormwater management plans, as required by Chapter 26 of City Ordinances. Both plans shall require the written approval of the City stormwater administrator **prior to release of the zoning permit.**
2. Compliance with Energy efficiency standards, as defined by Burlington Electric, are required.

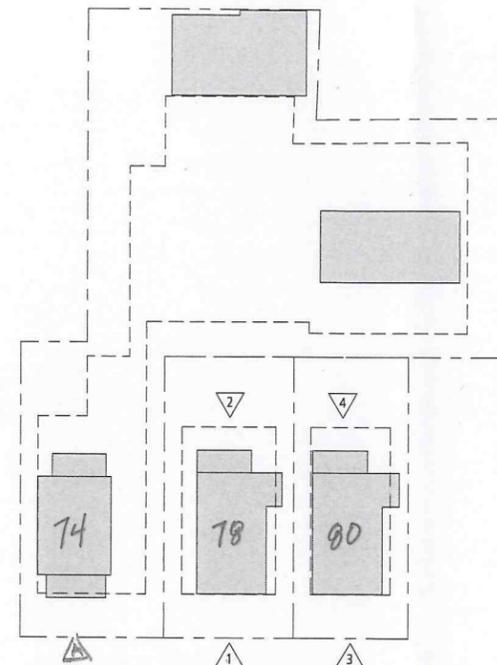
3. New development shall be required to meet all ingress and egress standards, as well as applicable building and life safety code as defined by the building inspector and the fire marshal.
4. All provisions of the functional family ordinance shall be applicable in this zoning district. The applicant is encouraged to provide at least one parking space for each parcel. This may be achieved with an agreement / easement that provides parking for both parcels on the rear of 74 Sherman Street (as informally practiced now.) Conversely, paired parking that spans the property line could provide one parking space per parcel.
5. An acceptable location for trash and recycling shall be provided; screened on all four sides to prevent blowing trash. This, also, may be provided off-site on the rear of 74 Sherman Street, if appropriate and secured via agreement or easement.
6. The applicant shall provide lighting specs prior to advancement to the DRB.
7. Any signage will require a separate sign permit.
8. The applicant shall submit a more robust landscaping plan for the post-construction sites. Special attention shall be paid to the effects of headlight glare from the rear parking area, and screening for rubbish storage.
9. Construction hours are limited to 7:00 am – 6:00 pm Monday-Friday, with Saturday hours limited to interior work.
10. The applicant is advised to work with the Department of Public Works to manage the construction site(s) so as to minimize the amount of impact to the public street and immediately adjacent neighbors.
11. A single car parking space is permitted within the rear property setback at 78 Sherman Street per **Section 4.4.5 (d) District Specific Regulations**
  - B. **Encroachment for Residential Driveways.** This shall not be considered non-conforming due to the standards and criteria of this provision. Access will be provided via the driveway at 74 Sherman Street, and will be assured through easement or other instrument to be recorded in the Burlington Land Records.
12. Prior to demolition, the structures shall be photographed (both interior and exterior) with resulting documentation provided for inclusion within the zoning file as a visual record of the historic structures.
13. Building materials shall be disposed of in a safe and legal manner. The applicant is encouraged to work with local building material recycling representatives to offer what materials may be safely removed in deconstruction and appropriately re-purposed.
14. Confirmation of sewer location and assurance that the neighboring property will not be adversely affected (through loss of sewer service by the proposed demolition, excavation and redevelopment) will be secured from the Department of Public Works **prior to release of the zoning permit.**
15. Any additional lighting will need to be identified and submitted to staff for review and approval **prior to release of the zoning permit.**
16. An acceptable location for trash and recycling shall be provided; screened on all four sides to prevent blowing trash. This, also, may be provided off-site on the rear of 74 Sherman Street, if appropriate and secured via agreement or easement.

17. Failure to provide replacement housing by completion of this project will subject the applicant/owner to the obligation of identifying equivalent replacement housing to the satisfaction of the Housing Trust Fund Manager.
18. 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.**



X.) 74 SHERMAN STREET (FRONT)



3) KEYPLAN - SITE - EXISTING  
1/32" = 1'-0"

OWNER:  
CROSBY HARD  
74 SHERMAN STREET  
BURLINGTON, VT 05401  
P: 802.862.6883  
E: CROSHARD@BURLINGTONTELECOM.NET

RECEIVED  
JUN 19 2013

DEPARTMENT OF  
PLANNING & ZONING

EXISTING BUILDINGS:

No.	Description	Date
-----	-------------	------



1) 78 SHERMAN ST. - BACK  
80



2) 78 SHERMAN ST. - BACK  
80



3) 80 SHERMAN ST. - FRONT  
78



4) 80 SHERMAN ST. - BACK  
78

CROSBY HARD  
78 & 80  
SHERMAN ST.

EXISTING SITE  
PHOTOS

Project number : A2012016-00  
Date : 12.06.12  
Drawn by : Author  
Checked by : Checker

Z3

1) 78 S...

Scale : As indicated

G:\A2012016-00 Sherman Street  
Housing\Drawings\Sherman St.rvt

12/6/2012 9:43:36 AM

79 SHERMAN

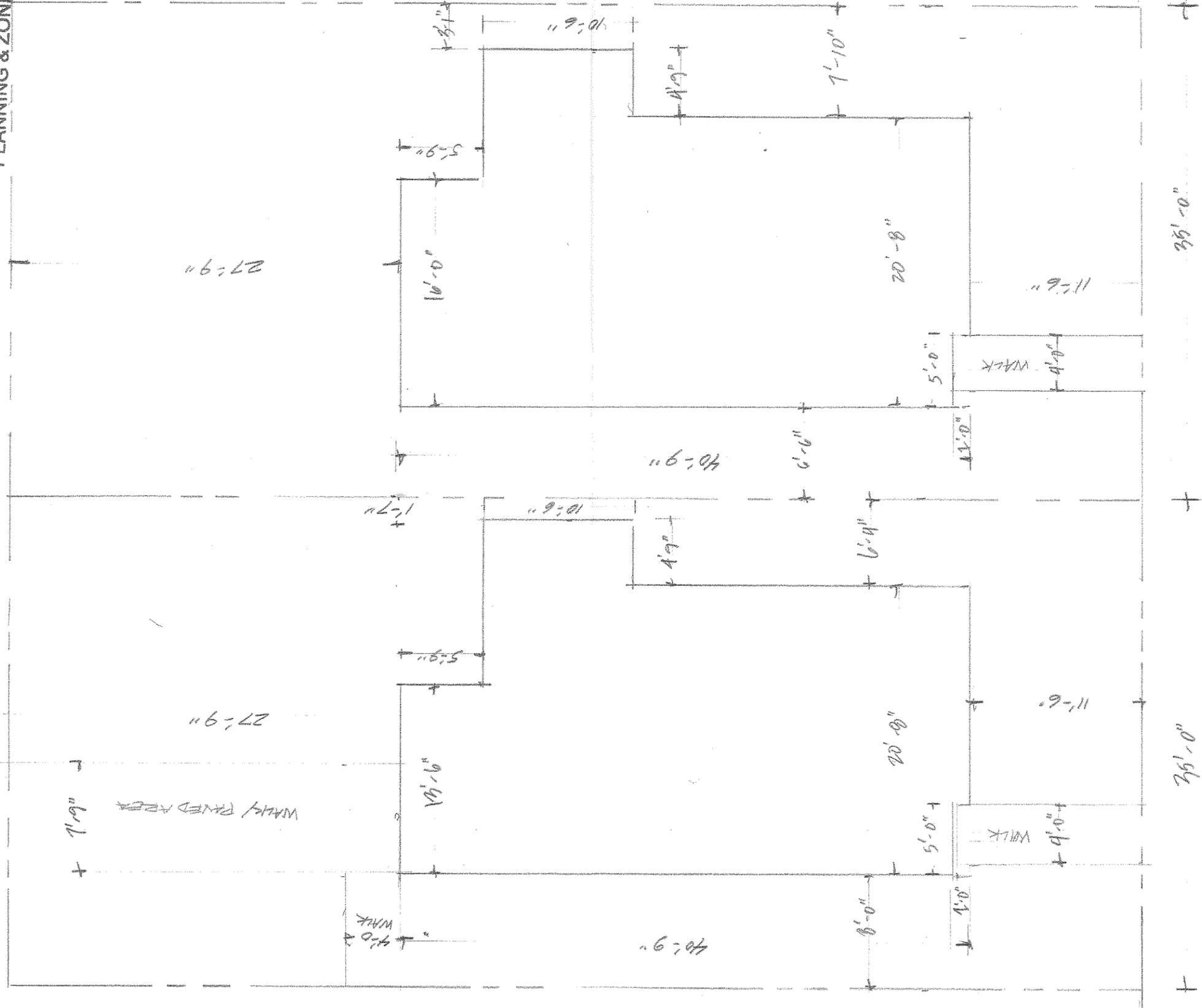
LOT SIZE 35x80 = 2800 SF  
 BUILDING = 446.126 SF  
 FRONT WALK 4x12.6 = 50.4 SF  
 SIDE WALK 4x8 = 32 SF  
 REAR WALK/DRIVE 7.9x27.9 = 215 SF  
 TOTAL COVERAGE = 1145.5 SF  
 LOT COVERAGE (1145.5/2800) = 40.91%

80 SHERMAN

LOT SIZE 35x80 = 2800 SF  
 BUILDING = 362.5 SF  
 WALK (FRONT) = 50.4 SF  
 TOTAL COVERAGE 912.9  
 LOT COVERAGE (912.9/2800) = 32.6%

**RECEIVED**  
 JUN 19 2013

DEPARTMENT OF  
 PLANNING & ZONING



EXISTING  
 78 SHERMAN ST.

EXISTING  
 80 SHERMAN ST.

