

Burlington Development Review Board

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Geoff Hand
Wayne Senville, (Alternate)
Jim Drummond, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday May 3, 2016, 5:00 PM

Contois Auditorium, City Hall, 149 Church Street, Burlington, VT

Minutes

Board Members Present: Brad Rabinowitz, Jonathan Stevens, Israel Smith, Geoff Hand, AJLaRosa, Ali Zipparo, Wayne Senville

Board Members Absent: Austin Hart

Staff Members Present: Scott Gustin, Mary O'Neil, Ryan Morrison, Anita Wade

I. Agenda

II. Communications

Supplemental communication packet:

Request from applicant for 75 Grant St. for a continuance.

Request from appellant for 100-102 North Union St for a continuance.

The appellant of 17 Henry St. has withdrawn the appeal.

III. Minutes

IV. Consent Agenda

1. 16-0962CU; 36 Conger Ave (RL-W, Ward 5S) Sam Gardner

Change from single family to duplex. (Project Manager, Mary O'Neil)

B.Rabinowitz – asks applicant if he has reviewed staff report and recommendations.

S.Gardner - everything looks good.

B.Rabinowitz – Board treats this as a consent item. No interested parties to speak on this item.

J.Stevens – motion to grant the permit and adopt staff findings and recommendations.

I.Smith – seconds the motion.

Board Vote: 7-0-0

2. 16-1056SD; 1 Main St (DW/DW-PT, Ward 3C) Main Street Landing Company

Subdivision of lot into two parcels. (Project Manager, Ryan Morrison)

B.Rabinowitz – Board will treat this item as a consent.

M.Moulton – okay with staff comments.

J.Stevens – motion to grant applicants' permit and adopt staff findings and recommendations.

G.Hand – seconds the motion.

Board Vote: 7-0-0

V. Public Hearing

1. 16-0888CA; 100-102 North Union St (RM, Ward 2C) Josh Typrowitz-Cohen

Appeal of administrative denial to convert 200 sq. ft. of existing attached shed to living space.
(Project Manager, Mary O'Neil)

M.O'Neil – applicant requested a deferral until June 7th

B.Rabinowitz – discussion for date certain?

AJ.LaRosa – questioned what other items are scheduled for June 7th

MONeil - do not have the schedule in hand. Able to move this item to two week or beyond.

A.J.LaRosa - asked to move this to another date certain.

J.Stevens - are we adding an item to a long agenda or did the applicant confer with staff?

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M.O'Neil – applicant has asked for a future date for time to prepare.
G.Hand - motion to continue to June 7th
I.Smith - seconds the motion.
Board Vote: 7-0-0

3. **16-0814CA/CU; 20 Fletcher Place (I, Ward 1E) Wiltshire Properties**
Construction of three unit residential building with associated drive and parking.
(Project Manager, Scott Gustin)

W.Senville – walked by project property and noticed there was no zoning signage displayed and that it was displayed on an adjoining property. Is this proper notice for this public hearing?

S.Gustin – there was a defect in public hearing notification. Proper notice information was given to the applicant, who was asked to display this notice on the property site for 15 days.

B.Rabinowitz – when should there be a public hearing?

S.Gustin – notice needs to be posted on the property for at least 15 days. It may be advisable to defer this public hearing.

A.Zipparo – was the posting placed on the property?

S.Gustin – it was not posted on property.

W.Senville – public notice is essential and we do not want to ignore it and we do not want to inconvenience people who would like to speak.

B.Rabinowitz – should the applicant be asked to come back for another hearing?

A.Zipparo – if there are 2 presentations it seems unfair. Keeping it open seems the simplest way by setting a date certain.

B.Rabinowitz – the public could make testimony tonight and not have to come back again?

J.Stevens - people could then speak at both hearings.

A.Zipparo - makes sense for public hearing to be postponed or continued.

S.Gustin - notice has been provided in other formats, but it is still incumbent upon the applicant to post the subject property.

Discussion among Board members and staff as to possible dates of postponement.

G.Hand – motion to defer item for a public hearing on July 5th.

A.Zipparo – seconds the motion.

W.Senville – asks for those present to speak to leave written comments if they cannot make the July 5th hearing.

