

Burlington Development Review Board

Department of Permitting & Inspections
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Burlington, VT 05401
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AJ LaRosa
Caitlin Halpert
Geoff Hand
Brooks McArthur
Brad Rabinowitz
Leo Sprinzen
Chase Taylor
Sean McKenzie, (Alternate)
Emily O'Hara (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Special Meeting

Wednesday, January 11, 2023, 5:00 PM

MINUTES

In Person (at 645 Pine Street) Meeting

Board Members Present: All members were in person. AJ LaRosa, Caitlin Halpert, Brooks McArthur, Brad Rabinowitz, Leo Sprinzen, and Chase Taylor

Board Members Absent: Geoff Hand, Sean McKenzie, and Emily O'Hara

Staff Members Present: Scott Gustin, Mary O'Neil, and Joseph Cava

- I. Agenda
- II. Communications
- III. Public Hearing

1. **ZP-22-576; 20 Pine Street (FD6, Ward 3C) Cathedral Immaculate Conception, Parish Charitable Trust / John Caulo**

Alternative compliance review for the demolition and removal of existing church building, bell tower, parking lot, and impervious pathways. Planned landscape with trees will be retained. (Project Managers, Scott Gustin) *Continued public hearing.*

John Caulo, Jim Langan, Reverend Monsignor Peter Routhier, Patricia Rose Shereen, Andrew Simon, Timothy Parker, Devin Coleman, Jay White, Marge Allard, Scott Newman, John Mahoney, Celina Barton, Erik Esselstyn, Celina Barton, Colin Lindberg, Ron Wanamaker, David Mount, Sharon Bushor, Jack Menten, Michael Wisniewski: Sworn in.

AJ LaRosa: This is a continued public hearing from the 12/20/22 DRB meeting. We took evidence from the applicant at the previous meeting and convened this special meeting with the intent of taking public feedback. We will be giving members of the public two minutes to speak, and we will now open the floor to public comment.

Patricia Rose Shereen: Just to clarify, the Catholic Diocese is filing this application to demolish their own church? I donated the surrounding houses to the Catholic diocese.

AJ LaRosa: Correct, this application only proposes the demolition of the existing church building, bell tower, parking lot, and sidewalks.

Andrew Simon: This meeting room is equipped to offer a remote option. I am concerned about limiting opportunity for public comment. I am here to say I support the preservation of the existing building and site. I recommend using the site for municipal conversion working in conjunction with the agency of environmental conservation.

AJ LaRosa: Can you submit the letter you read from for the board's review?

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Andrew Simon: Yes.

Timothy Parker: I submitted a letter, but I wanted to come speak in person. I am an architectural historian and professor at Norwich, and I would never second guess the intentions of the de-consecration and demolition of this site, but the opposition presents an opportunity and responsibility to create a collaborative effort for the accrued value that this site provides.

Devin Coleman: This is an end run of the zoning ordinance to demolish this building for an unnamed buyer to redevelop the site. The City rejected a similar application last year because it included no redevelopment.

Scott Gustin: The application last year was withdrawn. No action was taken on it.

AJ LaRosa: What do you know about the status of the property?

Devin Coleman: The previous application was filed in December 2020. There has been no alter in the building since 2019. The absence of an alter implies that de-consecration has already occurred stripping the facility of its religious use. This would move beyond the issue presented to exercise religious freedom to demolish their own property.

Jay White: I have spent my career adaptively repurposing buildings such as this since 1974. The building itself could serve a variety of purposes to address issues like homelessness and drug addiction while the adjoining parking lot could be used for the creation of a new building or development. The guidelines stipulated under VSA 4413 allows for religious exemptions from City zoning regulations, but this does not apply because the current use is not religious as presented by the sale of the property.

Marge Allard: I have been a parishioner of this church since the late 1940s and I support the reuse of this building and site for office spaces that could serve community groups.

Scott Newman: I am a historic preservation professional specializing in Section 106, Section 4(f), and ACT 250 review. Burlington needs the optimism that this site provides. The cathedral is an important part of how people interpret the downtown which has already lost so many historic buildings due to urban renewal.

John Mahoney: I grew up in the cathedral's parish and have vivid memories of the fire that destroyed the original church building. Please don't open these emotional wounds of the not so distant past. Institutions like Champlain College needs event venues that sites like this could provide. Another reuse could be a daycare to address the challenges of growing families. This is a reflection of the catholic faith, and the public does not know what beauty this space provides, and the faith at this time is only concerned with the bottom line.

Celina Barton: I've brought a qualified buyer to the table to adaptively reuse the property, but we have not received any responses back from the church parish, the sellers, to access the building. Please work with us to revision the existing site to move forward in friendship. Please reach out to work with us rather than deciding on a plan that wipes the site clean.

AJ LaRosa: I'd like to remind the public that there is a two minute time allotment and that speakers should address the Board. The DRB is not here to be entangled in a fight between the public and the sellers.

Erik Esselstyn: Sixty years ago I worked in Downtown Boston, and nothing was better than taking a break in the outdoors at the marina or public gardens for picnics. It lifts my heart to see children

playing in City Hall Park. Unfortunately, Burlington has a history of clearing undesirable neighborhoods, and I hope the DRB looks at the vision of this site as it currently exists.

Celina Barton: As a young person, Burlington is a beautiful place, and the architecture of this site and planned landscape presents the opportunity for so much more. It is a really beautiful thing for Vermont and Burlington to have, and its loss would forever change the surrounding environment.

Colin Lindberg: I would like to provide a different approach. I was contracted by the parish to design and build a new building almost 50 years ago. The parish has given access to the park's site for over 40 years. Developers create buildings and costs that do not leave room for open space as the site currently provides. The City's involvement is absolutely critical to have trust and faith to work with the parish for what the site could be.