S I T E P L A N

CROSBY HARD  
 SCALE 1/8" = 1'-0"

78 SHERMAN

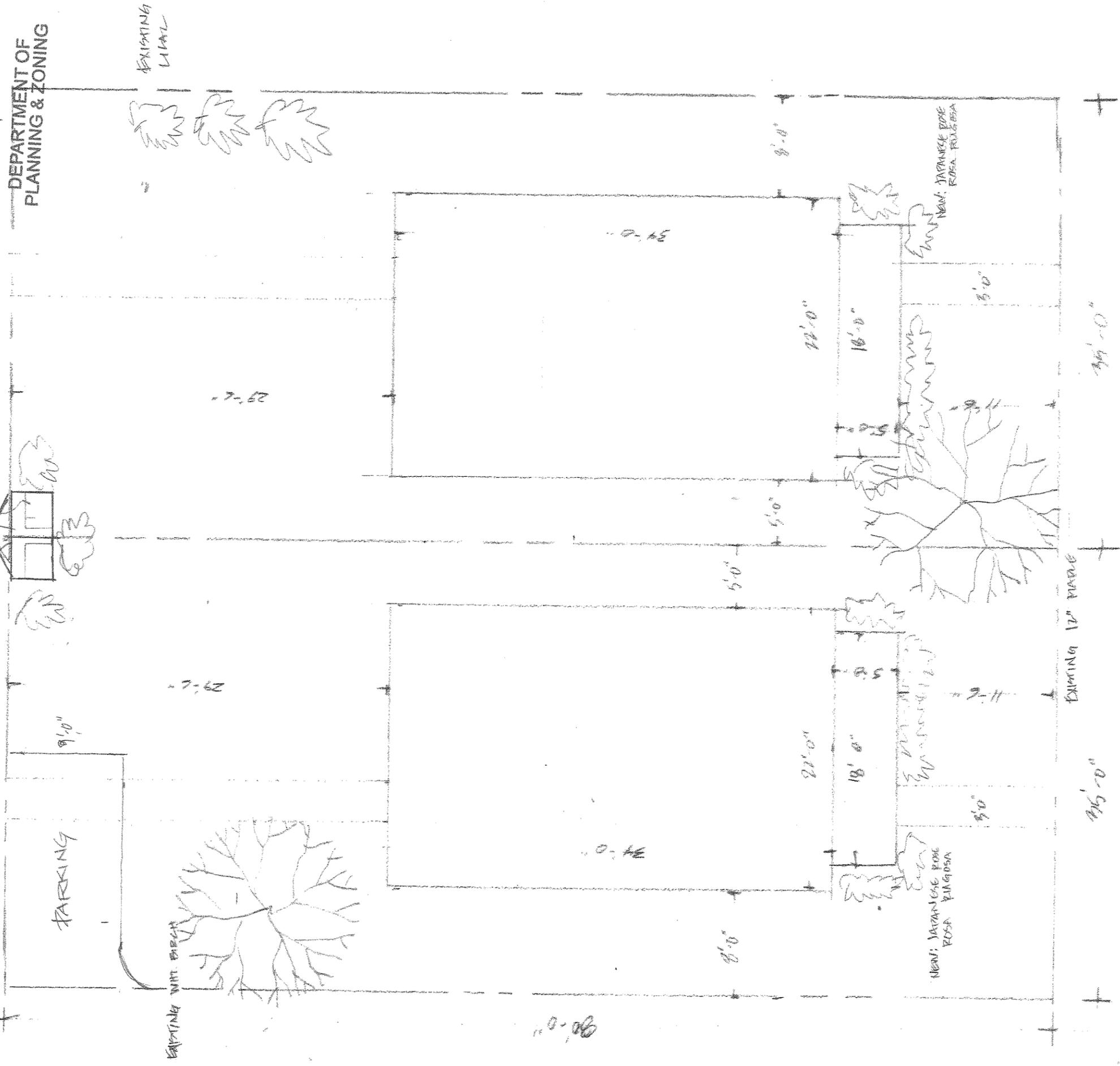
LOT SIZE 35' x 80' = 2800 S.F.  
 BUILDING SIZE 22 x 34 = 748 SF  
 PORCH SIZE 5 x 18 = 90 S.F.  
 REAR WALK 3 x 20 = 60 S.F.  
 FRONT WALK 3 x 12 = 36 S.F.  
 PARKING 9 x 18 = 162 SF  
 TOTAL COVERAGE 1090 SF

LOT COVERAGE (10900/2800) = 39.14%

80 SHERMAN

LOT SIZE 35' x 80' = 2800 S.F.  
 BUILDING SIZE 21' x 34' = 718 S.F.  
 PORCH SIZE 9' x 18' = 90 S.F.  
 REAR WALK 3' x 29' = 87 S.F.  
 FRONT WALK 3' x 12' = 36 S.F.  
 TOTAL COVERAGE 961 S.F.  
 LOT COVERAGE (96100/2800) = 34.32%

**RECEIVED**  
 JUL 29 2013



DEPARTMENT OF  
 PLANNING & ZONING

PROPOSED  
 78 SHERMAN ST.

PROPOSED  
 80 SHERMAN ST.

S I T E

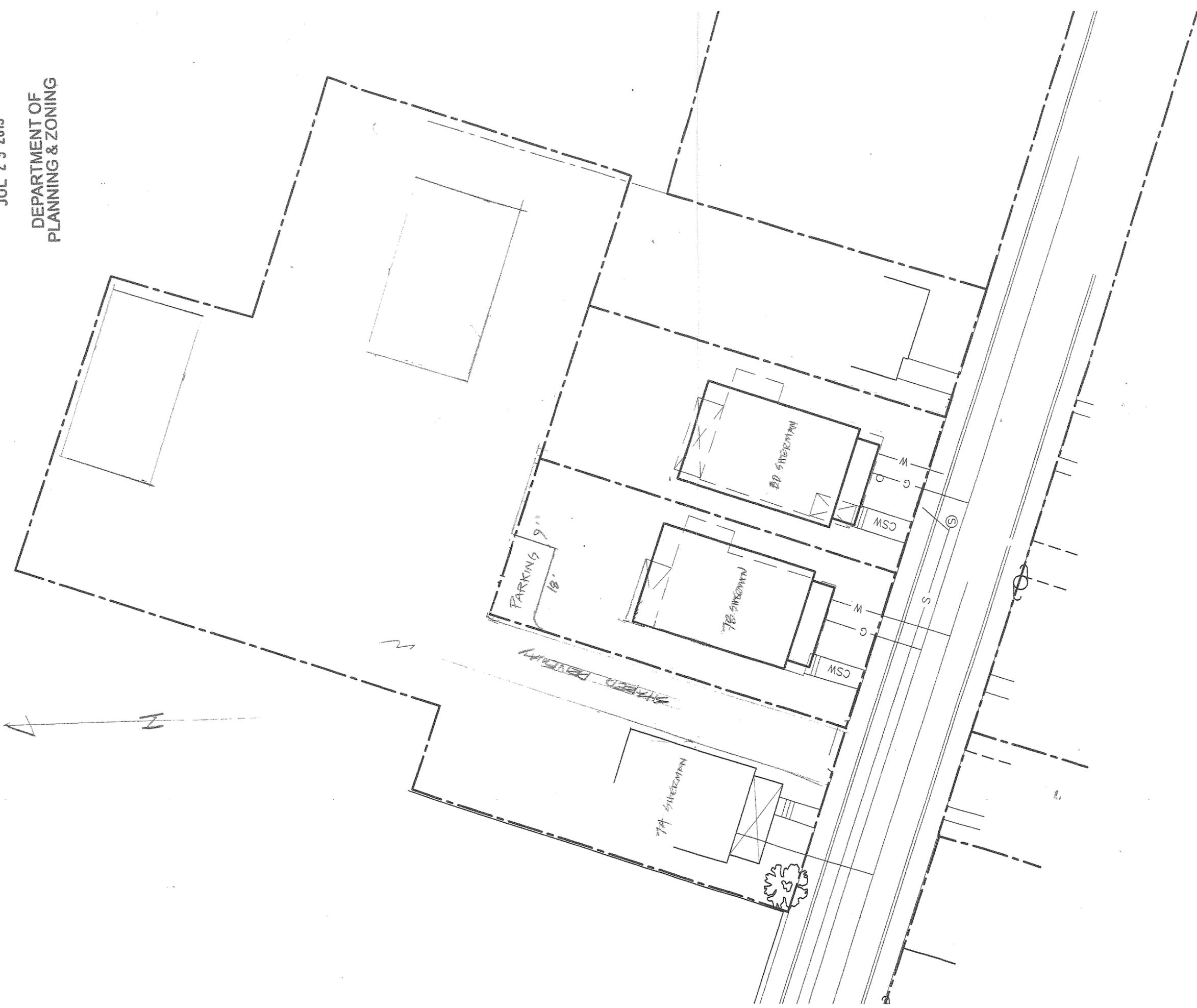
P L A N

CROSBY HARD

RECEIVED

JUL 29 2013

DEPARTMENT OF  
PLANNING & ZONING



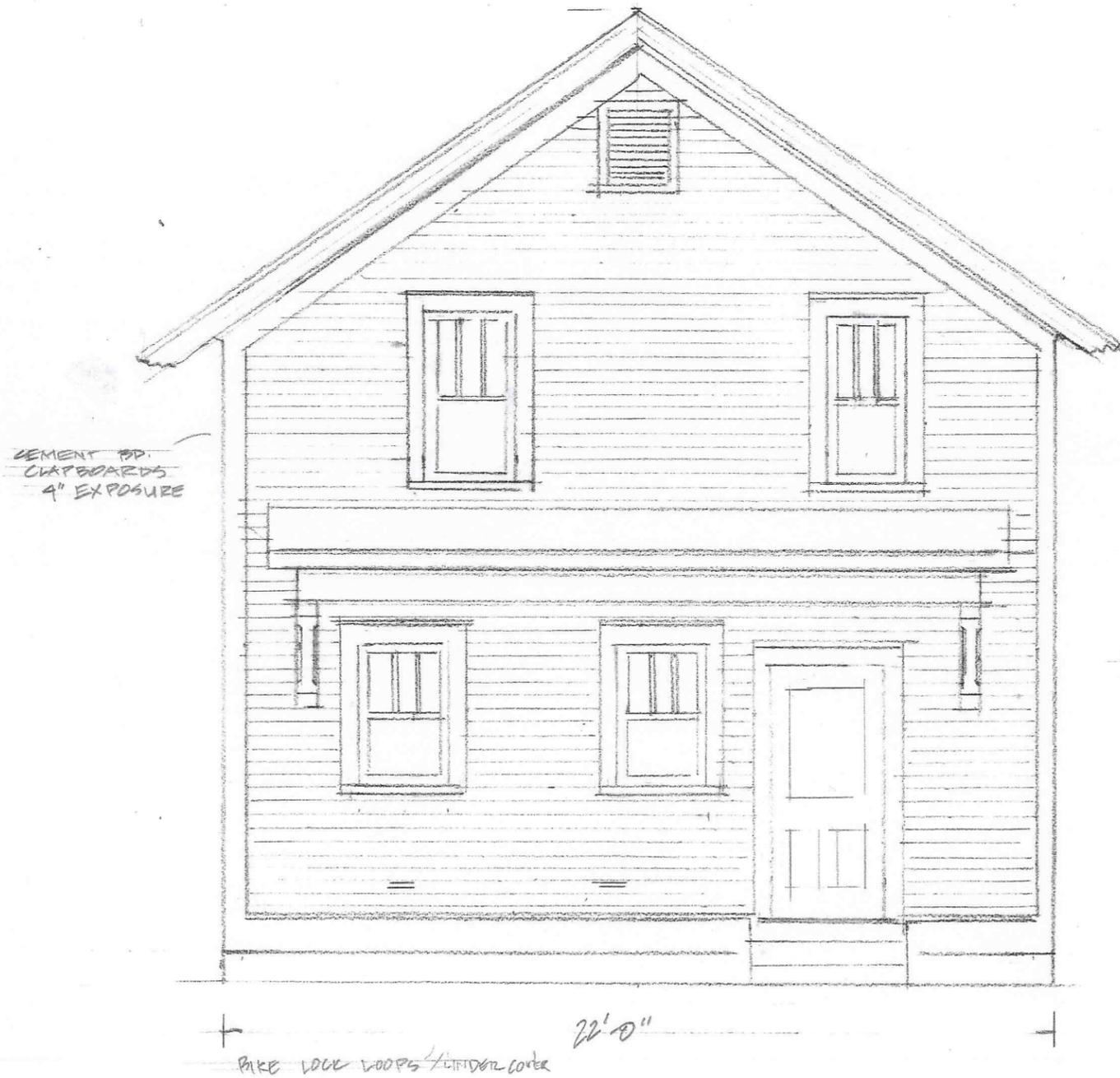
PROPOSED PARKING  
TO SHERMAN ST.

