

Burlington Development Review Board

Department of Permitting & Inspections
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Brad Rabinowitz
AJ LaRosa
Springer Harris
Geoff Hand
Brooks McArthur
Kienan Christianson
Caitlin Halpert
Sean McKenzie, (Alternate)
Ravi Venkataraman, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Wednesday, November 4, 2020, 5:00 PM

REMOTE MEETING

Zoom: <https://us02web.zoom.us/j/82309603006?pwd=TWsrVmV2RERaWW53anh2Vkl5RmlOZz09>

Webinar ID: 823 0960 3006

Password: 842557

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Agenda

Board Members Present: Brad Rabinowitz: AJ LaRosa, Geoff Hand, Brooks McArthur, Caitlin Halpert, Springer Harris

Not Present: Kienan Christianson, Ravi Venkataraman (Alt), Sean McKenzie (Alt)

Staff Present: Scott Gustin, Mary O'Neil, Ryan Morrison, Theodore Miles, Alison Davis

I. Agenda

B. Rabinowitz: Some changes to the agenda. 12-22 North Street is being removed from agenda and BHS has withdrawn the application because it is already a permitted use. 40 Kingsland Terrace has been removed from agenda because it needs to go back to Design Advisory Board. 75 Cherry Street has been requested to defer to December 15th agenda. Joint Institutional Management Plan to be moved to November 17th agenda.

II. Communications

B. Rabinowitz: All communications are in packet

III. Minutes

B. Rabinowitz: Included in packet

IV. Consent

1. 21-0326CU; 254 South Union Street (RL, Ward 6S) William Reilly and Cynthia Secondi

Request for bed and breakfast use, remove pool from site plan, and permit parking expansion.

William Reilly appeared on behalf of application
No public provided testimony

B. Rabinowitz: Explains that application is recommended for approval as a consent item and there are recommended conditions of approval. Asks if applicant has reviewed staff report and staff recommendations, and if they have any disagreements with them.

W. Reilly: No disagreements.

B. Rabinowitz: Asks if any members of the Board object to treating this item as consent.

No objections

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B. Rabinowitz: Asks if there is anyone from the public who has comments for application.

No public

S. Harris: Motion to adopt staff findings and approve application with conditions

C. Halpert: Seconds

6-0-0

V. Public Hearing

1. Burlington High School Relocation

~~21-0377CU; 12-22 North Street (NMU, Ward 3C) 24-28 North Street Burlington, LLC
Burlington Tech Center space for educational use~~

No longer on agenda. Already permitted use.

21-0381CU; 1251 North Ave (RL, Ward 4N) Saint Marks Parish Charitable Trust
Burlington Tech Center space for educational use

21-0378CU; 351 North Ave (NAC-CR, Ward 4N) 375 North Avenue, LLC
Burlington Tech Center space for educational use

Geoff Hand recused

Marty Spaulding and Jason Gingold appeared on behalf of application

No public provided testimony

B. Rabinowitz: Asks for overview of projects.

M. Spaulding: Explains current situation. Building is closed due to PCBs. Students are working remotely, difficult to do with Tech Center students. Requesting change of use for both Cambrian Rise and St. Mark's Church. Three programs in three different spaces at Cambrian Rise and culinary program moving into St. Mark's Church. Ranging from 14-17 students per program. Explains more about relocation.

B. Rabinowitz: Asks if there are questions from the Board

S. Harris: Asks if comfortable surrounding conditions for more bike parking spaces

M. Spaulding: Yes

B. Rabinowitz: Both locations seem well suited for uses. Closes public hearing.

2. **21-0327AP; 2000 North Avenue (RL, Ward 7N) Oliver Kranichfeld**

Appeal of Notice of Violation #380034 pertaining to unpermitted interior garage construction and removal of required parking space.

Oliver Kranichfeld and Ted Miles appeared on behalf of appeal

No public provided testimony

B. Rabinowitz: Asks to explain violation and possible resolutions to violation.

T. Miles: Explains situation. AirBnB issue has been resolved, no longer a violation. Enclosure of garage to living space is the violation. No permits have been filed for this work. Reached out to owner in July, explained zoning permit is required. No response, so violation was issued. Owner appealed violation. By enclosing the garage, the parking spaces are lost. Currently no parking on property.

B. Rabinowitz: Asks to speak on two issues. 1) applying for permit for the conversion of the garage, and 2) address the parking issue.

O. Kranichfeld: Was notified about a potential zoning violation and reached out to Ted. Disagreed on some measurements. Closed off the garage working with a contractor and he assumed he got all the necessary permits. Explains what has happened with garage.

B. Rabinowitz: Asks about how many parking spaces can fit in garage. Asks about dimensions from garage to street and public right-of-way. Explains dilemma of parking needing to be on property and not on public right-of-way.

O. Kranichfeld: Answers questions and explains/walk-thru of property.

T. Miles: Explains he recommended the space between the shed and garage to convert to parking.

C. Halpert: Asks if property owner has any issues with applying for necessary permits to remedy this violation.

O. Kranichfeld: Would have to explore options because of parking requirements

B. Rabinowitz: Resolution would be for you to submit an application to remedy this violation. Closes public hearing.

3. ~~21-0358CA/CU; 40 Kingsland Terrace (RL, Ward 6S) Kellen Brumsted & Katie Mensen~~

~~Remove existing garage; construct new garage with 770 square foot accessory dwelling unit.~~

G. Hand: Motion to defer to December 15th

B. McArthur: Seconds

6-0-0

4. 21-0354AP; 75 Cherry Street (FD6, Ward 3C) BTC Mall Associates, LLC

Appeal of Zoning Administrator Determination regarding relinquishing 17-0662CA/MA.
Request to defer

Geoff Hand and AJ LaRosa recused

B. McArthur: motion to defer to December 15th

S. Harris: Seconds motion

4-0-0

5. Review of 2020-2025 Joint Institutional Parking Management Plan (To be deferred)

To be reviewed on 11/17/2020

VI. Adjournment

Meeting adjourned 5:40pm

Bradford L. Rabinowitz, Chair of Development Review Board

Date

Alison Davis

12/28/2020

Alison Davis, Zoning Clerk

Date

Plans may be viewed upon request by contacting the Department of Permitting & Inspections 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 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/dpi/drb/agendas or the office notice board, one week before the hearing for the order in which items will be heard.

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