

## Burlington Development Review Board

Department of Permitting & Inspections  
645 Pine Street  
Burlington, VT 05401  
[www.burlingtonvt.gov/DPI/DRB](http://www.burlingtonvt.gov/DPI/DRB)  
Telephone: (802) 865-7188  
Fax (802) 863-0466

AJ LaRosa  
Caitlin Halpert  
Geoff Hand  
Brooks McArthur  
Brad Rabinowitz  
Leo Sprinzen  
Chase Taylor  
Sean McKenzie, (Alternate)



### BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday, September 20, 2022, 5:00 PM MINUTES

#### *Remote Meeting*

**Board Members Present:** All members were remote. AJ LaRosa, Caitlin Halpert, Geoff Hand, Brooks McArthur, Sean McKenzie, Brad Rabinowitz, Leo Sprinzen, and Chase Taylor

**Board Members Absent:** None

**Staff Members Present:** All members were remote. Scott Gustin, Ryan Morrison, and Joseph Cava

#### I. Agenda II. Communications III. Minutes IV. Public Hearing

1. **ZP-22-386; 86-88 North Winooski Avenue (RM, Ward 2C) 3G, LLC / Michael Alvanos**  
After the fact permit for the removal of the existing carriage barn's garage portion, and request to demolish the remaining carriage barn and rebuild with a new duplex structure as a planned unit development. (Project Manager, Ryan Morrison)

Michael Alvanos, Sharon Bushor: Sworn in.

AJ LaRosa: Ryan, before the applicant tells us about the project, can you explain the after-the-fact nature of this project?

Ryan Morrison: This project was a demolition by neglect. A building inspector didn't review the building to confirm the condition of the existing structure before demolition began in August 2020. A Notice of Violation (NOV) was sent to the owner after demolition began.

AJ LaRosa: Can you expand on what the NOV was about?

Scott Gustin: There were two NOV's. The first pertained to demolition by neglect, but the building inspector did not participate, and the NOV expired. The prior owner then demolished a portion of the building without permits, and a second NOV was issued for this action. This application includes that after-the-fact demolition and the proposed demolition of the remaining building.

Chase Taylor: Are the pictures in the application the current state of the carriage barn?

Ryan Morrison: Yes, I didn't post the pictures of the carriage barn before the beginning of demolition, because the only pictures available were from Google maps. Scott Gustin displayed an assessor's photo of the building prior to any demolition.

AJ LaRosa: Does anyone have any additional questions before turning it over to the applicant? Hearing none, we'll let the applicant explain the project.

Michael Alvanos: The current owner acquired the property in January 2022 and went through the DAB to demolish the remainder of the existing structure to construct a two-story duplex in its place. The original proposal was for a three-story structure, but this wasn't conforming to the zoning ordinance. The existing conditions of the structure are not safe, and needs to be demolished. Lumber and other architectural features will be salvaged to serve another purpose before remaining materials are disposed of.

Brad Rabinowitz: Ryan, can you clarify the six-month timeline for starting construction?

Ryan Morrison: The six-month timeline begins when demolition starts.

Michael Alvanos: Just to clarify, if approved, and demolition resumed next month, it would be six months from next month?

Ryan Morrison: Correct

AJ LaRosa: Does this include the remaining demolition if construction started before the remainder of the structure is completely demolished?

Scott Gustin: Yes.

Chase Taylor: I noticed two previous zoning permits for this project, did the permits themselves expire or did the request to complete the demolition expire?

Ryan Morrison: The first application was to address the existing demolished portion, and the second application was for demolishing the remainder of the carriage barn and redevelopment.

AJ LaRosa: So, we're reviewing something that no longer exists?

Geoff Hand: Elevation wise, how does the visibility of the new building compare to visibility of the existing carriage barn?

Michael Alvanos: This proposed structure is situated at the rear of the property and has minimal visibility compared to the Queen Anne style structure located closer to the street. From the street view, there is no sense of what this building is beyond its matching mustard colored trim to the Queen Anne styled building's siding. Visually, there is also a tree canopy from the abutting property located at 82 North Winooski Ave. obscuring the view of the proposed structure from the street.

Chase Taylor: Is the proposed structure within the side yard setback, and if so, would the new structure be decreasing it?

Michael Alvanos: The length of the existing carriage barn was used to keep the proposed structure within the side yard setback. The only change was to the depth of the proposed building.