CROSBY HARD  
SCALE 1/4" = 1'-0"

RECEIVED

JUN 11 2013

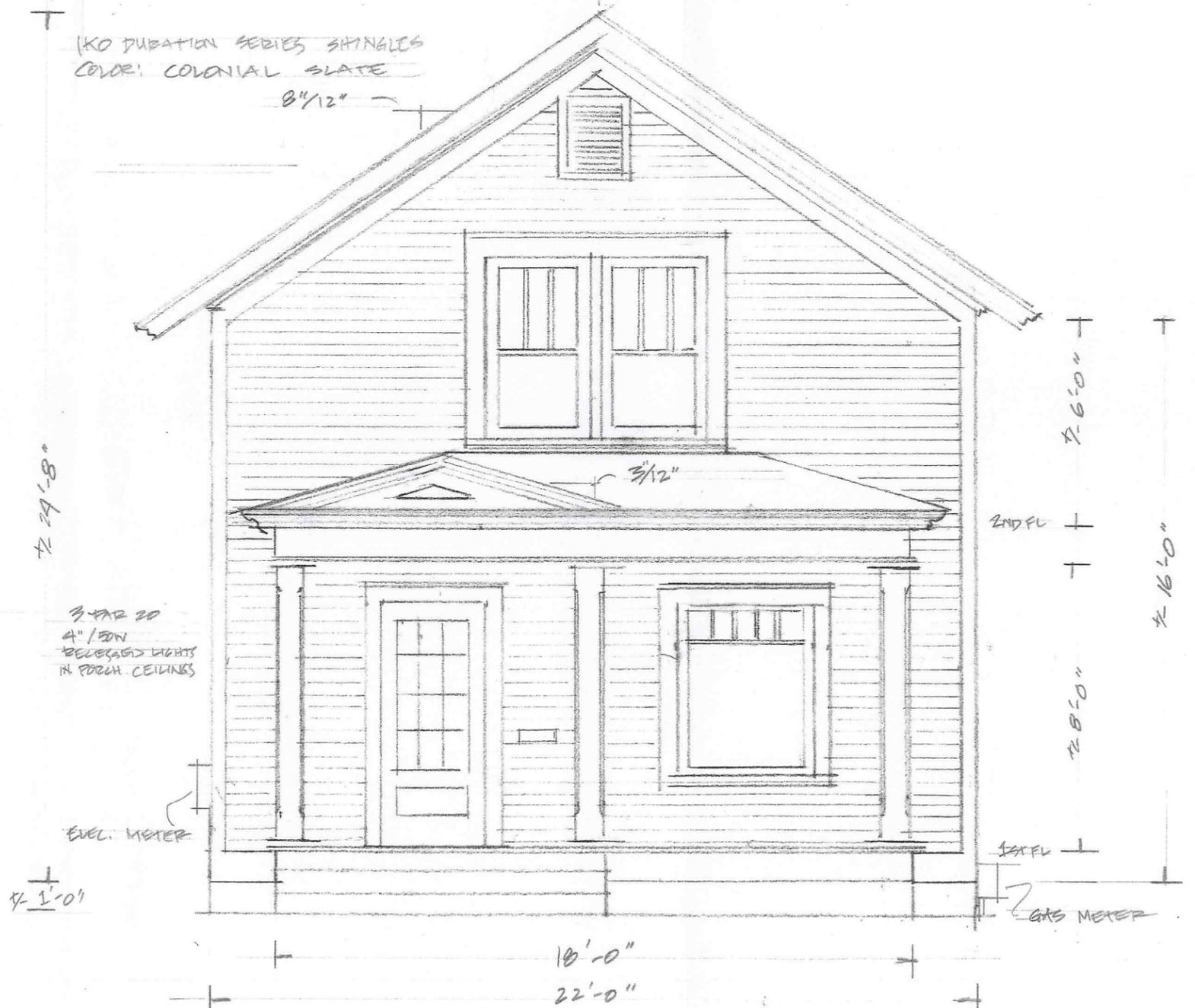
DEPARTMENT OF  
PLANNING & ZONING



REAR ELEVATION (N)

(KO DURATION SERIES SHINGLES  
COLOR: COLONIAL SLATE

8 1/2\"/>



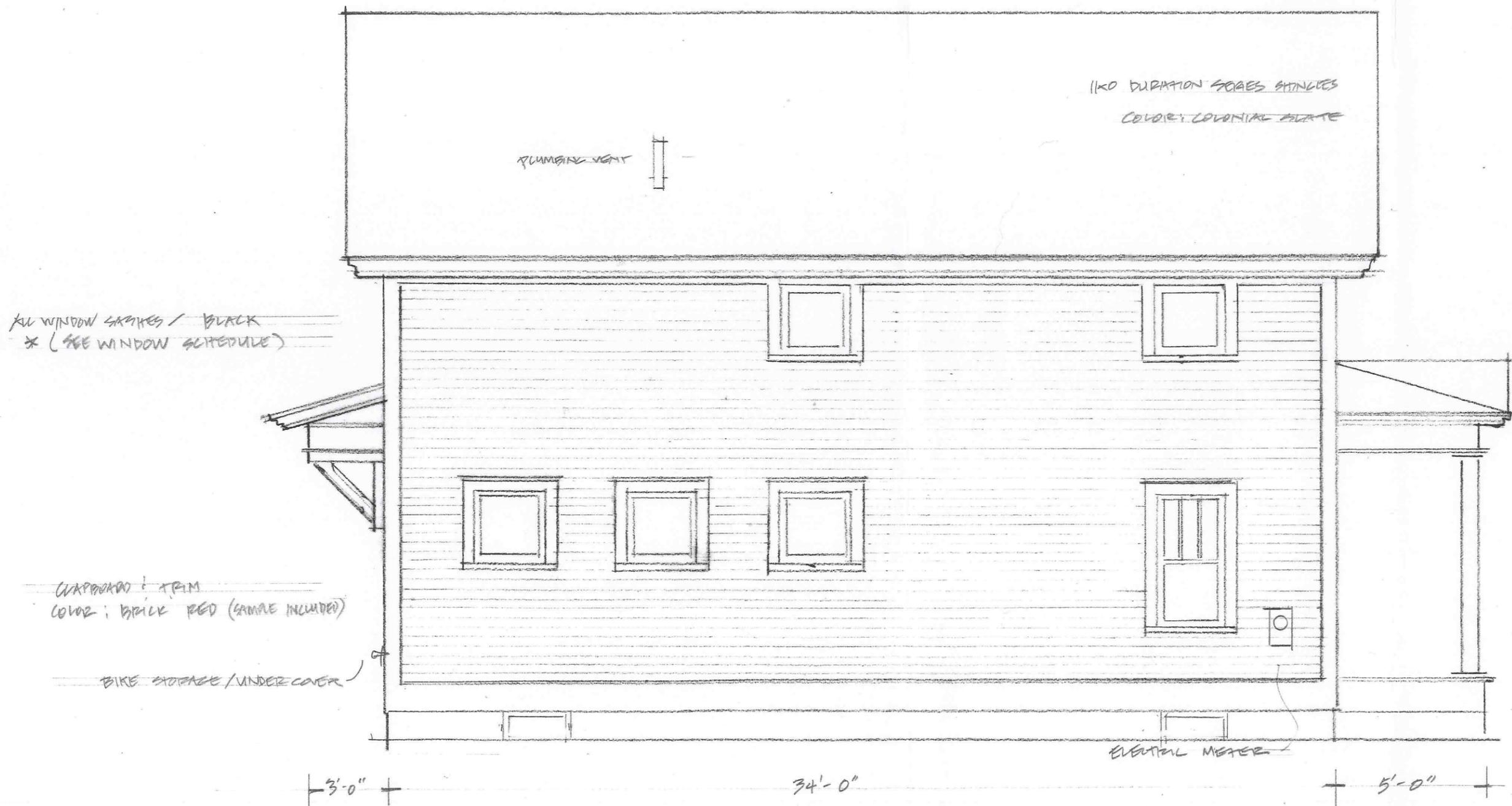
FRONT ELEVATION (S)

