

Department of Planning and Zoning

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TO: Development Review Board
FROM: Scott Gustin 
DATE: July 19, 2011
RE: 08-137PD; 451 Ethan Allen Parkway

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: RL/RCO Ward: 7

Owner/Applicant: Tim Alles & Bill Ellis / Jon Anderson, Esq.

Request: Preliminary plat review of 9-unit planned residential development with 3 detached structures and associated driveway and parking.

Applicable Regulations: 1994 Zoning Ordinance & 1974 Subdivision Ordinance

Article 5 (Use Density, & Dimensional Requirements), Article 6 (Design Review), Article 7 (Site Plan), Article 10 (Parking), Article 11 (Planned Residential Development), Article 14 (Inclusionary Housing), and Chapter 28 (Subdivision Ordinance)

Background Information:

The applicant is requesting approval to construct a 9-unit planned residential development (PRD) consisting of 3 detached structures, each with 3 units, and a new private driveway and parking. The subject property is located on Ethan Allen Pkwy. just north of Moore Drive. The site is heavily wooded with steep slopes and contains fairly extensive class 2 wetlands. It is currently undeveloped. The property is located primarily in the non-design control RL zone; however, as a PRD with three 3-unit structures it requires design review. A small portion of the site is zoned RCO which will remain undisturbed.

This application has a long history. The first preliminary plat proposal was reviewed and denied by the Development Review Board in December, 2003 and subsequently resubmitted and denied in May, 2004. The proposal was then reviewed and denied by the DRB on October 21, 2009. The denial was appealed to the Environmental Court and subsequently remanded to the DRB on November 5, 2010. The remand is the result of a number of technical items having been addressed since the appeal was filed; however, wetland impacts and design review concerns remained.

The DRB considered this project again on December 7, 2010 and tabled it pending a recommendation from the Conservation Board and design modifications of the units. On January 18, 2011, the DRB granted the applicants' request to defer continued review of their proposed 9-unit planned residential development until February 15, 2011. At the February 15 DRB meeting, the applicants presented substantially revised concept plans in an attempt to address the remaining

key concerns about the project: wetland impacts and building design. The proposed dwelling units were moved up close to Ethan Allen Parkway, and the long driveway was eliminated. Wetland impacts were cut in half. The front two buildings were oriented with their front doors facing the street with garage parking in back underneath. The DRB supported the proposed revisions and referred it to the Conservation Board.

The Conservation Board reviewed the revised concept plans on February 7, 2011, and all agreed that the revised plans were a substantial improvement and generally reflected what the Board had pushed for to reduce wetland impacts. No action was taken pending formalization of the conceptual plan revision. The Board reviewed the formalized plan revisions on June 6, 2011 and again on July 11, 2011. Wetland impacts remained a concern; however, the Board unanimously recommended preliminary plat approval subject to the following conditions:

1. A recreational trail easement should be established from the end of the driveway to Ethan Allen Park, to be agreed upon with the Department of Parks & Recreation.
2. Delineate the land to be conveyed to the city, the amount to be agreed upon with the Department of Parks & Recreation.
3. The DRB should waive or reduce the visitor parking requirement for the project so as to reduce wetland impacts.
4. Wetland impacts should be reduced by installing a retaining wall or otherwise modifying the parking lot design behind the rear 3 units and the rear guest parking area to reduce the amount and footprint of fill area.
5. The Board supports the use of pervious pavement throughout the project.
6. A maintenance plan for the previous pavement should be provided.

The Design Advisory Board reviewed this project twice and recommended approval on October 23, 2007 subject to the following conditions:

1. Update the landscaping plan to increase hardwood tree plantings, not just along the street but within the filled areas as well.
2. Update the site plan to accurately depict and coordinate driveways and curb cuts to allow sufficient room for backing up and egress.
3. Depict the limits of construction per the state CUD on every site drawing.
4. Depict the stormwater ponds on the site plans.
5. Exterior lighting should comply with city standards.

