

## Burlington Development Review Board

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Israel Smith  
AJ LaRosa  
Geoff Hand  
Alexandra Zipparo  
Wayne Senville  
Jim Drummond, (Alternate)  
Robert Purvee (Alternate)



### BURLINGTON DEVELOPMENT REVIEW BOARD Wednesday August 17, 2016, 5:00 PM Contois Auditorium, City Hall, 149 Church Street, Burlington, VT Minutes

#### Board Members Present:

Austin Hart, Brad Rabinowitz, Israel Smith, Wayne Senville, Jim Drummond, A.J.LaRosa,

Board Members Absent: Alexandra Zipparo, Geoff Hand

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

#### I. Agenda

No changes to agenda.

#### II. Communications

Supplementals: A.Hart: the Board is accepting letters regarding 207 Flynn Ave as part of the public hearing record.

#### III. Minutes

#### VI. Public Hearing

##### 1. 16-1490SD; 349 South Willard (RL, Ward 6S) Gardenview Associates, Inc.

Proposed subdivision of property into two lots. (Project Manager, Ryan Morrison)

A.Hart: item was recommended as consent

R.Morrison: yes

A.Hart: staff is recommending consent approval. Asks applicants if they were able to review staff recommendations. Asks Board members if they have questions. No one from public asked to speak.

B.Rabinowitz: asks applicant if the Fire Department was contacted regarding the need for sprinklers.

J.Milbank: if the code requirement on an access road and development on a small lot is greater than 50 ft. fire department requirements may need to be met.

Neighbor: has a few questions on lot division.

A.Hart: opens for public hearing and swears in applicant and interested parties.

P.Douglas: lives on west side of the property at 143 Spruce St, asks whether front yard setback is from the street or the sidewalk.

R.Morrison: on the edge of the property line.

A.Hart: nothing is proposed for the second lot, setbacks are for the first lot. Setback will be from Spruce Street.

A.Hart: lot is big enough for something to be built.

P.Douglas: questions regarding Article 6 of the CDO and staff report.

A.Hart: report does not include removal of any trees

P.Douglas: when will the preliminary plat be open for public review?

A.Hart: the preliminary and final plat can be reviewed at the same time. The creation of the lot is what the Board is acting on tonight. Building on the lot will go through the public notice process.

L.Davis: owner of the Willard Street Inn; taking project step by step to see if there is enough lot to build a personal residence.

A.Hart: Closed public hearing.

2. **16-1145CA/MA; 207 Flynn Ave (ELM, Ward 5S) City Market/Onion River Co-op**  
Construct new retail grocery building and related site improvements and subdivide lot.  
(Project Manager, Scott Gustin)

A.Hart: applicant and interested parties are sworn in.

D.Saladino: reads letter and introduces 2 members of team.

A.Hart: disclosed during meeting the fact that he and other members of the Board may have a membership with City Market, but that this does not interfere with the review.

D.Saladino: power point presentation goes over the proposal. Over 40 years as an organization with membership of 12,000 and \$41 million in annual sales from general membership. Since June, 2015, City Market has engaged city and residents of Burlington on this project by attending every Ward NPA over the past last year to share plans, listen, and engage. Hosted two south end sessions with over 70 people per session. Has worked with DPW and 3 neighborhood groups to address traffic concerns.

M.Provost: speaks about site plan having two front yards at Flynn Ave and Briggs St and two entrances. Vehicle traffic from Flynn Ave with loading docks, gated entrance on Briggs St with access for emergency vehicles, pedestrian connectors in parking lot in the center and on sides. Discussed stormwater retention and extensive vegetation with a giant rain garden on two sides and landscaping. Bike parking will accommodate 74 spaces with front covered area and tuning area by local business. Front entrance will have a plaza feel with casual seating and vendor display. A children's discovery area will have a green climbing wall within a contained space. Outdoor area will have an internal café and outdoor café seating with umbrellas. Parking lot will have extensive landscaping on Briggs St for mitigation. Improvements to parkway design

J.Beck; presents floor plans through slide presentation on the specifics of floor area on several levels. Everything in building is ADA accessible, offices, break rooms, elevators. Moving rooftop equipment from street views to mitigate sight lines, screening on south side and near cooling tower showing skylights, color elevations. Discussed heights limits for stair and cooling tower. Mentioned the specifics of building materials, canopy is wood, body is metal, panels adding visual artisan murals and historic aspects.

A.Hart: there will be a lot of questions about traffic.

B.Rabinowitz: questions about the two entrances and whether one is open all the time? Does the property go up to railroad tracks?

J.Beck: yes

B.Rabinowitz: will there be a gate or sidewalk?

M.Provost: sidewalk is part of the Champlain improvement project.

B.Rabinowitz: is this part of your project?

J.Beck: that is correct

D.Saladino: total square footage for building is 16,000.

A.Hart: questions lot line and why the need for a subdivision?

D.Saladino: not needing the full portion of the property, since City Market is planning to sell southern part of property.