CROSBY HARD  
78 SHERMAN ST  
SCALE 1/4\"/>

RECEIVED

JUN 11 2013

DEPARTMENT OF  
PLANNING & ZONING



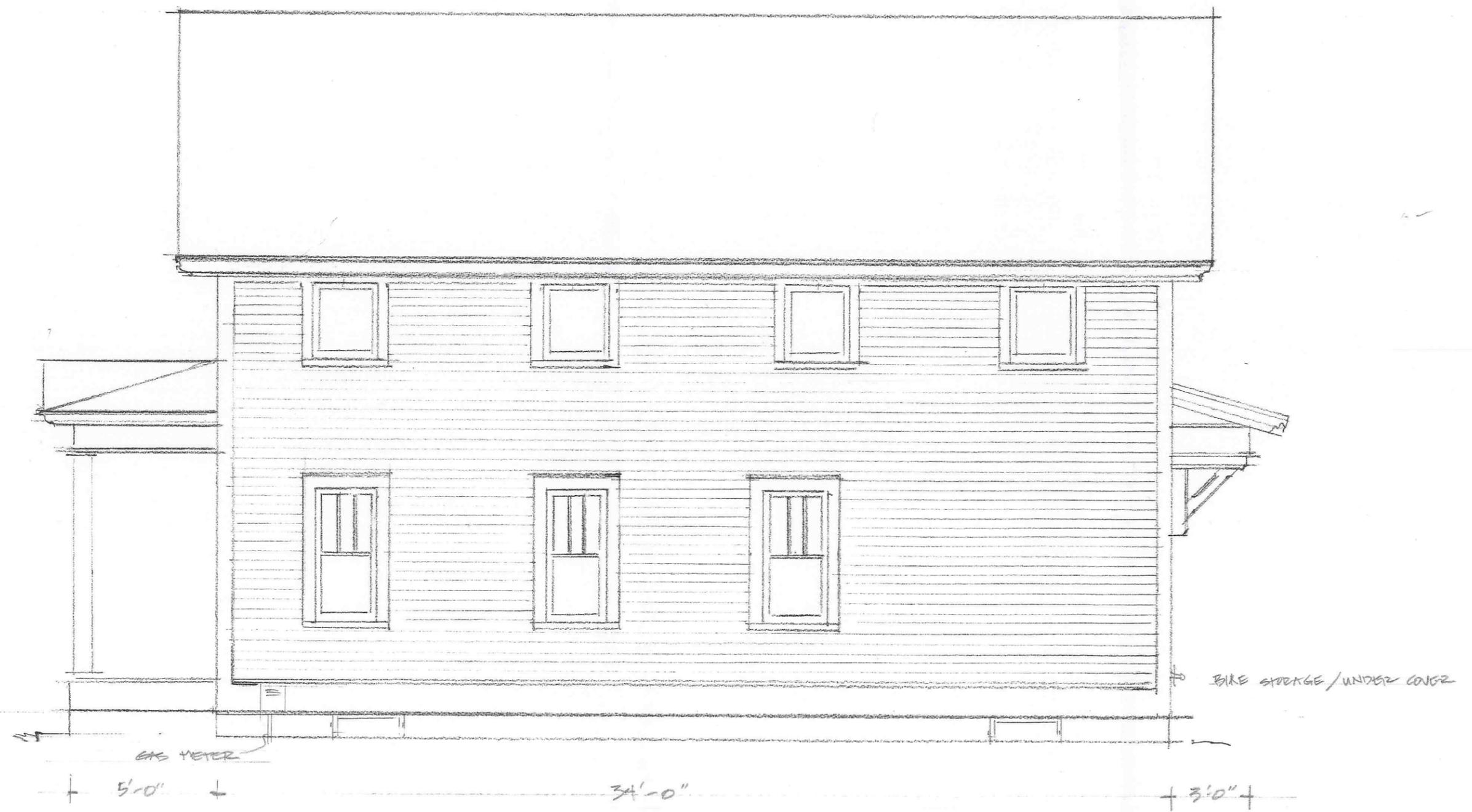
SIDE ELEVATION (WEST)

CROSBY HARD  
78 SHERMAN ST  
SCALE 1/4" = 1'-0"

RECEIVED

JUN 11 2013

DEPARTMENT OF  
PLANNING & ZONING



SIDE ELEVATION (EAST)

CROSBY HARD  
18 SHERMAN ST  
SCALE 1/4" = 1'-0"

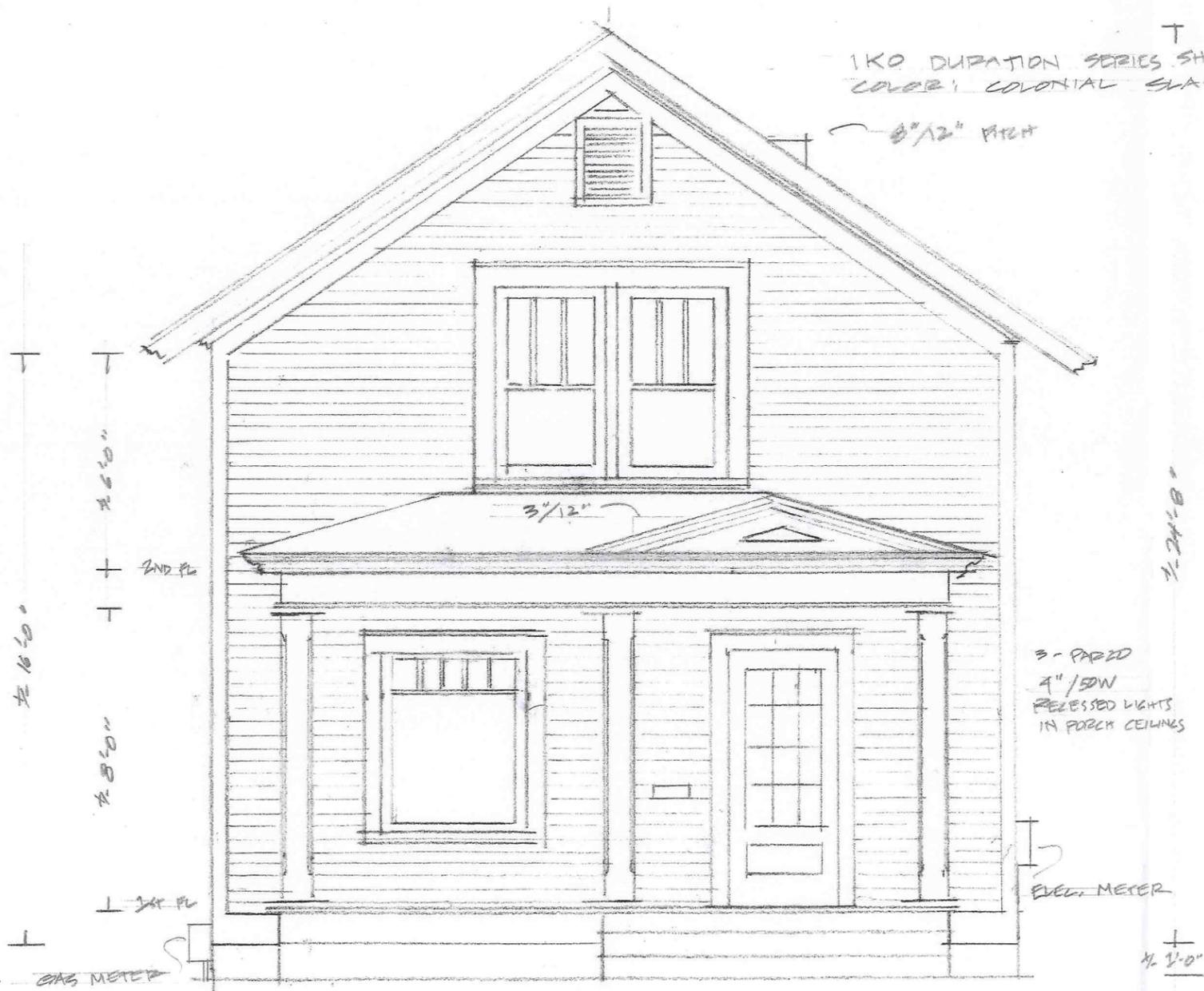
RECEIVED

JUN 11 2013

DEPARTMENT OF  
PLANNING & ZONING

IKO DURATION SERIES SHINGLES  
COLOR: COLONIAL SLATE

8" x 12" PITCH



16'-0"  
8'-0"  
8'-0"  
2ND FL  
1ST FL  
EAS. METEER

3-PANEL  
4" x 8" SW  
RECESSED LIGHTS  
IN PORCH CEILING

ELEV. METEER

1'-2 1/2" x 8"

1/2" x 2'-0"

18'-0"  
22'-0"

FRONT ELEVATION (S)



CEMENT BO  
CLAPBOARDS  
4" EXPOSURE

22'-0"

3-PANEL LOCK DOORS / UNDER COVER

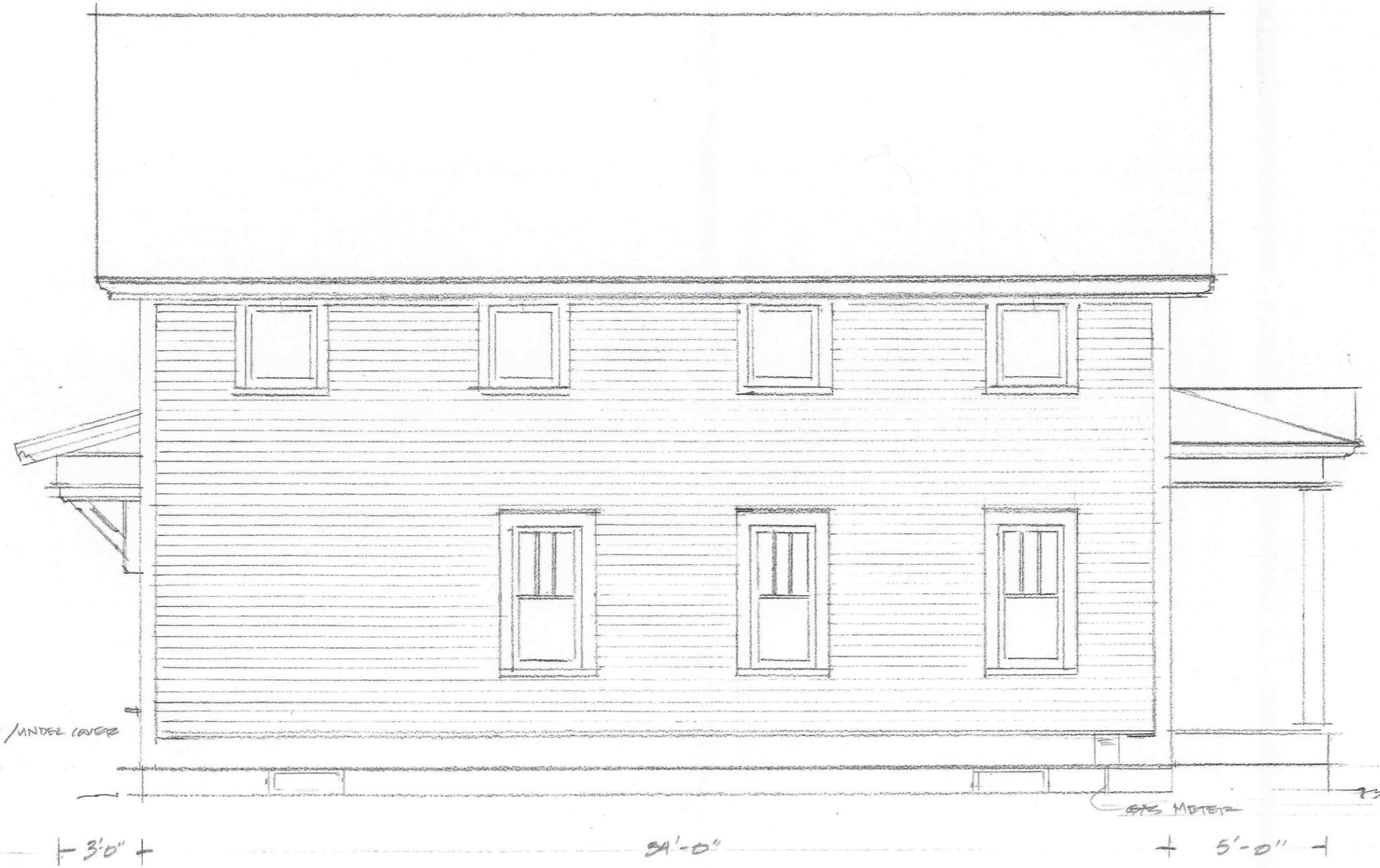
REAR ELEVATION (N)