The current plan revisions address conditions 1, 2, and 3. Condition 4 is no longer relevant with the introduction of pervious asphalt and concrete. Previously compliant lighting levels have become noncompliant again and need to be revised per condition 5.

Recommendation: Preliminary plat approval as per the following findings.

I. Findings

Article 5: Use, Density and Dimensional Requirements

Section 5.1.4 Permitted Uses:

The property is located in the RL and RCO zones. Development will be limited to the RL zone. The proposed triplex buildings can be considered in this zone only as part of a PRD, which is a permitted use given the 7+ acre lot size. The proposed density of 9 units on 7+ acres is below the 4.4 units per acre permitted for PRDs in the RL zone. **(Affirmative finding)**

Section 5.3 Dimensional Regulations:

Setbacks:

Only peripheral setbacks apply in PRDs. As proposed, the peripheral front, side, and rear yard setback requirements have been met. Given the property's width of more than 300', the 20' maximum side yard setback requirement applies (Sec. 5.3.5). All of the buildings and associated parking areas are set back at least 20' from the side property lines. With a 900'+ deep lot the 75' maximum rear yard setback is applicable. The closest building to the rear line is several hundred feet away. Two of the three buildings are set close to the road. A 15' front yard setback is depicted whereas a minimum 20' front yard setback is required on this collector street. The buildings need to be moved back accordingly, but note that the open front porches may project into the setback. In order to limit wetland impacts, the buildings should be shifted back as little as possible (i.e. 20' for the front building walls, with porches projecting into the setback).

(Affirmative finding as conditioned)

Height:

Maximum building height in the RL zone is limited to 35'. The proposed buildings are all 24' 6" tall, as measured half way up the pitch roofs on the front facades. **(Affirmative finding)**

Lot Coverage:

Lot coverage will increase from 0% to 5.8%, well below the 35% maximum allowed.

(Affirmative finding)

Article 6: Design Review

(a) Relate development to its environment:

The appearance of the proposed buildings remains largely unchanged with the one significant exception being the reversal of front and rear elevations. Now, the front elevations facing the street are 2 ½ stories with open front porches. The taller rear elevations now face away from the street and provide ground-floor garage space. The buildings remain triplexes in a neighborhood dominated by single family homes and duplexes; however, there is one existing triplex nearby. The proposed 3-unit structures are in the form of townhouses. While this form of residence is uncommon in this area of the city, the overall scale and massing of the structures is similar to the existing nearby triplex. The shift of the buildings towards Ethan Allen Parkway and their reorientation to face the street improves their appearance and relationship to existing development.

(Affirmative finding)

(b) Preserve the landscape:

The site is forested with steep slopes separating upland areas from the class 2 wetlands onsite. Tree removal is limited to the immediate development area. The plans indicate the location of large trees to be removed or retained. No soil removal is evident; however, extensive fill will be required. Erection of a retaining wall along all or part of the western edge of the development could limit the extent of fill encroachment into the wetlands as recommended by the Conservation Board. Tree removal and grade changes may be viewed as consistent with surrounding neighborhoods insofar as the surrounding neighborhoods consist of dwelling units with level lawn areas and trees interspersed. New landscaping is proposed to partially offset lost trees; however, it is understood that there will be a net loss of trees to provide for the dwelling units and associated lawn areas. **(Affirmative finding as conditioned)**

(c) Provide open space:

The site is completely open space in its current state. If developed as currently proposed, most of it would remain open space. As addressed under the Subdivision Regulations below, a portion of the property must be conveyed to the city for parkland. The applicant is willing to do so per Sec. 28-7 (b) 8. **(Affirmative finding as conditioned)**

(d) Provide efficient and effective circulation:

Circulation has been revised substantially with the elimination of the private roadway. A single driveway will provide access to the dwelling units' garages and associated parking areas. There is ample room for vehicles to turn around and avoid backing out onto Ethan Allen Parkway.

