

Burlington Development Review Board

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



BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday, September 3, 2013 - 5:00 p.m., Contois Auditorium, City Hall, 149 Church Street, Burlington, VT MINUTES

Present: Austin Hart (Chair), Jonathan Stevens (Vice Chair), Bob Schwartz, Michael Long, Brad Rabinowitz, Missa Aloisi, Jim Drummond (late – 5.11pm), Alexandra Zipparo (Alt.)

Staff: Ken Lerner, Mary O'Neil, Nic Anderson, Scott Gustin

Absent: Israel Smith (alt.)

I. **Agenda**

No changes. 26 Summit Street request for reconsideration to be taken up as other business.

II. **Communications**

Three email communications for 121 North Willard St.

III. **Minutes**

Two sets. Will be discussed at deliberative session.

IV. **Certificate of Appropriateness**

1. **14-0035CA: 121 NORTH WILLARD ST (RM, Ward 2) Joshua C. Typrowicz-Cohen**

Convert second floor of existing carriage barn to living space for additional residential unit. Property to be a duplex. (Project Manager: Mary O'Neil)

M. O'Neil spoke with applicant who will be a couple of minutes late.

Applicant J. Typrowicz-Cohen present.

Applicant and members of public sworn in.

J. Typrowicz-Cohen detailed application. Has seen staff comments. No concerns or questions. Happy with DAB comments and advice.

B. Rabinowitz asked if living there and how many bedrooms.

J. Typrowicz-Cohen - living there right now. 4 bedrooms in house.

J. Stevens asked M. O'Neil about front yard parking.

M. O'Neil – Applicant has advised that he understands front yard parking and previous photos were before his ownership.

B. Rabinowitz asked about condition requiring property lines and setbacks.

J. Typrowicz-Cohen – No real setback between barn and property line. House to property line is about 40ft.

A. Hart asked M. O'Neil about pedestrian access.

J. Stevens asked about parking numbers and layout.

J. Typrowicz-Cohen – Parks will be blocked in on the right side. Space 4 will be untouched and are preexisting.

B. Rabinowitz - when turning into space 4 you will be crossing grass.

J. Typrowicz-Cohen - may need to pave all of the parking space 3. Coverage is already counted. Small car can fit in space 4.

M. O'Neil - existing parking space. Discussed photograph about front yard parking.

J. Drummond - probably doing front yard because they could not access parking space 4. Made assumptions as to the past. Cant see how the parking works.

M. O'Neil - would come down to who the tenants are.

B. Rabinowitz asked about garage doors.

J. Tyrowicz-Cohen – there is one slider and one barn door. They will stay different. OK with doing divided lites on the windows. Will be putting in posts to stop front yard parking. Pre existing parking spot.

J. Stevens - still concerned about accessibility of the parking spaces on the right. Permit goes with the land. The way it is, is unworkable.

J. Tyrowicz-Cohen – will need to be coordinated. Single bedroom apartment so may only have one car anyway.

M. Long – Number of bedrooms total is 5 so may have up to 5 cars even though only 4 are required. Jockeying of cars would be required. Asked about coverage.

J. Tyrowicz-Cohen – Not adding parking spaces. Reducing coverage by removing center of driveway.

A. Hart asked about snow storage area.

J. Tyrowicz-Cohen – Will need to snow blow driveway.

Sue Griessel - 40 Booth St. Behind her house. Looks directly at garage. Worried about parking and about number of tenants. Always been unruly property with parties. Neighbors behind will now be looking straight at an occupied building instead of what used to be vacant storage building.

Julia Boynton – 36 Booth St. Concerned about more students. Design is wonderful for property and concerned about number of persons. Main house has rear stairwell so assumes it used to be two units. Concerned about parking. Afraid that the runoff will go into their basements which are below level of North Willard St.

B. Rabinowitz asked if there are any duplexes on Booth St.

J. Boynton – Yes, there are some properties that are more than 1 unit.

Sam Press - 40 Booth St. Previous tenants have been disorderly. Something about the configuration creates party scene multiple times per year. Small lot and frequent backyard parties. Clarified that the barn has not previously been a residential unit. Nobody has been living there recently. Asked not to approve.

M. Long asked about backyard parking.

Meridith King – Lives at back. Provided board photographs. Email from husband R. King in supplemental communications. Has had improvements recently. Detailed history with applicant and previous discussions. Noted applicant intends to live there and then move out later. Applicant intends to have snow equipment in one of the bays. Detailed law for accessory apartments.

