

## Burlington Development Review Board

149 Church Street, City Hall  
Burlington, VT 05401

[www.ci.burlington.vt.us/planning/boards/drbb/](http://www.ci.burlington.vt.us/planning/boards/drbb/)

Telephone: (802) 865-7188

(802) 865-7195 (FAX)

(802) 865-7142 (TTY)

Austin Hart  
Michael Long  
Jonathan Stevens  
Brad Rabinowitz  
Bob Schwartz  
Kevin Stapleton  
Jim Drummond  
Paul Henninge (Alt.)  
Andy Strauss (Alt.)



### BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday, July 5, 2011 - 5:00 p.m., Contois Auditorium, City Hall, 149 Church Street, Burlington, VT MINUTES

**Present:** Austin Hart (Chair), Michael Long (Vice Chair), Kevin Stapleton, Brad Rabinowitz, Oscar Hernandez (Alt.) Andy Strauss (Alt.)

**Staff:** Nic Anderson, Mary O'Neil

**Absent:** Jim Drummond, Jonathan Stevens, Bob Schwartz, Ken Lerner, Scott Gustin.

#### I. **Agenda**

No changes.

#### II. **Communications**

None.

#### III. **Minutes**

Two sets from April 5 and April 19. Will review and discuss at deliberative.

#### IV. **Consent**

##### 1. **11-0956HO: 106 ROSE STREET UNIT 5 (RM, Ward 3) MATTHEW TUCKER**

Home occupation for a home bakery. (Project Manager: Mary O'Neil)

Applicants M. Tucker and A. Knapp present. Neighbor has submitted information. A. Hart asked if any questions. None. A. Hart asked neighbor up to give applicants chance to review information.

T. Hetrick, adjacent unit. A. Hart asked for summary. Impacts on odor and noise from other side of party wall. Would like mitigation such as fan that vents out roof.

A. Hart asked about microwave. Long standing issue or new?

T. Hetrick more frequent use since starting bakery. Doesn't know if personal use or not.

Applicants came back to respond.

A. Knapp doesn't have response but doesn't want to impact.

A. Hart asked about venting.

M. Tucker installing vent would not be financially feasible. Don't know if can change condo. Could look into it. Just put in ceiling fan. Was not aware of noise from microwave. Could melt butter a different way.

A. Hart maybe mounted differently could be explored.

A. Hart asked about distribution.

M. Tucker distributes twice a week.

A. Hart how many retailers.

M. Tucker 5. Also has egg delivery once a week.

B. Rabinowitz asked if just in oven.

M. Tucker yes.

B. Rabinowitz ceiling fan wont deal with issue.

M. Long three deliveries a week?

M. Tucker yes and an extra once a month. Above stove microwave.

K. Stapleton asked hours of operation.

M. Tucker. Normal hours. Sometimes baking up to 7pm.

A. Hart closed public hearing 5.16pm.

**2. 11-0719CA: 36 LUCK STREET (RM, Ward 2) ROBERT THIBAUT**

Renovate single family home after fire, add second story. (Project Manager: Scott Gustin)

Applicants R. Thibault and daughter (did not identify herself or sign in on the sheet) present. Concerned about requirement for window or door with steps. Would go straight to sidewalk. Couldn't add steps. Brought pictures of trim that was not visible on the plans. No board members object to consent item.

B. Rabinowitz would like to say that original details and proportions should be followed onto new addition. Would like them to replicate what was there. Wouldn't require it.

A. Hart also noted issues raised in staff comments based on building code possible changes. Modified designs would need review before going ahead.

Daughter. Talked with N. Holt already and he did not ask for any changes.

M. Long asked why window not feasible.

Daughter...behind wall is closet. Will have windows there.

M. Long asked about door.

Daughter, no room to fit steps. Door would also go into closet. Submitted photographs.

A. Hart asked to have those in the file as supplement to show trim details proposed.

A. Strauss motion to approve and adopt staff comments and conditions.

K. Stapleton asked if we should deal with the door.

A. Hart just encouraged. This is consistent.

Second by B. Rabinowitz

Vote: In favor 5-0 against.

**V. Public Hearing**

**1. 11-0394PD: 88 SOUTH WILLARD STREET (RH, Ward 2) ROBERT W KILPATRICK**

Combined preliminary/final plat review of planned unit development (PUD) to construct new detached residential structure for one additional unit with associated parking (Project Manager: Scott Gustin)

Applicant R. Kilpatrick and Will Shaybawn (did not sign in so unsure of correct spelling) present. Has findings. Gave history of project. Been through DAB. Noted inconsistencies from previous versions of plans. This plan set is a combination of all. Setback has been met.

A. Hart asked M. O'Neil if setbacks met.

M. O'Neil based on the requirements, it seems this plan meets that.

R. Kilpatrick. Snow fencing addressed on plans.

A. Hart to protect roots.

R. Kilpatrick yes. Walkway on plan now. DAB suggested.

A. Hart asked about location and materials.

R. Kilpatrick will be asphalt but gridded when laid (textured). Gravel on one side.

Parking spot has been removed and a turnaround put in place beside new home. Off street parking biggest challenge. 5 spaces on site and three in garage. Asking the board to address tandem parking.