Walkways will connect all of the front units to the street and a new public sidewalk extending to Moore Drive. The new public sidewalk has been reviewed by the Department of Public Works and has been found to be acceptable so long as an ADA accessible ramp and a detectable warning are installed at Moore Drive. A curb cut permit from Public Works will be needed prior to construction. **(Affirmative finding as conditioned)**

(e) Provide for nature's events:

The project incorporates significant stormwater management measures. The driveway, parking areas, and walkways are to be made of pervious materials. The Stormwater Administrator has been engaged in the development of the stormwater system. Final approval has not yet been obtained, but is not required until final plat review. Maintenance of the pervious material must be assured in a written maintenance plan so that the ability for water to infiltrate is not compromised by clogging from sand and sediment.

Sheltered doorways are provided, and there is ample room for snow removal equipment. **(Affirmative finding as conditioned)**

(f) Make advertising features understandable:

No advertising features are included in this proposal. **(Not applicable)**

(g) Integrate special features with the design:

Exterior lighting has been revised and now consists only of wall-mounted fixtures to illuminate building entries. No fixture cut sheet has been provided and is needed. A point-by-point photometric analysis has been provided; however, illumination levels exceed the applicable standards in the Outdoor Lighting Manual for Vermont Municipalities. Illumination levels reach 10 foot-candles, whereas 5.0 foot-candles is the maximum permissible for building entries. The illumination levels must be revised downward.

Utility meters are depicted on the building elevations and are screened with landscaping. Mail boxes are depicted as well; however, they are located on the rear porches and should be located on the front porches. All utility lines will be buried.

A dumpster and associated enclosure are shown on the plans at the north end of the parking area. No concrete pad is evident and will be required. The enclosure will consist of 6' tall stockade fencing with a gate. **(Affirmative finding as conditioned)**

(h) Make spaces secure and safe:

The proposed structures must comply with current egress requirements as established by the Department of Public Works. The plans must also be approved by the Fire Marshal. He has reviewed the project plans but has not yet issued a written response. Such approval will be required prior to final plat review. In the event that adequate emergency vehicular access cannot be provided to the rear building, the applicant may have to reconsider its inclusion in the proposal. **(Affirmative finding as conditioned)**

(i) Protect Burlington's heritage:

There are no historic structures onsite or nearby. The proposed development will not adversely affect Burlington's architectural heritage. **(Affirmative finding)**

(j) Consider the microclimate:

The proposed residential development is not expected to generate significant heat, vapor, fumes, or noise. **(Affirmative finding)**

Article 7: Site Plan

(a) Adequacy of Traffic Access. Curb cuts should be so arranged and limited in number as to reduce congestion and improve traffic safety. Proper sight triangles and sufficient turnarounds for vehicles should be provided to reduce the potential for accidents at points of egress;

A single curb cut at Ethan Allen Parkway will serve the development. Sight distances under the prior proposal were adequate; however, the revised plans include a different curb cut location and sight distances. Sight distances will be subject to review and approval by the Department of Public Works by way of a separate curb cut permit. In addition, the City Engineer's certification of compliance must appear on the final plat. **(Affirmative finding as conditioned)**

(b) Adequacy of Traffic Circulation and Parking. There should be sufficient parking as required in Article 10 laid out in a manner to provide ease in maneuvering of vehicles and so as not to be detrimental to the surrounding properties or to create an undesirable visual effect from the street. Sufficient area for loading and unloading may be required if the need for such loading zone is found to be necessary;

Parking demand is addressed under Article 10, *Parking*, of these findings. As proposed, vehicles can maneuver easily along the main driveway and into the garages. Visual effects from Ethan Allen Parkway are limited due the location of parking and circulation behind the buildings. Given the proposed residential use, a dedicated loading area is not necessary, and a waiver may be granted for it. **(Affirmative finding)**

(c) Adequacy of Landscaping and Screening. There shall be a sufficient amount of landscaping and screening, as may be reasonably determined by the development review board, to insure protection of and to enhance the quality of the project in question and the adjacent properties;

The property is entirely wooded in its current state. The proposed development would obviously necessitate some clearing; however, substantial wooded area would remain. Additional landscaping is proposed within the development and includes a variety of trees and shrubs. **(Affirmative finding)**

(d) Adequacy of Protecting the Use of Renewable Energy Resources: Where appropriate and feasible, the site plan shall be so designed as to not unreasonably deter the actual or potential use by the subject property or adjacent properties of energy available for collection or conversion from direct sunlight, wind, running water, or organically derived fuels.