A. Hart - not proposing an accessory apartment, a duplex.

M. O'Neil - separate distinct unit, not owner occupied.

M. King – would like to see owner occupancy. Concerned that the intent is to sell in 10 years. Has had some past bad tenants throwing trash over fence. Would like to hear comments and parking for snow equipment. Building looks directly down into her backyard. Dryer vent would point directly towards garage and concerned about damaging building which is only 29 inches away. Humidity could damage their garage and could have possible fire issues. Asked if would consider changing materials on their garage to fire retardant materials too. Asked how renovations and maintenance will be done.

A. Hart - cannot approve someone to go on other persons property. Also cannot review fire rating requirements.

B. Rabinowitz - would likely need to change based on Building inspectors requirements.

M. King – Would like to have frosted or stained glass windows facing her to reduce impact on views into her yard.

J. Drummond asked about gate in fence and location of property line.

M. King – Fence is inside property line. Tight spot.

A. Zipparo asked about affordable housing comment previously.

M. King need more affordable housing. Concerned this will be high end. Need to maintain balance and neighborhood has constant pressure.

J. Stevens asked about photographs.

Judy Schwartz – 20 Booth St. Concerned about density. House can be really loud. Changes in neighborhood to rental housing.

A. Hart asked where 4 bedrooms reference comes in.

M. O'Neil noted functional family definition.

Ann Kiley - Lives on North St. Lived in neighborhood for many years. Has general concern as is not adjacent. Here on behalf of neighbor. At least 5 homes that were single family are now 4 bedroom rentals. Big change. Important to find the balance to make neighborhoods work. Happy with renovation. Bigger picture about neighborhoods is the concern.

A. Zipparo asked about timeframes for owner living and persons who live there.

K. Worden – Lives at 23 Brookes Avenue. Sworn in. Engaged deeply with neighborhood issues City wide. Character of neighborhood is concern. Need to create good density. Current buildings are well laid out and designed. The carriage barn is not laid out with living in mind so can then impact neighbors. Not the character of the neighborhood. Noted Citywide efforts to move housing for students onto campus. Neighborliness is a big factor and huge endeavor. Doesn't agree with the garage conversion. Notes owner occupancy is for mortgage only. Asked if board approves, could condition owner occupancy which has been done in the past.

B. Rabinowitz noted it is not Conditional Use, where neighborhood character is considered. Challenging for the DRB as their hands are tied in the review.

K. Worden - encouraged Board to look at the definition of duplex.

J. Tyrowicz-Cohen came back.

A. Hart asked about parking of equipment.

J. Tyrowicz-Cohen - would have his car with plow attached in one of the spaces.

A. Hart asked about dryer vent. Are there options for movement?

J. Tyrowicz-Cohen – could move to make sure there is less impact. Will decide on that later.

B. Rabinowitz - thinks there are requirements for windows.

J. Tyrowicz-Cohen – Happy to work with neighbors for frosted glass etc. Windows facing neighbors will be staircase so will not have the living space impacts.

A. Hart asked about management.

J. Tyrowicz-Cohen – Have another property where it was rehabilitated and new tenants were chosen well to make sure there was little impact. Renting to the right students is the key. Could hold onto building for longer if desirable.

B. Rabinowitz asked about parking barrier along front yard parking. Should have some in the back too. Good ways to do it. Asked that a design be submitted for something.

J. Tyrowicz-Cohen – Would do something nice.

K. Worden – Noted use table in the ordinance. Doesn't see anywhere in table that says otherwise for duplex. Would like board to look into the ordinance for duplexes vs accessory apartments.

M. Long asked about ways to address neighborhood balance.

K. Worden – Citywide issue that needs to be addressed. Density is great as long as it is managed. Long term management is the issue.

A. Zipparo asked what the current monoculture is?

K. Worden – Some streets lack diversity.

K. Lerner noted that the application is a minor major impact planned unit development for a second unit, not a duplex.

K. Worden asked if there are different criteria for a PUD?
K. Lerner – Yes.

V. Other Business

26 Summit St

S. Gustin noted application to request reconsideration.

Open discussion by the board.

J. Stevens cant go back on decisions that have been made.

B. Rabinowitz looks like basis for appeal would have had to have been a couple of years ago.

A. Zipparo noted timelines.

J. Stevens request is out of order.

More broad discussion by board.

M. Long appellants recourse should be to make complaints to police etc.

J. Stevens denied to reconsider request as the request is out of order.

VI. Adjournment

Adjourned at 6.20pm.

Deliberative session set for Monday 9th at 5pm.

A. Hart - Chair, Development Review Board

Date

Nic Anderson, Zoning Clerk