Ron Wanamaker: I am a members of Preservation Burlington and the Design Advisory Board (DAB). I recused myself from the proceedings on the DAB, but the parish has not been engaged on working with the public to address what this site means to Burlington. It is a beautiful greenspace and there hasn't been much back and forth with the parish. There is no plan in place, and the pit across the street is a representation of the dangers of not having a plan in place for the redevelopment.

David Mount: A few weeks ago I went to Portsmouth which reminds me of Burlington, however, I don't see the same problems there that I see here. The problem with repurposing these old buildings is it leads to nefarious and unscrupulous activities. Look no further than other sites around Burlington like the old YMCA building, City Hall Park, and Memorial Auditorium that are covered in graffiti and littered with needles.

Sharon Bushor: I am a resident of Burlington and a devout parishioner of this cathedral. I feel strongly that this building shouldn't be demolished. The healing process didn't happen when the old cathedral burned down, and there won't be any closure by demolishing this building. We have limited resources, but this is not a demolition by neglect as presented in other projects that come before the DRB. This is a sound structure and the profound amounts of plantings this site has provides peace for the public. Other countries don't tear down their old buildings, they repurpose them to serve a new purpose, and this property is no exception.

Jack Mentes: I have been a resident of Burlington for over 25 years, and I'm here to share thoughts on the fine balance between City planning and smart aesthetics. I have always appreciated the value of urban settings that provide this mentioned balance. This building is no exception as to the redundant purpose as a church and can be adaptively reused. Please spare this building.

Michael Wisniewski: For my 70th Birthday my partner and I went down to New Orleans where we stayed at a similar church that had been repurposed into a hotel. Redevelopment is a transformative process and way to retain what exists to serve a more useful life.

AJ LaRosa: Hearing no additional public feedback, I invite the applicant up for follow up questions.

John Caulo: One of the great things about living in Burlington is the passion on issues like this. I find the staff report to be logical showing the compliance of the use of the site. Religious accommodation under VSA 4413 is fundamental to prevent the interference from state and municipal regulatory agencies. Historic preservation doesn't apply here because it is in stark contrast of what the City ordinance defines as historic, and is not listed as such. It is unclear whether the Department of the Interior has accepted any applications concerning this property. This creates wrongful inclusiveness and the community hasn't backed up this project with any evidence against the demolition. This is the church parish's decision only. We may not agree, but we are here based on the law, not public opinion.

AJ LaRosa: How does the 2019 de-consecration impact this application?

Jim Langan: The idea or fact that this is classified as a religious space has not been taken lightly by the parish to demolish this site. The ultimate idea for demolition is to prevent the site from being used in a way that the parish does not deem fit.

Brad Rabinowitz: We've heard a lot of testimony, but what we haven't heard is a parishioner saying that this building needs to be removed.

Jim Langan: Peter Routhier spoke to this and has submitted letters about the advocacy of this project, so the parish has addressed this.

Brooks McArthur: What is the intended functional use of this property?

Jim Langan: The language of VSA 4413 is clear and says the City cannot regulate certain church uses and upholds the church's decision to raze the building demolish the site.

AJ LaRosa: This is the question, what is the functional use of the property?

Jim Langan: To deny this application, would deny the church's right under VSA 4413.

AJ LaRosa: We're trying to understand the functional use of the property following the demolition of the church.

Leo Sprinzen: Can you de-consecrate something that isn't classified as a religious institution?

Peter Routhier: When we speak of de-consecration, we conduct a ceremony to remove the artifacts and cease the intended function of the facility. A consecration takes place when oil is smeared on the wall. Using the site for an alternative purpose would be appalling to the Catholic faith and would be a defamation to the intended use of the property. If it became a public space, it could be host to any sort of use.

AJ LaRosa: People have argued that VSA 4413 may not apply.

Jim Langan: For Burlington zoning regulations, this building has not attained an age of 50 years to meet the historic guidelines, and therefore, VSA 4413 does apply.

John Caulo: The limited uses of municipal review under VSA 4413 includes the landscaping encompassed by the grove of honey locust trees. That's why they are to remain.

Leo Sprinzen: The Secretary of the Interior would classify the site's use as religious, but currently, the site is a vacant building.

Peter Routhier: I was ordained as the first priest in this building in 1978 when it was opened.

Leo Sprinzen: Was it the intention for the parish to sell the building in 2018/19 when the site was de-consecrated?

Jim Langan: I was not privy to this at the time of the listing for sale.

Brad Rabinowitz: What will happen to the site after the building is demolished? Obviously there is a lot of sentiment from the community about this site, and zoning does have purview on what happens next with the site's development.

John Caulo: Not too long ago in 2019, the planning department created the form based code in the downtown, and the property should have been exempted.

Brad Rabinowitz: So there was no thought to what happens with this site for redevelopment?

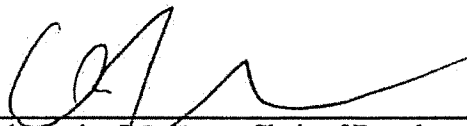
Leo Sprinzen: The future use of the site is subject to zoning review.

AJ LaRosa: Hearing no additional questions or comments, I move we close the public hearing on this item and enter deliberative session.

Caitlin Halpert: Motioned to approve the application for demolition, Brooks McArthur 2nd. Vote 4-2. Motion carries.

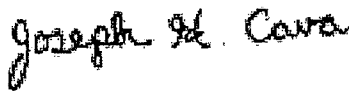
IV. Adjournment

6:45 PM.



Alexander J. LaRosa, Chair of Development Review Board

1/26/23
Date



Joseph H. Cava, Permitting & Inspections Permit Technician

1-20-23

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/dr/ agendas or the office notice board, one week before the hearing for the order in which items will be heard.

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