B.Rabinowitz – asks for public written comments to be sent to the Board.

Board Vote: 6-0-1

4. **16-0914AP; 17 Henry St (RL, Ward 1E) Jill Boardman**
Appeal of zoning violation for 5 unrelated adults in a dwelling unit located in an RL zone and unfinished attic constructed as habitable space. (Project Manager, Jeanne Francis)

B.Rabinowitz – this item is withdrawn. No one is here for this.

S.Gustin - appellant withdrew the application.

5. **16-0845A; 75 Grant St (RH, Ward 2C) Priscilla R Toomey**
Notice of Appeal of zoning violation #301663 relative to parking.
(Project Manager, Jeanne Francis)

B.Rabinowitz – this is a request to postpone the public hearing.

K.Lumpkin – attorney for the applicant. A zoning application was approved by staff and presently anticipate going through the 15 day appeal period. Once this happens, it can be dismissed, since it was accepted by staff.

S.Gustin – this can be postponed indefinitely without a date certain, because it is expected to be an approved zoning permit once the appeal period is over.

G.Hand - motion to postpone the public hearing indefinitely to a date certain.

W.Senville - seconds the motion.

Board Vote: 7-0-0

VI. Sketch Plan

1. 16-0958SP; 316-322 Flynn Ave (NMU, Ward 5S) G and S Properties LLC

Sketch plan review of project to remove deli building and residence and to replace with four story mixed use building with thirty apartments and two commercial spaces with associated parking lot. (Project Manager, Scott Gustin)

A.J.LaRosa and G.Hand recused from this item.

M.Alavanos - owner of the deli. Has previously asked for the redevelopment of Pine and Flynn property. In 2009, we approached the Planning Commission who determined the zoning as neighborhood mixed use. In 2012, we submitted plans to city for a new building which includes a 24 unit mixed used. This was scaled down and for economic feasibility and then turned to Eric Hoekstra for assistance.

E.Hoekstra - a partner at Redstone. Gives slide presentation and mentions how he has worked with Planning Commission and City Council to rezone the area when originally it was zoned residential low density near the intersection. Discussed change in curb cuts, footprints of buildings, parking, and floor plan; bike racks short and long term, car share possibilities.

Stormwater plan is similar to previously approved plan and what was previously approved.

Parking spaces are smaller constrained by the site, but plan was previously approved by Board.

A.Zipparo – asked about handicap spaces placed according to ADA guidelines.

E.Hoekstra – yes.

B.Rabinowitz - how is this divided up between residence and other uses?

E.Hoekstra - shared use spaces by residents and retail is possible. There are 33 parking spaces with one space per apartment. Three spaces will cover commercial, but may need a waiver for another three spaces with the total requirement being 38 spaces. Spoke regarding facades inclusionary zoning, heights and materials. Met with DAB and will meet with the NPA 5.

DAB was supportive in massing and scale and density and parking and requested more differentiation between commercial and residential. Some NPA comments were favorable and others were concerned about scale, traffic and parking. Will be doing traffic analysis for NMU intense use. Will exceed bike parking requirements. Living arrangements are for studios, one bedroom, and two bedrooms.

B.Rabinowitz - good project for site. Asked for the elevations of the site. The biggest concern is pedestrian access is concern for safety and access and driving through the site.

W.Senville - is parking covered or open?

E.Hoekstra – both.

W.Senville – what are the boundaries?

E.Hoeskstra – delineates property lines.

W.Senville – will three buildings be demolished?

E.Hoeskstra – yes.

J.Stevens – rendering of the proportions. Is it possible for a building that's more interesting?

E.Hoekstra - going for modern simplicity.

I.Smith - do not have a problem with scale and density, but the details need more work. Agree with the DAB. May want to improve the top layer. The ground floor is dark with no sense of commercial space. Not making good use of corner lot site. Window patterning could change or present different expression?

W.Senville – is the canopy for protection or decorative?

E.Hoekstra - decorative, since don't know what uses will be for the commercial. The commercial footage is less than before. The two spaces of 1500 commercial space each side.

B.Rabinowitz – does the zoning permit differentiate between commercial and residential?

S.Gustin – yes.