Since the latest appeal, the applicants have agreed to make the dwelling units solar ready. That is to say that plumbing will be installed to allow for rooftop solar water heating. Given the southwest exposure of the rooftops, installation of solar water heating may be feasible. **(Affirmative finding)**

Article 10: Parking

The parking requirement for the 9 residential units is 18 spaces (2 spaces per unit). The plans clearly indicate sufficient interior room underneath the structures for two garage parking spaces per unit. In addition, a separate visitor parking area is proposed. This separate visitor parking area is unnecessary. There are available parking spaces in each unit's driveway, and elimination of the visitor parking area will further reduce wetland impacts as recommended by the Conservation Board. On-street parking is also available. **(Affirmative finding as conditioned)**

Article 11: Planned Residential Development

(a) Lot coverage requirements of the district shall be met;

As noted previously, lot coverage will be 5.8%, well below the 35% maximum in the RL zone. **(Affirmative finding)**

(b) The minimum setbacks required for the district shall apply to the periphery of the property; Side and rear setback requirements have been met. The front yard setback needs to be adjusted as addressed under Article 5 of these findings. **(Affirmative finding as conditioned)**

(c) The minimum parcel size shall be met if the project is located in a RL or WRL district; This property is located in the RL zone. The minimum lot size for a PRD in the RL zone is 2 acres, which has been met on this 7+ acre property. **(Affirmative finding)**

(d) The project shall be subject to design review and site plan review;

Design review and site plan review criteria are addressed under the Articles 6 and 7 in these findings.

(e) The project shall meet the requirements of Burlington's Subdivision Regulations;

The subdivision regulations are addressed under Chapter 28 in these findings.

(f) All other zoning requirements of the district, except those specifically deemed not applicable by the Administrative Officer, shall be met;

No waivers or exceptions are sought.

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

The homeowners association would be responsible for the maintenance of the open space and common lands within the development. Draft covenants have been provided and address this maintenance. These covenants should contain protective measures for the onsite wetlands as noted Sec. 28-7 (a) 8 of these findings. **(Affirmative finding as conditioned)**

(h) The development plan shall specify reasonable periods within which development of each phase of the PRD 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 PRD;

The applicants propose building the 9 units in one phase. As a result, standard permit limitations will apply (start development within 2 years, finish by a 3rd year). **(Affirmative finding)**

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

Section 11.1.1 Intent. The intent of the planned residential development (PRD) is to:

(a) Promote the most appropriate use of land through flexibility of design and development of land: Insofar as most of the parcel is zoned Residential Low Density, some degree of residential development may be viewed as appropriate. The substantial plan revisions to move the development up close to the road and to cut wetland impacts in half result in a more appropriate use of land than previously proposed.

(b) Facilitate the adequate and economical provision of streets and utilities: The proposal will provide adequate driveway access and utilities. The placement of the dwelling units close to the road results in a substantially more economical provision of utilities and associated infrastructure than previously proposed.

(c) Preserve the natural and scenic qualities of open space: Remaining open space will retain its natural and scenic qualities.

(d) Provide for a variety of housing types: There is no variety of housing types within the proposal; however, the triplexes will add to the diversity of housing in the area.

(e) Provide a method of development for existing parcels which because of physical, topographical, or geological conditions could not otherwise be developed: The subject property is undeveloped precisely due to its physical and topographical conditions. PRD regulations allow for flexibility in design to develop around such constraints. In order to be feasible, this project is dependent on the flexibility of the PRD process.