CROSBY HARD  
80 SHERMAN ST  
SCALE 1/4" = 1'-0"

RECEIVED

JUN 11 2013

DEPARTMENT OF  
PLANNING & ZONING



BIKE STORAGE / UNDER COVER

6x6 METER

+ 3'-0" +

21'-0"

+ 5'-0" +

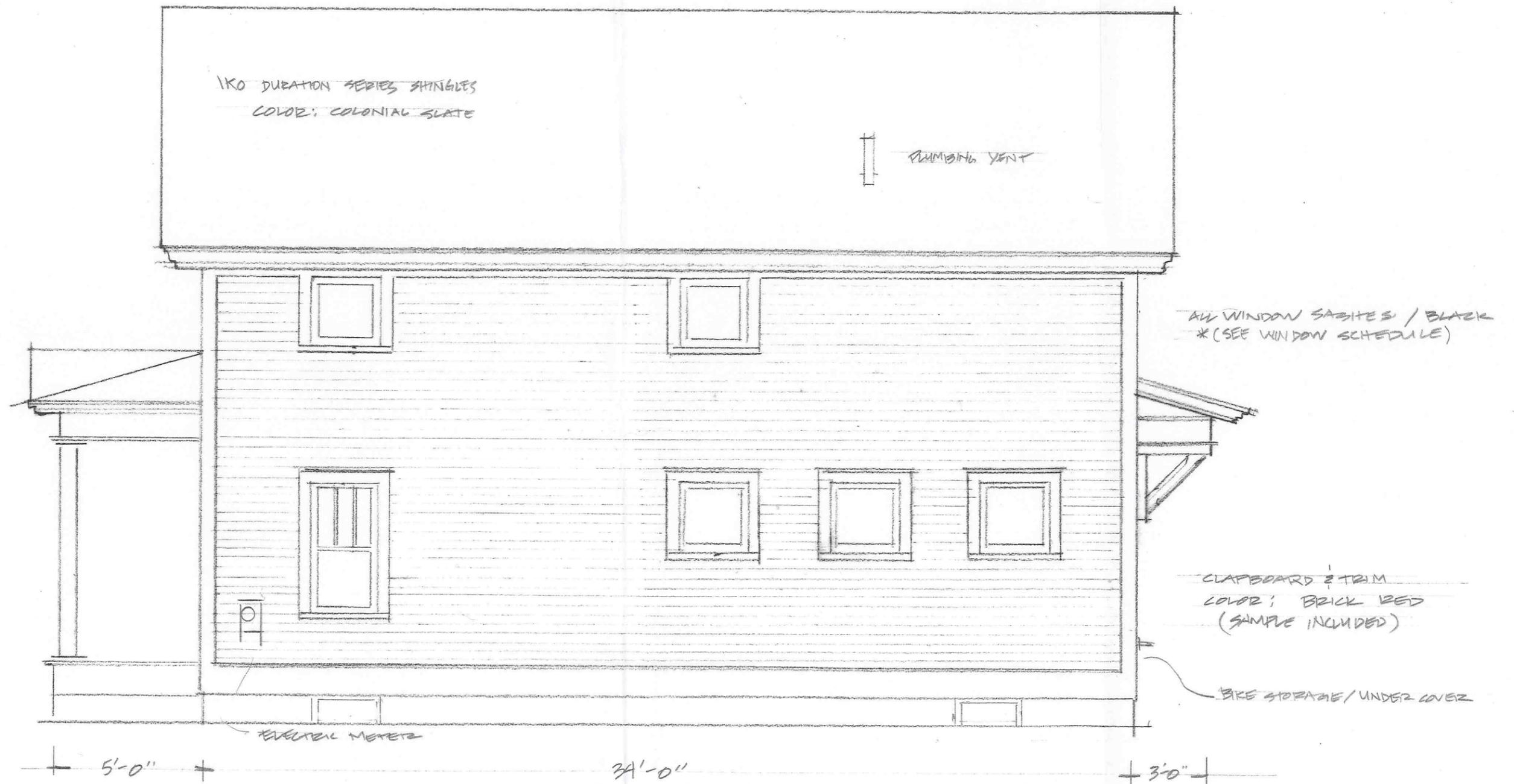
SIDE ELEVATION (WEST)

CROSBY HARD  
80 SHERMAN ST  
SCALE 1/4" = 1'-0"

RECEIVED

JUN 11 2013

DEPARTMENT OF  
PLANNING & ZONING



SIDE ELEVATION (EAST)

CROSBY HARD  
80 SHERMAN ST

SCALE 1/4" = 1'-0"

RICHARD M. DOHERTY, P.E.  
595 DORSET STREET, #6 • SO. BURLINGTON, VT 05403  
802-660-9212 • FAX 802-660-8403

RECEIVED

JUN 11 2013

May 31, 2013

DEPARTMENT OF  
PLANNING & ZONING

Mr. Crosby Hard  
74 Sherman Street  
Burlington, VT 05401

78 & 80 Sherman Street  
Burlington, VT

Dear Crosby:

This letter follows on my visit to the referenced buildings on May 28, 2013. The purpose of my visit was to observe the structural condition of the buildings, and to render an opinion as to the feasibility of their renovation.

The two buildings are residential structures; the date of original construction is not known. They are two story, wood-framed structures with stone masonry foundations. Observation of the wood framing shows that they were not originally well constructed. Floor joists, roof rafters and headers are all undersized. Exterior wall studs are undersized, and in many areas were installed with pieces that were scabbed together.

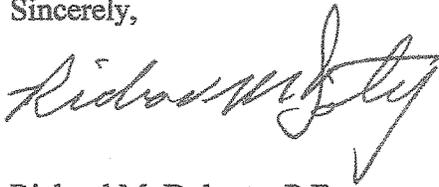
At some point in the past the crawl space at 80 Sherman Street was excavated to create a full basement. This was not done correctly, causing the stone masonry foundation wall to be undermined. The banks are eroding, and portions of the foundation will collapse. This collapse may not be imminent, but it will happen, and the time frame is difficult to predict.

There are residential code issues that I am not qualified to comment on, being architectural issues. However, it is clear that the stairs and the headroom do not meet today's code.

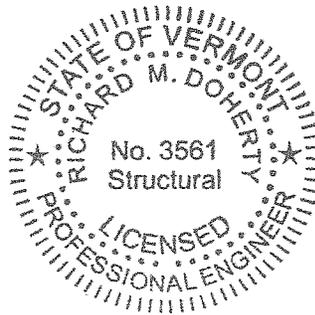
All in all, my opinion is that these buildings would have to be completely reconstructed, meaning new foundations, new studs, new joists and new rafters. Having worked on many old buildings, I believe that these two are not worth the cost and effort of renovation.

Please call if you would like to discuss this further.

Sincerely,

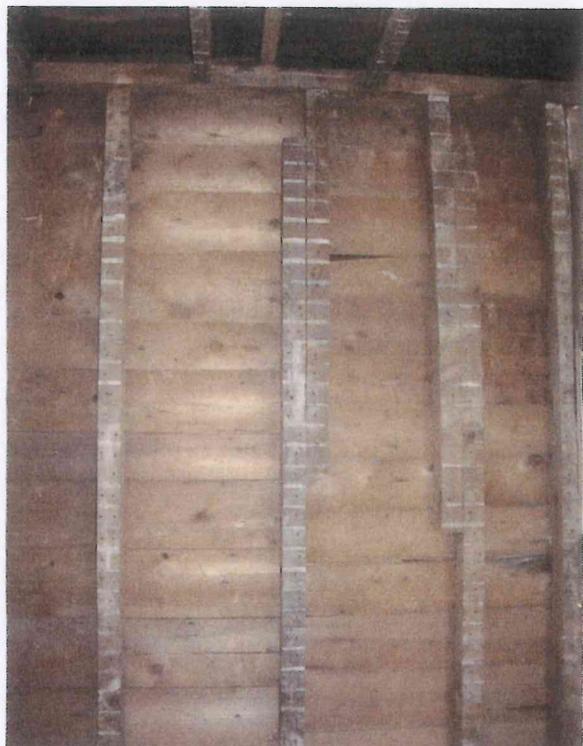


Richard M. Doherty, P.E.  
Structural Engineer



RECEIVED

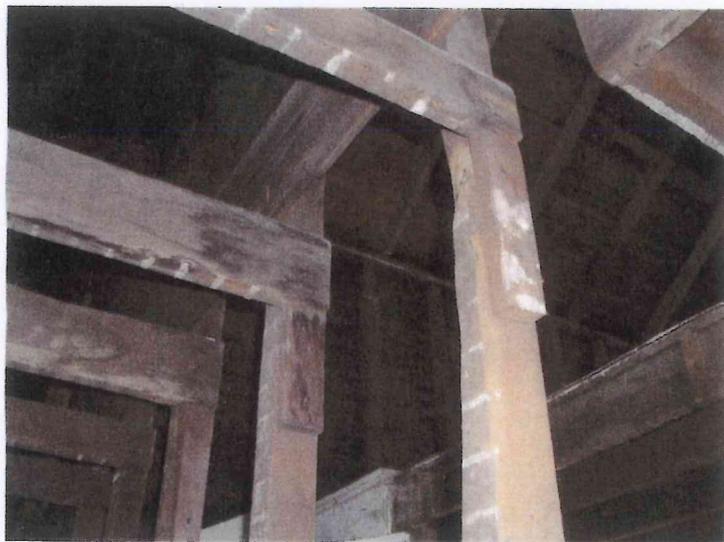
78 + 80 Sherman Street structural defects, page 19 2013



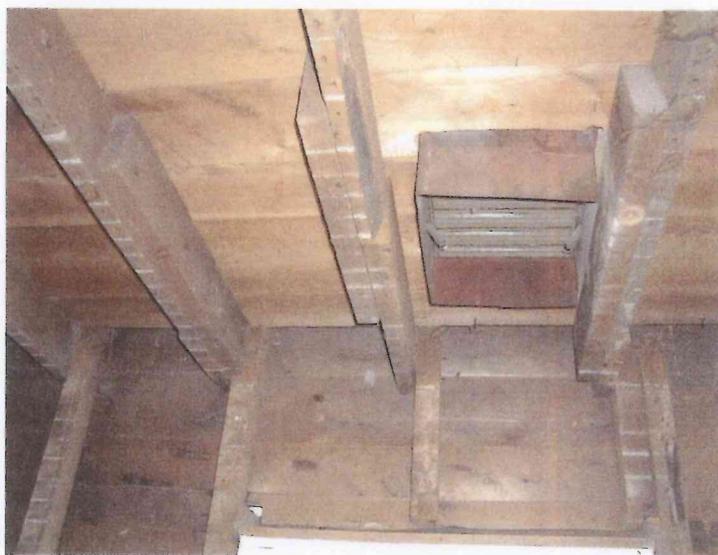
Sistered studs do not go from floor to ceiling.