A.Zipparo – questions on siding.

E.Hoekstra – it will be cement board siding.

B.Rabinowitz – opening for the public to speak.

M.Cregis - questions about mixed use in area. A lot of room for compromise. Twenty apartments sounds good. Bad area for accidents, trucks, air quality. A four story is too much. Need open space. Don't like the design. Concern for emergency vehicles and service vehicles.

L.Ribbecke - said he sent letter to Board. Feels this project is much larger and there will be losers for residents on Flynn Ave. May lose property value, gain more traffic, but feels it could go forward if it was more modest. Major point is the dangerous intersection for the school, young children, and families. Has lived there since 1984 with 3 fatal accidents.

C.Ginger - site is visible from front windows. Concern about the density parking and traffic. Would like to see what will happen and how traffic will be managed with City market going in on Flynn Ave.

A.Zipparo - are you concerned about traffic volume, pedestrian safety and accidents?

C.Ginger - concerned about the movement around the school with a lot of school children.

A.Damrosch - mom with 2 kids. Likes the idea of living with more density and housing, allowing more people getting around. Presently head of car share VT, which serves the neighborhood and feels this is a great project.

B.Rabinowitz - could you provide data as we look at these kinds of projects?

A.Zipparo - are the people who use cars residents?

A.Damrosch - benefit is the same. Can look at the ratios.

B.Rabinowitz - we need to look at specific properties.

A.Damrosch - we are in need of affordable housing. This feels like it will meet the demand.

Houses in this area are small and this project looms. Not opposed to the project, but need to know how it will be for the neighborhood and city. Opposed to parties on the roof.

J.Van Driesche - with Local Motion, Burlington says the areas' needs are met by biking and driving. Presently, people may want to rent and buy affordable housing and others are moving out of town. Feel losing friends and proximity living within town. Pertaining to pedestrian and bike safety it is not the volume, but speed of traffic and intensity. Adding more cars is not necessarily a problem for bikers and walkers since relative safety improves with this intensive use. Walk/bike master plan calls for bike lanes through Pine and Flynn. If adopted by City Council, it will provide good bike parking, opportunity to live on the street with bike access. Redstone is a business member of locomotion and has positive impact with projects dependent upon city for bike and walk.

M.Spaulding - part of technical review committee. Want to understand property agreement between the school and Redstone.

J.Hendley - lives next to Howard Center and hoped for expansion of store/deli. Disappointed deli might go away. Seems large for scale with the apartments. Ideal for families to be near the school and to have apartments. Concerned about traffic and lines of traffic waiting and pollution from traffic.

B.Rabinowitz - sense of scale, number of units and perception of scale are concerns.

A.Zipparo - would like to see more 2 and 3 bedroom units rather than 1 bedroom.

E.Hoekstra - talked with traffic consultant about preliminary increase being 0.5% as negligible. Safety improvements with curb cuts away from the intersection. Has been through the technical review.

I.Smith - questions plans presented in the packet and those presented this evening.

E.Hoekstra - the rendering displayed for tonight's meeting is correct.

I.Smith - rendering in packet is incorrect?

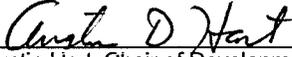
E.Hoekstra - yes.

B.Rabinowitz - Meeting adjourned at 6:29 pm.

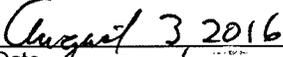
No deliberative session held after this meeting.

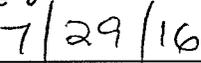
VII. Other Business

VIII. Adjournment


Austin Hart, Chair of Development Review Board


A.Wade, Planning & Zoning Clerk


Date


Date

Plans may be viewed in the Planning and Zoning Office, (City Hall, 149 Church Street, Burlington), between the hours of 8:00 a.m. and 4:30 p.m.

Participation in the DRB proceeding is a prerequisite to the right to take any subsequent appeal. Please note that ANYTHING submitted to the Planning and Zoning office is considered public and cannot be kept confidential.

This may not be the final order in which items will be heard. Please view final Agenda, at www.burlingtonvt.gov/pz/drb/agendas or the office notice board, one week before the hearing for the order in which items will be heard.