(f) Achieve a high level of design quality and amenities: The proposed low impact design (i.e. pervious pavements) measures for stormwater management are a unique amenity and will result in improved water quality if installed and maintained properly. The development now has a street presence and will connect to, and extend, the city's public sidewalk network. A pedestrian connection to the adjacent Ethan Allen Park will be provided, subject to Parks & Recreation review and approval. The Design Advisory Board found the proposed buildings to be acceptable.

The proposed development can be found to be in compliance with this criterion. **(Affirmative finding)**

(j) The proposed development shall be consistent with the municipal development plan.

The project can be found in reasonable conformance with the MDP:

The proposed development constitutes infill development and brings additional housing units into Burlington, the historic core of the region (pg. I-30, Land Use Action Plan).

The project will leave significant open space intact (Sec I, Open Space Protection).

While not totally out of the wetlands, the revised development plans significantly reduce impacts to the extensive onsite wetlands. Conditions as recommended by the Conservation Board will even further minimize remaining impacts. Clearing of wooded areas is limited (pg. II-1, City Policies).

The project will comply with the city's current energy efficiency standards (pg. VIII-1, City Policies).

The project will include affordable housing (Sec. IX, City Policies).

The revised development plans can be found to be in substantial compliance with the Municipal Development Plan. **(Affirmative finding)**

Article 14: Inclusionary Housing

As 9 dwelling units are proposed, this project is subject to the requirements of Inclusionary Housing. The applicants propose one (i.e. 15%) affordable dwelling unit. A Certificate of Inclusionary Housing Compliance must be obtained from the city's Housing Trust Fund prior to final plat approval. **(Affirmative finding as conditioned)**

Chapter 28: Subdivision Ordinance

Section 28-7. General and specific review criteria

(a) General review criteria:

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

The proposed development is not expected to produce any exceptional air or noise pollution. The proposed stormwater system incorporates significant infiltration by way of pervious pavements. Discharge into the wetlands will be controlled. Final review and approval of the system by the Stormwater Administrator will be required prior to final plat approval. **(Affirmative finding as conditioned)**

(2) Have sufficient water available for its needs;

This project will hook onto the municipal water system. Sufficient reserve capacity is available. A letter of capacity from Public Works will be required prior to final plat approval. **(Affirmative finding as conditioned)**

(3) Not unreasonably burden the city's present or future water supply or distribution system;

The proposed 9 residential units will not place an unreasonable burden on the city's water supply or distribution system. As noted sufficient water capacity is available. **(Affirmative finding)**

(4) Not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;

Significant erosion is already present onsite. The project proposes to correct this erosion and also includes a construction site erosion control plan. This plan is subject to review and approval by

the stormwater administrator prior to final plat approval. The steep slopes and wet conditions are an invitation to erosion during construction. Adherence to the erosion control plan is particularly important in this case. **(Affirmative finding as conditioned)**

(5) Not cause unreasonable congestion or unsafe conditions on highways, streets, waterways, railways, bikeways, pedestrian pathways or other means of transportation, existing or proposed; Little traffic information has been provided; however, the proposed 9 residential units will not have an appreciable impact on local traffic conditions. No appreciable impacts on area bikeways or sidewalks will result. **(Affirmative finding)**

(6) Not cause an unreasonable burden on the city's ability to provide educational services; No information has been provided with respect to the number of anticipated school-age children; however, the 9 townhouse dwelling units are unlikely to generate a substantial impact on the local school system. If the project is approved, impact fees would be paid to help offset impacts on the school system. **(Affirmative finding as conditioned)**