Second floor frame and roof load bear on non-existent header.



Frame bears on studs with no ledger or header.



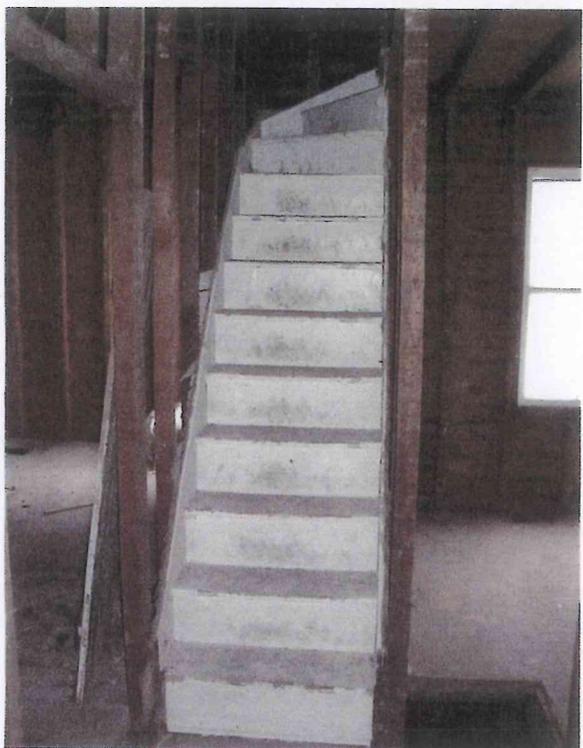
Floor joists do not span room, rather they have scabbed-on splices.

RECEIVED

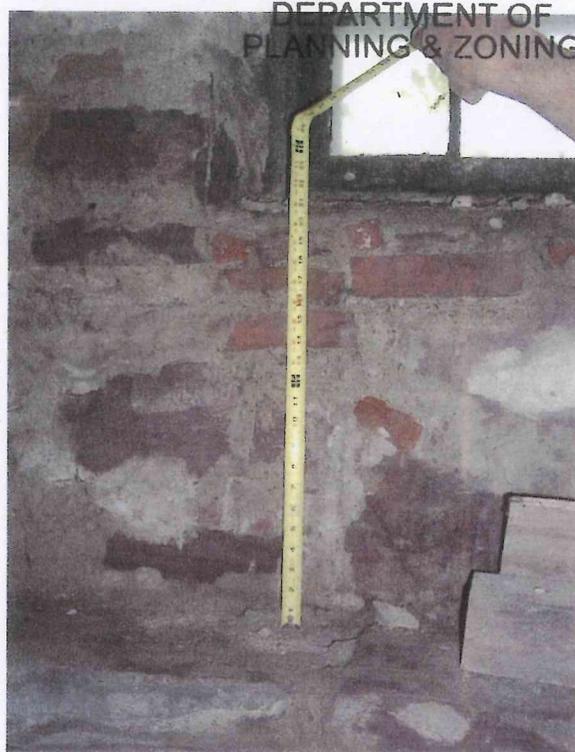
JUN 19 2013

80 Sherman Street structural defects, page 2

DEPARTMENT OF  
PLANNING & ZONING



Stairway— very steep, very thin, headroom issues.



Foundation goes approximately 18 inches below grade. Frost heaved.



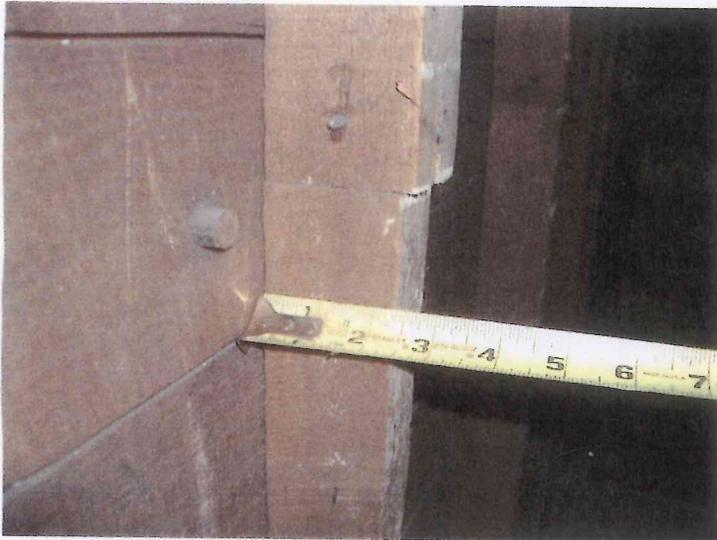
Toe-nailed, undersized ceiling frame bears on studs with no ledger or header.

80 Sherman Street structural defects

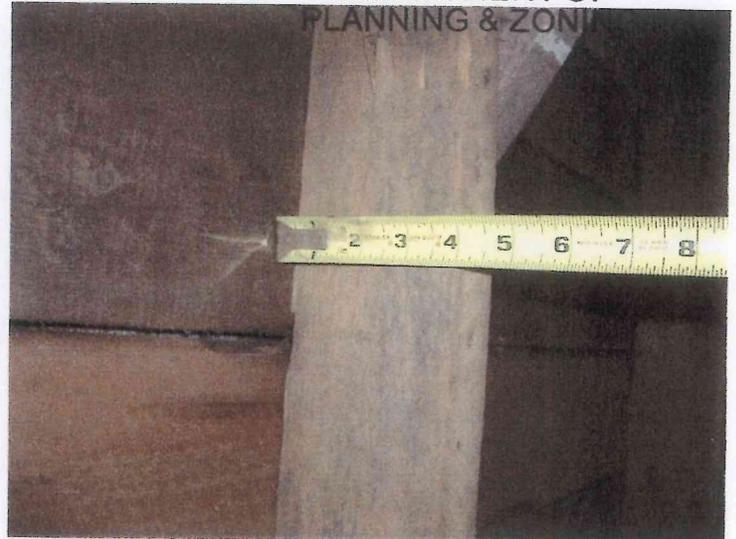
RECEIVED

JUN 19 2013

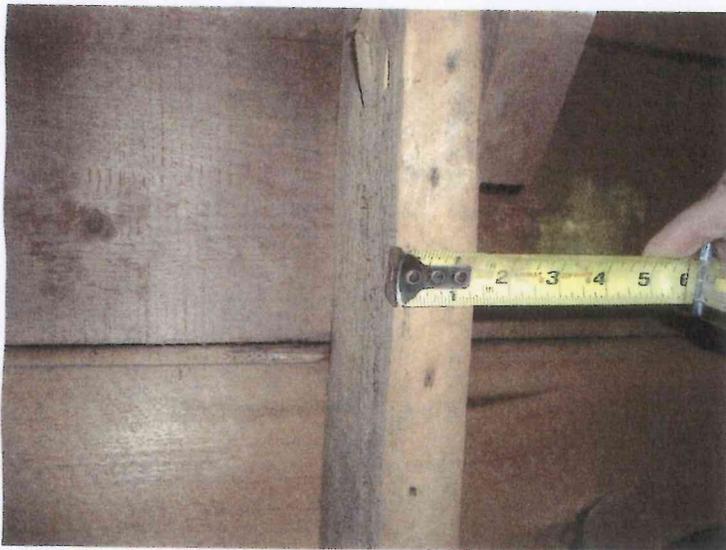
DEPARTMENT OF  
PLANNING & ZONING



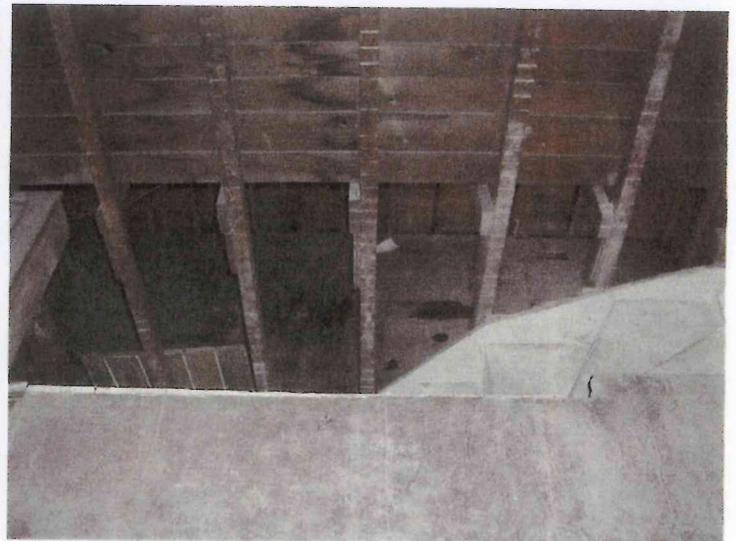
1 1/4" x 2 1/2" studs do not go from floor to ceiling.



Second floor frame and roof load bear on non-existent header.



Tiny rafters spaced irregularly and far apart.



Joists hang on studs with no ledger or header.

# BURLINGTON 1877

*WHAT STILL STANDS FROM BETWEEN 1869 AND 1877 IN BURLINGTON,  
VERMONT?*

[Back to Sherman Street](#)

## 78 Sherman Street

16 Smith's Lane



This structure is a south facing, one and one-half story, gable front with a side entrance now enclosed in a porch on the west facade. The material on the exterior of the structure has been altered, but the slate shingles on the roof remain. The footprint of the building has not changed significantly since 1890 [\[1\]](#), but the additions on the rear of the structure have been expanded and the original porches enclosed.

The F. Smith owned the property where this house and the two adjacent structures to the east [\[2\]](#) stand. The house on the corner was home to Frederick Smith during the period of significance, but the property was divided and new structures constructed. The first known occupant of this house was John L. Clark, an employee of Shepard & Morse Lumber Company, in 1901 [\[3\]](#) who lived there until after 1907 [\[4\]](#). The house changed hands after that becoming home to a succession of families [\[5\]](#).