A.Hart: staff comments mention this as a subdivision

M.ONeil: calculations for subdivision still needs FARs

W.Senville: questions about pedestrian walkways

M.Provost: shows area for entrances

B.Rabinowitz: samples of extra materials and colors of building

M.Provost: shows samples of materials and colors, metal panels, ground face block, base colors, wood cedar material, green color for doors and truck dock, frames of windows are white mullins. Not going for bright colorful showy look; panels are paired, 20 x 40" with three historical images.

J.Drummond: questions why eating area is facing parking lot, and why the new store plans show no front windows on Flynn Ave. Wonders why plan didn't allow for more glass facing the street?

JBeck: balance between operations and sales floor; activate as many facades as possible; choose to activate Briggs St café on new road; Flynn side all services operate from west; Big part of planning predicated on parkway that may be built

A.Hart: questions size of parking lot spaces.  
M.Provost: said 60 ft. parking bays are standard  
W.Senville: asks for explanation of truck loading and unloading area  
M.Provost: limited hours of truck movements  
D.Saladino: 33 truck movements per week  
B.Rabinowitz: questions movement of 55" semi-trucks turns around in the space  
M.Provost: there is adequate room  
A.Hart: questions if it meets minimum standards of neighborhood parking and if application of single story requires more parking  
M.ONeil: single story plan  
I.Smith: side access questions Flynn Ave and at Briggs St gate  
M.Provost: only for fire department  
A.Hart: questions should be answered by traffic engineer or DPW. Need to present recommendations for review by Board and public  
D.Saladino: standard trip generation for weekday and evening hours is broken down by foot, bike and vehicle and how the distribution onto network happens on the various streets with and without parkway. Congestion analysis for today and 5years from now about the going intersections  
A.Hart: does Briggs St. go away if pkwy is built?  
D.Saladino: no  
B.Rabinowitz: questions the entrance to Briggs St and about how it is being used now  
A.Hart: important to account for traffic in the residential area and understand the access with the right turn lane.  
N.Baldwin: engineer with DPW, spoke of the challenges as how it fits in with Champlain parkway, affecting resident's long term. Working toward a goal of 2018  
Mentioned right turn possibilities, medians on Flynn Ave, mending the rail crossing, the City and Federal rail may agree to limit and reduce a rail. City would prefer to provide sidewalk down the side of Briggs St.  
M.ONeil: that was included in staff comments;  
N.Baldwin: parking is removed on the off street on plans, but feel that Flynn Ave parking should remain in place until public engages with comments. Proposing an entry onto Briggs St.  
A.Hart: suggests neighborhood traffic monitoring after City market opens to see the impact  
N.Baldwin: discussed on closing off certain streets would cut off their access.  
A.Hart: if there is an impact are there solutions that might be available in future?  
N.Baldwin: dealing with speed and control quality. Promoting certain thoroughfare and limit activity onto main arterials.  
A.Hart: need to expand right turn lane given the design  
J.Beck: pushing sidewalk back three feet and losing the green belt would allow for right turn lane.  
A.Hart: does street parking affect turn radius?  
J.Beck: it would not have an affect  
B.Rabinowitz; could move the whole building off three feet, if you didn't want to lose what's in front of the building  
J.Beck: we are pretty far advanced  
B.Rabinowitz: this is why we do sketch plan  
J.VanDrierche: speaking as deputy of local motion and as resident of south end said that every neighbor is in favor of this project in south end. Spoke to the designs for pedestrian, constraints on Briggs St asking why it needs to be there and encourages loosening of Act 250 for Briggs St. Eliminating significant pedestrian and bike hazards would help alleviate the traffic. Use plan BTW walk/bike plan to accelerate to this location with bike lanes and destination.  
T.Satlenoff: lives in the south end and is upset with new shift from Briggs to Flynn Ave. Said regardless of traffic study, an important point is ignored. Absent of any signal, cars should have the right of way as opposed to turning cars. Trucks stopping before the rail tracks can cover whole length of the Co-op entrance to coop. Traffic exiting and entering as opposed to other vehicles have the right away. Recalls how prior to the demolition, a former antique store had many near misses with the limited traffic. How does an 18 wheeler can make a left turn into City Market with concrete medians?

KDevine: executive director of Burlington business committee sees a growing vitality that city market bring to the area being a great addition. City Market has gone long way to resolve the challenges of the site, adding vibrancy and home values to the area. Gives materials to staff.  
B.Bryant: resident of 61 Ferguson Ave says the area is ripe for revitalization. At the February NPA meeting, heard project primary access is Briggs St. Feels this street is in rough shape and all traffic should be brought up through Lyman and Ferguson. Held that the neighborhood gathering with 6 people representing each street to work with the City, City Market, and DPW has led to some changes seen tonight. Appreciate City market's work with group as well as DPW engaged with our concerns for major residential streets. Recommends approval with several conditions:

Briggs St as an emergency street only, proposed as gated and locked

Employee parking concerns for 100 people at peak periods should provide incentives for bike and bus travel though bus service is limited on weekends and in winter. Unfair impact on neighborhood and possible parking on Briggs once parkway is built

Approval for subdivision should not be finalized for up to one year to report back about adequacy of parking lot, and size may depend on DRB approval. Get Planning Commission and City Council approval. Not good planning to let the lot go now.