(7) Not place an unreasonable burden on the city's ability to provide municipal services; Given that there are nine units proposed, impacts on the city's ability to provide most municipal services appear to be minimal. As noted in these findings, the proposed public sidewalk is acceptable to Public Works with conditions for ADA accessibility. In addition, the proposed water lines, force main, and sewer pump station will require Public Works review and approval prior to final plat review. In addition, adequate emergency vehicular access must be assured by the Fire Marshal. If approved, impact fees would be paid to help offset the costs of some municipal services for this development. **(Affirmative finding as conditioned)**

(8) Not have an undue adverse effect on rare, irreplaceable or significant natural areas, historic or archaeological sites, nor on the scenic or natural beauty of the area or any part of the city; The subject property contains relatively extensive class 2 wetlands. The Open Space Protection Plan (incorporated into the MDP by reference) cites surface waters (including wetlands) as significant natural areas. The Plan asserts that significant natural areas should be preserved and protected and specifically states that these are areas of high priority for long term protection from further encroachment from development. As previously proposed, the development would have reached some 600' into the site, paralleling and encroaching into the wetlands and their associated buffers. The current proposal moves all of the development up close to Ethan Allen Parkway and substantially reduces its wetland impacts. As noted previously, elimination of visitor parking will further reduce impacts to the wetlands and will largely concentrate new development within an existing line of development along Ethan Allen Parkway.

There are no historic buildings onsite or close by. No known archaeological sites are located on the property. **(Affirmative finding)**

(9) Not have an undue adverse effect on the city's present or future growth patterns nor on the city's fiscal ability to accommodate such growth, nor on the city's investment in public services and facilities;

The proposed development is relatively small and includes no public infrastructure except for a new sidewalk and a pedestrian pathway connecting to Ethan Allen Park. It will have no undue adverse effect on the city's present or future growth patterns. **(Affirmative finding)**

(10) *Be in substantial conformance with the city's municipal development plan;*
See Article 11 (j).

(11) *Not have an undue adverse impact on the present or projected housing needs of the city in terms of amount, type, affordability and location;*

The proposed development entails 9 new residential units and will not adversely impact the present or projected housing needs of the city. An inclusionary unit will be provided as required.

(Affirmative finding as conditioned)

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

Residents of the new dwelling units will likely utilize the city's park and recreation facilities. Anticipated impacts are proportionately modest. If approved, park impact fees will be paid to help offset any related impact on park needs. **(Affirmative finding conditioned)**

(b) Specific review criteria:

(1) Monuments: An updated property plat reflecting the revised project plan and depicting boundaries and monuments is needed prior to final plat review. The property plat must be stamped by a licensed Vermont land surveyor and must contain all applicable certifications and signature blocks. **(Affirmative finding as conditioned)**

(2) Lots and blocks: No new lots or blocks are included in this proposal. **(Not applicable)**

(3-4) Subsurface improvements: Items such as stormwater, water, and sewer infrastructure have been addressed previously in these findings. The proposed stormwater system is under review by the Stormwater Administrator. **(Affirmative finding as conditioned)**

(5) Easements: No easements are depicted on the plans. A pedestrian easement connecting to Ethan Allen Park has been offered by the applicant and recommended by the Conservation Board, subject to Parks & Recreation review and approval. The easement for this path, if agreed to by Parks & Recreation, must be depicted on the final plans. **(Affirmative finding as conditioned)**

(6) Trees: At least 3 trees per residential unit must be retained and/or planted on site. In light of the 9 residential units proposed and the acres of remaining wooded area, this criterion has clearly been met. **(Affirmative finding)**

(7) Street names and house numbers: The private street is no longer proposed, therefore, no street name is needed. Addresses had previously been assigned but need to be revised to reflect the new development configuration along Ethan Allen Parkway. Street addresses must be provided subject to Department of Public Works review and approval prior to final plat review. **(Affirmative finding as conditioned)**

(8) Land for park and recreational purposes: As the subject property is more than 3 acres in size, the DRB must require that up to 15% of the land area be set aside for parks, playground, or other recreational purposes. Alternatively, if no land is appropriate for such designation, the DRB shall require that the applicant provide a payment to the city to be appropriated by the city council to serve the parks needs of the surrounding area. As recommended by the Conservation Board, the applicant is willing to convey 15% or more of the property. The conveyance, if acceptable to