---

[\[1\]](#) 1890 Hopkins Map

# BURLINGTON 1877

*WHAT STILL STANDS FROM BETWEEN 1869 AND 1877 IN BURLINGTON,  
VERMONT?*

[Back to Sherman Street](#)

## 80 Sherman Street

18 Smith's Lane



This structure is a south facing, one and one-half story, gable front with a side entrance now enclosed in a porch on the west facade. The footprint of the building has not changed significantly since 1890 [1], but the additions on the rear of the structure have been expanded and the original porches enclosed, similar to 78 Sherman Street and 84 Sherman Street.

The F. Smith owned the property where this house and the two adjacent structures on either side [2]. The first known occupant of the house was George P. Tuttle, previously of Centre Street, an employee of B. S. Nichols & Company, in 1881 [3]. The house changed hands in the 1890s and over the past 100 years of its history.

---

[1] 1890 Hopkins Map

[2] 1869 Beers Atlas Map, 1890 Hopkins Map

**LINE ITEM QUOTES**

DEPARTMENT OF  
 PLANNING & ZONING

The following is a schedule of the windows and doors for this project. For additional unit details, please see the Iteming Quotes. Additional charges, tax or Terms and Conditions may apply. Detail pricing is per unit.

Line #1	Mark Unit: A IAWN 3331	Net Price:		323.28
Qty: 9		Ext. Net Price:	USD	2,909.52

**Integrity**  
 by MARVIN  
 Windows and Doors  
 Built to perform:

As Viewed From The Exterior

Entered As: CN  
 CN 2927  
 RO 29" X 27 5/8"

Stone White Exterior	
White Pine Interior	36.72
Integrity Awning - Roto Operating	
Wood-Ultrex	
CN 2927	
Rough Opening 29" X 27 5/8"	255.60
IG - 1 Lite	
LoE 272 w/Argon	
White Folding Handle	
Interior Aluminum Screen	12.24
Charcoal Fiberglass Mesh	
White Surround	
6 9/16" Jamb	18.72
Nailing Fin	

Line #2	Mark Unit: B ITDH 3056	Net Price:		408.24
Qty: 4		Ext. Net Price:	USD	1,632.96

**Integrity**  
 by MARVIN  
 Windows and Doors  
 Built to perform:

As Viewed From The Exterior

Entered As: CN  
 CN 3056  
 RO 30 3/4" X 56 3/8"

Stone White Exterior	
White Pine Interior	36.72
Integrity Traditional Double Hung	
Wood-Ultrex	
CN 3056	
Rough Opening 30 3/4" X 56 3/8"	280.80
Top Sash	
IG - 1 Lite	
LoE 272 w/Argon	
7/8" SDL - With Spacer Bar	
Rectangular - Special Cut 3W1H	
Stone White Ext - White Int	45.36
Bottom Sash	
IG - 1 Lite	
LoE 272 w/Argon	
White Sash Lock	
Exterior Aluminum Screen	
Stone White Surround	15.12
Charcoal Fiberglass Mesh	
6 9/16" Jamb	30.24
Nailing Fin	

Line #3	Mark Unit: C ITDH 3044	Net Price:		383.04
Qty: 2		Ext. Net Price:	USD	766.08

**Integrity**  
 by MARVIN  
 Windows and Doors  
 Built to perform:

As Viewed From The Exterior

Stone White Exterior	
White Pine Interior	36.72
Integrity Traditional Double Hung	
Wood-Ultrex	
CN 3044	
Rough Opening 30 3/4" X 44 3/8"	257.04
Top Sash	
IG - 1 Lite	
LoE 272 w/Argon	
7/8" SDL - With Spacer Bar	
Rectangular - Special Cut 3W1H	
Stone White Ext - White Int	45.36

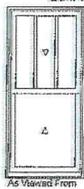
**RECEIVED**  
 JUN 11 2013

Entered As: CN  
 CN 3044  
 RO 30 3/4" X 44 3/8"

Bottom Sash  
 IG - 1 Lite  
 LoE 272 w/Argon  
 White Sash Lock  
 Exterior Aluminum Screen  
 Stone White Surround  
 Charcoal Fiberglass Mesh  
 6 9/16" Jamb  
 Nailing Fin

DEPARTMENT OF  
 PLANNING & ZONING 13.68  
 30.24

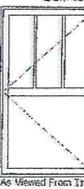
Line #4	Mark Unit: D ITDH 2656	Net Price:		390.24
Qty: 1		Ext. Net Price:	USD	390.24



Entered As: CN  
 CN 2656  
 RO 26 3/4" X 56 3/8"

Stone White Exterior  
 White Pine Interior 36.72  
 Integrity Traditional Double Hung  
 Wood-Ultrex  
 CN 2656  
 Rough Opening 26 3/4" X 56 3/8" 264.24  
 Top Sash  
 IG - 1 Lite  
 LoE 272 w/Argon  
 7/8" SDL - With Spacer Bar  
 Rectangular - Special Cut 3W1H  
 Stone White Ext - White Int 45.36  
 Bottom Sash  
 IG - 1 Lite  
 LoE 272 w/Argon  
 White Sash Lock  
 Exterior Aluminum Screen  
 Stone White Surround 13.68  
 Charcoal Fiberglass Mesh  
 6 9/16" Jamb 30.24  
 Nailing Fin

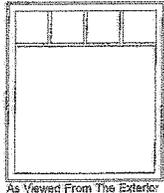
Line #5	Mark Unit: E ICA 3356	Net Price:		527.76
Qty: 3		Ext. Net Price:	USD	1,583.28



Entered As: CN  
 CN 3355  
 RO 33" X 55 5/8"

Stone White Exterior  
 White Pine Interior 36.72  
 Integrity Casement - Left Hand  
 Wood-Ultrex  
 CN 3355  
 Rough Opening 33" X 55 5/8" 363.60  
 IG - 1 Lite  
 LoE 272 w/Argon  
 2 11/32" Simulated Rail Rectangular  
 Standard 1.0:2.0  
 7/8" SDL - With Spacer Bar  
 Top Cut 3W1H - Bottom Cut 1W1H  
 4 Rect Lites  
 Stone White Ext - White Int 92.88  
 White Folding Handle  
 Interior Aluminum Screen 15.84  
 Charcoal Fiberglass Mesh  
 White Surround  
 6 9/16" Jamb 18.72  
 Nailing Fin  
 \*\*\*Note: Divided lite cut alignment may not be accurately represented in the OMS drawing. Please consult your local representative for exact specifications.

Line #6	Mark Unit: F ITDH	Net Price:		508.32
Qty: 1		Ext. Net Price:	USD	508.32



Entered As: CN  
CN 4955  
RO 49" X 55 5/8"

Stone White Exterior  
White Pine Interior  
Integrity Casement Picture  
Wood-Ultrex  
CN 4955  
Rough Opening 49" X 55 5/8"  
IG - 1 Lite  
LoE 272 w/Argon  
7/8" SDL - With Spacer Bar  
Cottage 4W1H  
5 Rect Lites  
10" DLO Height  
Stone White Ext - White Int  
6 9/16" Jambs  
Nailing Fin

36.72

377.28

RECEIVED  
JUN 11 2013

DEPARTMENT OF  
PLANNING & ZONING  
75.60  
18.72

\*\*\*Note: Divided lite cut alignment may not be accurately represented in the OMS drawing. Please consult your local representative for exact specifications.

Project Subtotal Net Price: USD 7,790.40  
0.000% Sales Tax: USD 0.00  
Project Total Net Price: USD 7,790.40

Case ment windows  
78 + 80 Sherman

matt@acmeglassvt.com  
78 Pearl Street, Burlington, VT 05401

JUN 11 2013 10:43 AM

Acme Glass

RECEIVED  
JUN 11 2013

Crosby,

Here are the specs that you requested, let me know if there is anything else that I can do for you.

Best,

Matthew McIntyre/Acme Glass  
26 Pearl Street, Burlington, VT  
05401  
802-658-1400

DEPARTMENT OF  
PLANNING & ZONING



Customer Quote

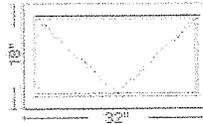
Acme Glass Company  
26 Pearl Street  
Burlington, VT 05401  
Phone: 802-658-1400  
Fax: 802-658-9107

BILL TO:

SHIP TO:

QUOTE #	ORDER DATE	BID BY	ORDER PLACED BY	ORDER TAKEN BY
TBD	Quote Not Ordered			claplant
JOB NAME	CUSTOMER PO#	TERMS	CARRIER	

LINE #	DESCRIPTION	QUANTITY	UNIT PRICE	EXTENDED PRICE
100-1	* UNIT * 2800 Operating / Hopper (1 LK) * MANUFACTURED SIZE * 32 X 18 * OVERALL ROUGH OPENING * 32 1/2 X 18 1/2  * FRAME COLOR * White * ALUMINUM REINFORCING * Horizontal Only * SCREEN * Screen, Fiberglass Screen  *** ROW 1: *** * GLASS * Clear (U: 0.45 / SHG: 0.56):	8	\$133.37	\$1,066.94



