

## 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)  
Emily O'Hara (Alternate)



### Joint Meeting of the: BURLINGTON DEVELOPMENT REVIEW BOARD DESIGN ADVISORY BOARD CONSERVATION BOARD PLANNING COMMISSION

Tuesday, January 17, 2023, 5:00 PM  
MINUTES

*Front Conference Room:  
645 Pine Street, Burlington, VT*

**Board Members Present:** AJ LaRosa, Geoff Hand, Brad Rabinowitz, Leo Sprinzen, Chase Taylor, Sean McKenzie, Emily O'Hara, Emily Morse, Jack Qualey, Gabriel Stadecker, Kathleen Ryan, , Zoe Richards, Don Meals, Miles Waite, Caryn Connolly, Lina Swislocki, and Andy Montroll

**Board Members Absent:** Caitlin Halpert, Brooks McArthur, Ron Wanamaker, Jay White, Michael Alvanos, Rebecca Roman, Ryan Crehan, Hannah Brislin, Kyle Tansley, Elizabeth Cunningham, Bruce Baker, Yves Bradley, Alexander Friend, Michael Gaughan, Emily Lee, and Julia Randall

**Staff Members Present:** Meagan Tuttle, Charles Dillard, Sarah Morgan, Patti Wehman, Scott Gustin, Mary O'Neil, Garret King, and Joseph Cava

#### I. Agenda

#### II. Presentations & Discussion Topics

##### 1. Article 8: Parking

Comprehensive Development Ordinance amendment as to citywide parking standards

Meagan Tuttle: This is a fully revamped ordinance recently adopted by City Council. About a year ago, City staff went through the permitted projects with TDM requirements to understand the impacts to residential housing units. Under the prior TDM standards, there was a 25%-70% reduction in proposed parking. This amendment goes further than the prior standards and eliminates minimum on-site parking requirements citywide and establishes maximum on-site parking limits. This ordinance amendment also revises the Transportation Demand Management (TDM) requirements and creates new options to meet the standards. The TDM strategies gives modest flexibility for developments moving forward.

AJ LaRosa: How would this ordinance change impact DRB conditions of approval?

Meagan Tuttle: The TDM standards are an on-going requirement that should be incorporated into conditions of approval. Annual reporting by the applicant is required in most cases. This

*The programs and services of the City of Burlington are accessible to people with disabilities. Individuals who require special arrangements to participate are encouraged to contact the Zoning Division at least 72 hours in advance so that proper accommodations can be arranged. For information call 865-7188 (TTY users: 865-7142).*

Printed on 100% Recycled Paper

ordinance also impacts the Institutional Parking Management Plans in the absence of on-site minimums for the three major hill institutions. Having a JIPMP in place becomes a pre-requisite for zoning permit issuance and zoning certificate of occupancy approval to give teeth to the standards. A TDM study is being conducted in preparation for a potential citywide TDM program.

Brad Rabinowitz: We never receive feedback on how these plans work and how results can be used to drive the qualifications.

Meagan Tuttle: Because these changes are so new, our consultant will gather data to assess the changes, and report back.

Miles Waite: Can prior approved projects be amended to address these changes?

Meagan Tuttle: Prior approved projects will be subject to the terms of approval unless amended.

Miles Waite: Where did these metrics come from?

Meagan Tuttle: These metrics came from the major transportation industry sectors.

Sean McKenzie: What are the repercussions of a zoning violation on this?

Scott Gustin: There is an annual reporting requirement.

Geoff Hand: Is this for institutional TDM plans or would this also apply to housing development projects?

Scott Gustin: This is a citywide ordinance.

Meagan Tuttle: The Planning Commission sees the Joint Institutional Parking Management Plans before they go to the DRB for approval.

Meagan Tuttle: Hearing no additional comments, I'll move us past this topic.

## **2. 10-Point Housing Plan Progress**

### **a. South End Innovation District**

Meagan Tuttle: Doubling housing production over the next five years is an important point for this conversation moving forward.

Charles Dillard: This is an under-utilized area and could be re-envisioned to preserve its identity while creating new spaces. This area is categorized by its evolution into a vibrant urban district. This creates a mixed-use area for fostering healthy ecosystems for housing. The land use concept breaks down this area as primary and secondary permitted uses. This balances and protects the need for fostering the arts while addressing needs like housing.

AJ LaRosa: Are there any single-family homes within this district?

Charles Dillard: There are no residences at all. The proposal for this area would be characterized by buildings ranging from 1-8 floors in height and 10,000-15,000 sq. ft. in area. The building heights would range with the tallest as the core moving outwards into smaller buildings in the outer layers and would afford views of Lake Champlain and the Adirondacks. Pervious area would be limited to 20% with some exemptions. There would also be a range of primary and secondary frontages requiring 80% ground floor uses with some exemptions for non-primary facades. The blocked perimeter proposal creates enclosed blocks framed by sidewalks and pathways.

Caryn Connolly: Has there been any traffic studies to predict the impact to Pine Street?

Charles Dillard: There have been concerns with the Champlain Parkway, but I cannot speak on this data.

Caryn Connolly: Pine Street has periods of time when it is backs up and I questions whether the Champlain Parkway will address this.

Meagan Tuttle: Under our existing ordinance, most businesses located in the South End Innovation District would require a TDM plan.