Parks & Recreation, would be made contiguous with the abutting Ethan Allen Park. A delineation of the land to be conveyed must be included on the final plat plans. If Parks & Recreation declines acceptance, an appropriate payment must be determined prior to action on the final plat. **(Affirmative finding as conditioned)**

(9) Preservation of natural features and trees: As noted previously, the revised plans significantly reduce wetland impacts. As recommended by the Conservation Board, elimination of the visitor parking spaces will further minimize wetland impacts. Regarding trees, most of the existing wooded area will be retained, and trees in excess of 10" caliper are depicted on the plans. **(Affirmative finding)**

(10) Performance bond: No public infrastructure will be constructed as part of this development. Therefore, there is no need to establish a performance bond. **(Not applicable)**

II. Conditions of approval (to be met prior to final plat review)

1. This preliminary plat approval in no way grants or implies final plat approval.
2. The applicant shall comply with all final plat requirements as noted in Section 28-6, *Procedure for approval of final plat and construction detail drawings*, of the Subdivision Ordinance. This shall include, but not be limited to, all legal data and certifications required in Section 28-6 (c).
3. Compliance with the July 11, 2011 Conservation Board recommendation:
 - a. A recreational trail easement should be established from the end of the driveway to Ethan Allen Park, to be agreed upon with the Department of Parks & Recreation.
 - b. Delineate the land to be conveyed to the city, the amount to be agreed upon with the Department of Parks & Recreation.
 - c. The DRB should waive or reduce the visitor parking requirement for the project so as to reduce wetland impacts.
 - d. Wetland impacts should be reduced by installing a retaining wall or otherwise modifying the parking lot design behind the rear 3 units and the rear guest parking area to reduce the amount and footprint of fill area.
 - e. The Board supports the use of pervious pavement throughout the project.
 - f. A maintenance plan for the pervious pavement should be provided.
4. Revised plans depicting:
 - a. 20 foot front yard setback for the front buildings (porches may encroach into the setback);
 - b. Public sidewalk specifications including details for an ADA accessible ramp and a detectable warning at Moore Drive;
 - c. Outdoor lighting compliant with the applicable provisions of the Outdoor Lighting Manual for Vermont Municipalities (i.e. cutoff fixtures with illumination levels not to exceed 5.0 foot-candles), including fixture cut sheets and a revised photometric plan;
 - d. Mailboxes on the front porches;
 - e. Concrete pad under the dumpster;
 - f. Deletion of visitor parking area;
 - g. An updated property plat reflecting the revised project plan and depicting boundaries and monuments with all applicable endorsement blocks and stamped by a Vermont licensed land surveyor;

- h. Street addresses for all of the proposed dwelling units as approved by the Department of Public Works;
 - i. Recreational trail easement location per condition 1 (a) above;
 - j. Delineation of land to be conveyed to the city per condition 1 (b) above; and,
 - k. Revised grading plan, including retaining wall details if applicable, per condition 1 (d) above.
5. Written approval of the erosion control and stormwater management plans (including a maintenance plan for the pervious pavements) shall be obtained from the Stormwater Administrator.
 6. Sight distances are subject to review and approval by the Department of Public Works by way of a separate curb cut permit.
 7. Revised homeowners association covenants shall contain protective measures for the onsite wetlands.
 8. A letter of adequate wastewater capacity shall be obtained from the Department of Public Works.
 9. The proposed water lines, force main, and sewer pump station shall be reviewed and approved in writing by the Department of Public Works.
 10. Written approval shall be obtained from the Fire Marshal for emergency vehicle access.
 11. A Certificate of Inclusionary Housing Compliance must be obtained from the city's Housing Trust Fund prior to final plat approval.
 12. The total residential square footage of the development must be provided with the inclusionary unit square footage noted in order to calculate required impact fee payments.