Tag: None Assigned

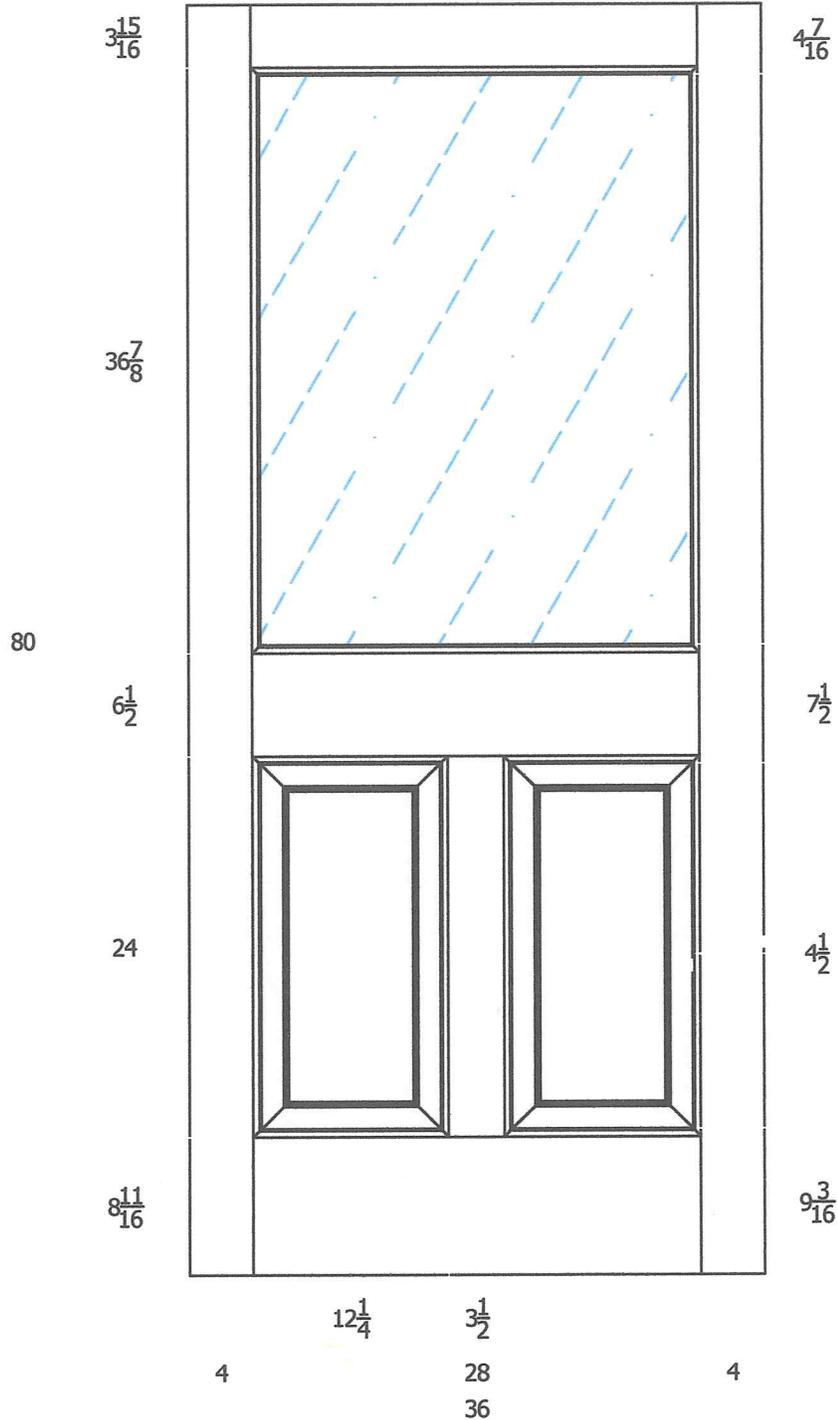
VIEWED FROM EXTERIOR

PROJECT	QUOTE	SUB-TOTAL:	\$1,066.94
Unassigned	Unassigned	LABOR:	\$0.00
Comments:		FREIGHT:	\$0.00
Disclaimer:		SALES TAX:	\$0.00
		TOTAL:	\$1,066.94

**CUSTOMER QUOTE TERMS**  
 Price is Verified for 60 Days From Date Quoted  
 Price is Subject to Review and Final Acceptance by Dealer  
 Any Changes or Additions MUST Be Agreed Upon by Dealer  
 The Quoted Price is Contingent Upon the Information Provided by Customer  
 The Purchaser is Responsible for Purchased Product Meeting Local Laws and Building Codes  
 The Purchaser is Responsible to Verify the Accuracy of Items Quoted Herein.

CUSTOMER SIGNATURE \_\_\_\_\_

DATE: \_\_\_\_\_



THIS DRAWING AND THE INFORMATION CONTAINED HEREIN IS PROPRIETARY TO SIMPSON DOOR COMPANY AND SHALL NOT BE REPRODUCED, COPIED OR DISCLOSED IN WHOLE OR PART, OR USED FOR MANUFACTURE OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN PERMISSION OF SIMPSON DOOR COMPANY.

TITLE Crosby Hard  
78 T 80 Sherman

Revisions

Rev. #	Description	Date	by Whom
	7044 Exterior		
	Painted Wood		

DRAWING NO.	SCALE	PATTERN #
DRAWN BY:	DATE	

**Simpson®**

# RECEIVED

JUN 11 2013



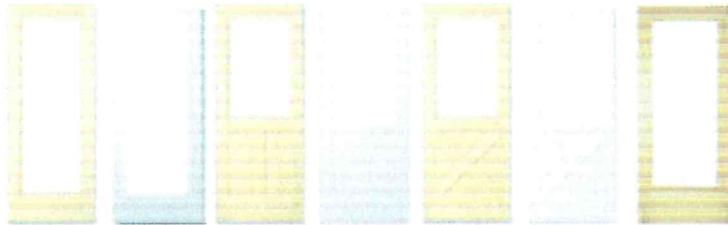
## Combination Storm and Screen Door



DEPARTMENT OF PLANNING & ZONING

Combination Storm and Screen Door  
Customize your door  
(Available for 6'-9")

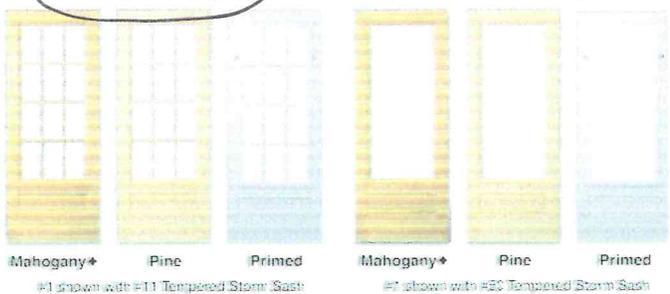
- Engineered Construction - 1 1/2" Thick
- Water Repellent/Preservative Treated - primed or clear
- Door Sweep Included
- Top Rail, Cross Rail and Stiles are 4 1/4"
- Glazing - 1/2" Tempered Safety Glass
- Aluminum Wire Screens: 18 x 16 (Bright Bronze on Mahogany Door)
- Patented "Easy Change" Locking Device with Sure Grip Protective-Plate



Bottom Rail (6'-9")	9-1/2"	9-1/2"	9-5/8"	9-5/8"	9-5/8"	9-5/8"	
Bottom Rail (6'-11")	13-1/2"	13-1/2"					
Size							
2'-8" x 6'-9"	✓	✓	✓	✓	✓	✓	2'-0" x 7'-1"
3'-0" x 6'-9"	✓	✓	✓	✓	✓	✓	Can be field cut to 6'-9"
3'-0" x 7'-1"	✓	✓	-	-	-	-	

No. 11 \* (12 Light)

No. 50 \* (1 Light)



<b>13-1/2" Bottom Rail</b> (No Bottom Panel)	2'-8" x 6'-1"	2'-8" x 6'-1"
<b>7-3/4" Bottom Rail</b>	2'-8" x 6'-7"	2'-8" x 6'-7"
<b>9-5/8" Bottom Rail</b>	2'-8" x 6'-9"	2'-8" x 6'-9"
	2'-10" x 6'-9"	3'-0" x 6'-9"
<b>11-5/8" Bottom Rail</b>	2'-10" x 6'-11"	
<b>13-5/8" Bottom Rail</b>	2'-8" x 7'-1"	2'-8" x 7'-1"
	2'-10" x 7'-1"	3'-0" x 7'-1"

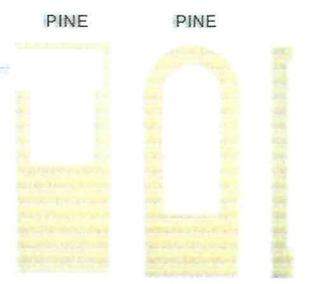
\* Bottom panel not available on 6'-1" height.  
\* Mahogany doors feature a bright bronze screen

	Countryside Classic Colonial Door	Ultra-Vu Door	#11 Door	#50 Door
Stiles	4-1/4"	4-1/4"	4-1/4"	4-1/4"
Top Rail	4-1/4"	4-1/4"	4-1/4"	4-1/4"
Middle Rail	4-1/4"	-	-	-
Bottom Rail	6-1"	-	13-1/2"	13-1/2"
	6-7"	-	7-3/4"	7-3/4"
	6-9"	9-5/8"	9-5/8"	9-5/8"
	6-11"	-	11-5/8"	11-5/8"
	7-1"	13-5/8"	13-5/8"	13-5/8"

Combination Doors can be trimmed -  
5/8" off Top Rail  
1/4" off Each Stile  
2-1/2" off Bottom Rail



### Carton Packed Combination Door with Screen



Size	Countryside #50 B w/Screen & Sash	Traditional 1-Light Circle Top w/Screen & Sash
2'-8" x 6'-9"	✓	-
2'-8"	✓	-
2'-10"	✓	-
3'-0"	✓	-
2'-6" x 7'-1"	✓	-
2'-8"	✓	✓
2'-10"	✓	✓
3'-0"	✓	✓



\* Prairie EZ Change available 2'-8" and 3'-0" only.  
\* Prairie Ultra-Vu available 2'-8", 2'-10" and 3'-0" only.  
\* All Circle top Doors are 1/2" oversize in width.

Combination Doors (1 1/2" thick) cannot be used in...

Custom sizes available. Ask your BROSCO Dealer.

220

Crosby Havel  
78 + 80 Sherman

**RECEIVED**  
JUL 29 2013

DEPARTMENT OF  
PLANNING & ZONING

Home > Lighting Fixtures > Ceiling Lights > Recessed Lighting > Recessed Lighting Trims > Halo Lighting 1493



**Halo Lighting 1493P 4in. Baffle Recessed Lighting Trim**  
by [Halo Lighting](#)

Be the first to [write a review](#) [Print](#) [Email](#) [Questions](#)

List ~~\$46.98~~  
Price **\$37.96**  
You **\$8.12**  
Save  
You **38 Reward Points**  
Earn

[Ships Jul 29th - Aug 1st](#)

Baffle  
**Black** [Option Images](#)

Quantity

[Add to Cart](#)  
[Add to Compare](#) | [Add to Wish List](#) [Add to Project](#) [Return Policy](#)



**Dimensions & Weights**

Diameter	5.0625 inches
Can Size	4 inches

**Quick Links**

<a href="#">Dimensions</a>	<a href="#">Q &amp; A</a>
<a href="#">Accessories</a>	<a href="#">Manuals</a>
<a href="#">Reviews</a>	<a href="#">Brand Info</a>

**Overview**

Collex baffle trim with 35° tilt.  
Compatible housings and bulbs:

Housing	Bulb Type
H1499T	50w 12V MR16
H1499RT	
H1499IC	
H1499T75	75w 12V MR16

Note: Trim only. Housing and bulb not included.

Finish	White
Installation	Dry Locations <a href="#">[Explain]</a>
Listing	
<b>Trim Type</b>	Baffled Recessed Lighting Trims

**Recommended For You**

	<a href="#">WAC Lighting HR-8402H</a> \$50.50 ★★★★★
	<a href="#">Con-Tech Lighting RL38A</a> \$33.00 <a href="#">Write a Review</a>
	<a href="#">Ambiance by Sea Gull</a> \$68.00 <a href="#">Write a Review</a>
	<a href="#">Sea Gull Lighting 1128</a> \$27.16 <a href="#">Write a Review</a>

[Shop Accessories](#)