A. Strauss asked about unit numbers.

R. Kilpatrick is planning on a zoning permit application to remove studio unit and make the existing a duplex.

A. Hart asked about the number of bedrooms.

R. Kilpatrick would be 4 in one unit and 1 in another. Total of 5 bedrooms.

M. Long asked about bedroom numbers again.

R. Kilpatrick would be an improvement.

M. Long asked about parking spaces dimensions.

R. Kilpatrick 8x20 for compact parking.

M. Long asked if three spaces in garage.

R. Kilpatrick two officially but cant do tandem.

A. Hart asked about compact parking spaces.  
 R. Kilpatrick doesn't believe long term parking needs to have full size parking.  
 A. Strauss asked about circulation.  
 R. Kilpatrick currently use a number of them.  
 B. Rabinowitz parking is very tight. Worried about taking out front door of house.  
 Turnaround is very tight. Layout could be improved. Eliminating unit helps the count.  
 Doubts it would work.  
 R. Kilpatrick full length wall was recommendation of DAB. Asked if tandem parking would be considered.  
 A. Hart problem is long term triplex. Could do owner occupancy restriction.  
 A. Strauss seems like it can be done. Needs a little more analysis.  
 Architect...is having all compact car parking acceptable.  
 A. Hart cant answer but with assessment of parking circulation.  
 M. O'Neil there is a limitation that compact can only be 15% of the total.  
 M. Long asked about footprint size. Three levels.  
 Architect...yes three levels.  
 R. Kilpatrick asked about timing and having to go back to DAB.  
 M. O'Neil gave timeframes.  
 A. Hart DAB advises us. We could review here. May just schedule deliberation. If applicant can provide information on parking and what bump out may look like, may feel comfortable acting without DAB review required.  
 B. Rabinowitz may need to adjust.  
 R. Kilpatrick asked about reducing number of units.  
 A. Hart could be condition on approval.  
 B. Rabinowitz asked about ownership of tree removal.  
 R. Kilpatrick neighbor owns trees. Would be able to deal with him.  
 M. Long asked why they need to be removed.  
 R. Kilpatrick canopy would be against building. Would like more solar gain.  
 M. Long asked number of bedrooms in new unit.  
 R. Kilpatrick three bedrooms. Detailed floor plan.  
 A. Hart asked M. O'Neil about historic status. No restriction on new structure.  
 M. O'Neil detailed criteria. Compatibility and sensitivity.  
 R. Kilpatrick adjusted based on DAB recommendations. They are happy.  
 M. Long asked about heights.  
 Architect...grade to ridge on old house around 27 at a guess.  
 B. Rabinowitz asked about water management from garage roof.  
 R. Kilpatrick gutter system. Vegetation to help mitigate runoff. Will berm to keep on property. Slopes down to street. Asked about procedure for deliberative.  
 A. Hart will close public hearing but would be happy to accept written comments on design, parking etc, before deliberative. Narrative would be fine also.  
 Architect. Asked if turning radius is in ordinance.  
 M. O'Neil yes.  
 A. Hart closed public hearing 5.52pm.

**VI. Certificate of Appropriateness**

**1. 11-0086CA/MA: 323-325 COLLEGE STREET (RH, Ward 2) EUGENE RICHARDS G. Richards III/ 323 COLLEGE STREET PARTNERSHIP**

Amend site plan approved under ZP#11-0086CA/MA with new access point and parking layout in rear. (Project Manager: Mary O'Neil)

Applicants G. Richards G. Richards III, G. Richards IV and B. Baker present.  
 G. Richards III detailed history and proposal. Has handout. Wishing to add patio and stepping stones.  
 B. Baker adds more coverage. Has recalculated the site coverage and provided.  
 G. Richards III 95% done with project. Window updates will add value.  
 A. Hart asked about stormwater treatment system.

G. Richards III made some design changes to system.  
 B. Baker new drive added impervious so added new pipe essentially.  
 G. Richards III big pipes 36in in diameter.  
 B. Rabinowitz asked about grading plan.  
 G. Richards III pretty flat.  
 B. Rabinowitz looks like it changes 8ft.  
 B. Baker removed retaining walls. Moved catch basins.  
 G. Richards III not 5-6 foot high retaining walls. Closer to one foot graded down.  
 B. Baker only retaining wall is natural stacked stone wall averaging 3ft.  
 B. Rabinowitz asked about width of new drive.  
 G. Richards III 14ft. Fully useable. Paved asphalt.  
 M. Long asked about changes to parking plan.  
 B. Baker adds 5 spaces. Detailed plan. Originally 18. 23 proposed.  
 G. Richards III detailed parking. Moved to backyard.  
 A. Hart asked if parking management plan staying.  
 G. Richards III absolutely.  
 B. Baker cleaned up site and added parking.  
 A. Hart curious it wasn't picked up on earlier.  
 G. Richards III didn't meet with fire marshal before and didn't really discuss with architects originally. Would be tight for trucks.  
 M. O'Neil evolved with the applicants wish to do more for stormwater. Efforts made to strengthen the proposal and opportunity was encouraged.  
 B. Rabinowitz asked why not fire department access only.  
 G. Richards III same width. About maintenance. Full time is easier to maintain.  
 B. Rabinowitz changes character of area.  
 M. Long dominated by asphalt. May be ways to provide for emergency without impacting streetscape.  
 G. Richards III will have that look. Will need to be accessible and easy. Will have asphalt in greenbelt area anyway. Tried to work out deal with neighbor. Sensitive to maintenance. Wants it easy for safety. Ron Gore is happy with curb cut. Existing access now for construction.  
 A. Hart closed public hearing 6.09pm.

**VII. Adjournment**

Adjourned at 6.09pm.

Deliberative scheduled for Monday 11th at 5pm.

---

A. Hart, Chair, Development Review Board

---

Date

---

Nic Anderson, Planning and Zoning Clerk