AJ LaRosa: So how would this impact the DRB's review moving forward with conditions?

Meagan Tuttle: This would not change what the DRB approves conditionally.

Geoff Hand: Where is this amendment at currently?

Charles Dillard: It is currently with the Planning Commission

Lina Swislocki: I would like to know where this amendment sits currently.

Charles Dillard: You can find this information by accessing planning on the City website, or by googling the South End Innovation district. We've continued discussions with major stakeholders and landowners in the area.

Caryn Connolly: Is the City working with the Planning Commission to preserve land around the barge canal?

Charles Dillard: Conceptually, development along Pine Street could include conservation of the lands further west while addressing the long-term contamination of the site.

Meagan Tuttle: To be clear, the barge canal that is connected to water is classified as conservation and will remain undeveloped conservation land.

Zoe Richards: I am inquiring about heat of impervious areas like parking lots and how this work could relate to the city's urban forest plan and to reduce heat in light of global warming.

Charles Dillard: For the consideration of time, I suggest we move on.

b. Trinity Campus Overlay

Meagan Tuttle: These changes specifically relate to lot coverage, setbacks and building height. This would allow more construction to occur closer to Colchester Avenue.

c. Missing Middle Housing

Meagan Tuttle: The comprehensive plan identifies areas within the city to sustain, conserve, and grow. There is a small area of the city identified for growth. We are considering policies that would allow missing middle housing to grow naturally rather than relying on density alone to spur change.

Geoff Hand: How does this address zoning standards?

Andy Montroll: Zoning codes creates limitations, but allows for gradual growth. An example of this is the establishment and development of Accessory Dwelling Units (ADUs).

**3. Short Term Rentals**

Rental registration launch and implementation

Patti Wehman: The Housing Division used to be Code Enforcement and has worked with zoning over the last four years to address short-term rentals. The changes to Chapter 18 of the housing ordinance addresses what classifies a short-term rental and what separates from a long-term rental. Granicus reports back to Code Enforcement on the number of registered short-term rentals and the number of unregistered short-term rentals. There are just over one hundred unregistered short-term rentals that code enforcement is working to identify and tease out. The listings reported are advertised mostly in VRBO and AirBnB and can be identified.

AJ LaRosa: How do you bring these short-term rentals into compliance with the ordinance in light of the lack of registration?

Patti Wehman: Short term rentals with offsite ownership are allowed if located within a multi-unit building that meets certain affordability requirements.

Meagan Tuttle: The hope is that owners will register their short-term rentals by the May 2023 deadline.

Brad Rabinowitz: Will approval go back before the DRB?

Patti Wehman: No, short-term rentals are now in the hands of the housing division. It is the hope that over time, this ordinance will be given greater teeth.

AJ LaRosa: Do we have data on the conversion of existing housing stock?

Patti Wehman: No, we're working on it.

Meagan Tuttle: It is important to note, that Patti's team relied on the honesty of hosts operating these short-term rentals.

Patti Wehman: We need to know what we're enforcing. This compliance is largely complaint based on neighbors reporting neighbors. We're doing our due diligence to enforce the standards, but this also requires support of the City Attorney's office.

#### **4. Nature Based Climate Solutions**

Adopted plan and implementation strategies

Zoe Richards: An important implementation of nature based climate solutions is preventing the fossil fuels in the ground from becoming carbon dioxide in the air. These solutions keeps carbon out of the air by utilizing trees to capture carbon and provide other advantages like shade for cooling. Burlington's Nature Based Climate Solutions (NBCS) addresses the carbon that's generated from buildings and urban heat islands within the dense urban core. A reflection point draws the attention of this being the hottest summer on record, or the coolest summer for the next twenty years. A 50% tree canopy outlined in a 2008 study will lead to high impact with a low cost, leading to the continued growth of mature trees.

Geoff Hand: Where do these figures come from?

Zoe Richards: The numbers were generated by a grad student working in conjunction with the US forestry service. Street trees are important for shade, but urban forests are important for sustainability. The City of Burlington is actively growing a tree nursery on Champlain Elementary School's campus to encourage the growth of native plant species to combat invasive plant species.

Meagan Tuttle: Were there any additional comments or feedback with our remaining meeting time?

Zoe Richards: Only to add that native plantings supports native species and the growth of native plant species. The decline of native pollinators is suffering a decline that may lead to the deforestation of Vermont.

Meagan Tuttle: Any additional comments?

Brad Rabinowitz: It's disappointing that there was nothing in our ordinance that could be used to save the Cathedral of the Immaculate Conception.

AJ LaRosa: Recently the DRB approved the demolition permit for this cathedral. It may behoove us to adopt regulation that accounts for exceptional buildings less than 50 years old, as the federal standards allow for.

Meaghan: A historic preservation plan is coming up in the near future to identify historic properties like the cathedral to protect and adaptively reuse these stigmatized structures.

III. **Adjournment**

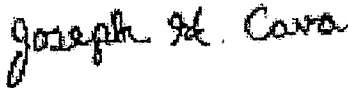
Hearing closed at 7:01 PM.



---

Alexander J. LaRosa, Chair of Development Review Board

1/26/23  
Date



1-26-23

---

Joseph H. Cava, Permitting & Inspections Permit Technician

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.*