Traffic: mentions 2400 vehicles trips with weekends less than this. Flynn Ave currently has 5500 trips a day. 100% traffic new to our neighborhood. Recommends Norm Baldwin's suggestions that city market contribute to mitigation measures.

Pine and Flynn traffic light: people are taking short cuts to get around. The level of service will not handle this. There are dedicated marked turning lanes where there are none. Encourage the Board to determine city market's share in the cost and allow for escrow funds pertaining to Briggs St. Materials submitted to staff.

S.Vishnevsky: a resident near Church St. supports the project. Feels a traffic study after the school year will not be same as now. A Pine St. and Home Ave traffic light would help. Feels this is a spot zoning project, where zoning goes forward and somehow fits into plan BTV and may create significant problems.

N.Hinge: supports project with serious concerns. Need traffic calming looking at cut-throughs. No room on Foster St where there are no sidewalks. Questions traffic studies and volume from store with a lot more traffic. Feels studies and parking is under specked.

Champlain parkway will solve some of this?

L.Smith: resides at corner of Foster and Smith St. and member of committee. If parkway does not come through what other plan will be put into place?

Proponent of Save the World's Tallest filing cabinet campaign, commends the process City Market went through with DPW and neighborhoods, but not included are those residents on Flynn, Home and Pine more heavily trafficked streets who want more consideration. Support efforts to consider beyond the streets those already being considered.

Pretense of Champlain Parkway alleviating more development, will see. Comparing the numbers with and without this parkway is completely essential to this project and important to support existing residences. Feels study is currently vague as to scope, timing, and traffic study.

Conditional approval should include more streets, further on Flynn St., Home Ave, and Lyman Ave up to Shelburne St. If the parkway is not built, costs should more be upon the City and not City Market.

V.Zion: concerns about Fire trucks on Ferguson Ave and their movements.

A.Hart: asks for the transportation persons to address the project. Thanks interested parties for their comments.

J.Beck: trip generation is based on national store models.

W.Senville: are there traffic numbers for the existing City Market?

J.Beck: this is a different context with higher walk generation

W.Senville: current status of parkway?

N.Baldwin: 2018 construction and 2 years to fully build.

W.Senville: questions if there will be significant delays at intersection.

N.Baldwin: mitigation strategies proposed are not in the design, but could be placed if an agreement is reached with State and Federal approvals. We would pursue this if the projections are falling short to temper delays. Agree with Dave regarding trip generations being conservative.

W.Senville: questions the calculation of 20% trips either walking or biking. Asks if applicant can submit to the Board how calculation was derived.

J.Beck: included in 2011 appendix report.  
M.O'Neil: will look in the file  
A.Hart: follow up with staff and Mr. Saladino.  
J.Beck: findings are that roughly half of the shoppers used non-auto modes of transportation.  
W.Senville: are you counting on more traffic?  
J.Beck: used the same traffic numbers. May be less trips.  
W.Senville: no mention of rail line and getting stuck by train. Is this not relevant?  
J.Beck that was our understanding. It was not evaluated.  
I.Smith; a letter to staff from Norm spoke of an increase of the building footprint.  
N.Baldwin: base of building is an additional sq. ft.  
J.Beck: we updated numbers and included upper floors for generating more trips.  
W.Senville: the café may have a higher rate.  
J.Beck: this may be correct.  
I.Smith; questions trip generations from the café.  
J.Beck: likely more capacity mid-day.  
I.Smith: will trucks doing a right turn end up using curb. The proximity to the railroad looks like a rough intersection. How will this work?  
N.Baldwin: mentions Federal rail design with no objections to center medians. They didn't raise objections to the conversation, but can't propose this until hear from Federal railway. We are dealing with time constraints.  
I.Smith: truck access plus concerns about busy times. Often see queuing back up onto rail crossing.  
N.Baldwin: may reposition Flynn access, but don't see any concerns with rail crossing.  
J.Beck: roughly two cars every minute  
I.Smith: are the vehicle trips low over time  
J.Beck: yes, low over time  
D.Baldwin: concern with safety of the rail crossing and concerns with stacking  
W.Senville: emergency access questions  
D.Baldwin: will this be a gated crossing?  
N.Satarno: City Market has done all it can to engage the city and the community to address how to move forward. Thank you for your time.  
N.Baldwin: add overall credit to City market cooperation that is not normal situation  
A.Hart: closed public hearing.

A deliberative session was held after this meeting.

V. Other Business

VI. Adjournment

  
Austin D. Hart Chairperson of Development Review Board

Oct 18, 2016  
Date

  
A.Wade, Planning & Zoning Clerk

10/18/16  
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/dr/aggendas](http://www.burlingtonvt.gov/pz/dr/aggendas) or the office notice board, one week before the hearing for the order in which items will be heard.