AJ LaRosa: This board hears a lot of demolitions by neglect, and if the enforcement of the NOV from 2020 was more strictly enforced, this building might have been saved.

Sharon Bushor: AJ shared my concern of the demolition of these historic carriage barns and outbuildings, but my ultimate concern is the number of times an applicant comes before the board seeking outright demolition. This requires a quicker response from the DRB. I've tried to think of ways to remedy this in the wake of the financial burden that a historic structure can cause. One day, the last existing carriage barn in Burlington will be demolished or redeveloped. I don't like the

mixing and matching of structures from different time periods which is evident by this proposed modern structure.

AJ LaRosa: Any additional questions from the board or public? Hearing none, I move we close the hearing on this item.

## V. Certificate of Appropriateness

### 1. ZP-22-488; 245 Loomis Street (RL, Ward 1E) Caitlin Halpert

Install two exterior compressors for ductless heating/cooling, including one within a side yard setback. (Project Manager, Scott Gustin)

Caitlin Halpert: Sworn in.

AJ LaRosa: This would be reviewed administratively, but my understanding is that this non conformity of the corner lot needs to be reviewed by the DRB.

Caitlin Halpert: I am recused on this item.

AJ LaRosa: Can you tell us about the project?

Caitlin Halpert: The goal is to add more efficient heating and cooling to the historic structure, and the setup of the lot makes it difficult to place them anywhere else on the property than where they are proposed.

Brad Rabinowitz: Did you consider putting both units on the same side of the house?

Caitlin Halpert: Yes, but this would involve more construction to wrap the piping for the units around the entirety of the building. All existing vegetation will remain in place.

AJ LaRosa: Any additional questions from the board or public? Hearing none, I move we close the hearing on this item.

### 2. ZP-22-403; 136 Sunset Cliff Road (RL-W, Ward 4N) 136 Sunset Cliff Camp, LLC / William de Vos

Tree removal. (Project Manager, Ryan Morrison)

Tom LaBoeuf, Brad Steele: Sworn in.

AJ LaRosa: Scott, what's the purview for tree removal?

Scott Gustin: There is a provision for tree removal under Article 5, but the lakeshore buffer combined with the number of trees proposed for removal requires DRB review in addition to the conservation board.

Ryan Morrison: The Conservation Board reviewed this application given the number of trees that are proposed for removal within the lakeshore buffer.

Tom LaBoeuf: The recommendation was to retain the large cedars, but some of the trunks are worn away and rotten which would recommend the removal of the tree, while leaving the roots in place to stabilize the embankment.

Brad Rabinowitz: Can you talk about the trees marked with blue that aren't included on your site plan?

Tom LaBoeuf: The original site plan includes the trees proposed for removal, but two of the group of 3 cedars recommended for protection by the Conservation Board are not depicted.

Brad Steele: The recommendation by the Conservation Board was to replace leaning and diseased trees with some service berry, juniper, and cedar trees.

Brad Rabinowitz: What are the blue marks then?

Scott Gustin: The site plan needs to be revised to include the couple of trees recommended for preservation by the Conservation Board.

Tom LaBoeuf: Some of the blue dots are the diseased trees proposed for removal.

AJ LaRosa: We need a site plan's that's more accurate.

Scott Gustin: The recommendation by the Conservation Board approve removal of the trees as requested except for the group of 3 cedars, but the site plan is not clearly articulating all the trees proposed for removal.

Tom LaBoeuf: It was my understanding that the Conservation Board recommended keeping three of the cedar trees that were proposed for removal.

Caitlin Halpert: Did the Conservation Board address the new plantings?

Brad Steele: We are committed to retaining as many mature trees as possible while adding additional plantings to secure the embankment.

AJ LaRosa: Any additional questions from the board or public? Hearing none, I move we close the hearing on this item.

**VI. Adjournment**

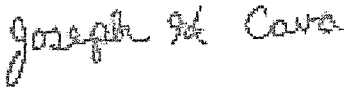
Hearing closed at 5:55 PM.



Alexander J. LaRosa, Chair of Development Review Board

10/25/22

Date



Joseph H. Cava, Permitting & Inspections Permit Technician

9-22-22

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](http://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.

*The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status, crime victim status or genetic information. The City is also committed to providing proper access to services, facilities, and employment opportunities. For accessibility information or alternative formats, please contact Human Resources Department at (802) 540-2505.*