

Department of Planning and Zoning

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TO: Development Review Board
FROM: Scott Gustin *JD*
DATE: November 1, 2016
RE: 15-0129CA/CU; 1398 North Avenue

Note: These are staff comments only; decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.

Zone: RL Ward: 7

Owner/Applicant: Michael Bessery

Request: Time extension of project to demolish existing building and construct new 2-story building with market on ground floor and 2 residential units on 2nd floor.

Applicable Regulations:

Article 3 (Applications, Permits, & Project Review)

Background Information:

The applicant is seeking approval for a 1-year time extension for the zoning permit allowing demolition of the market building and construction of a new market and residential building and related site improvements. No project changes are included in this extension request.

Recommendation: Consent approval as per, and subject to, the following findings and conditions:

I. Findings

Article 3: Applications and Reviews

Sec. 3.2.9, Zoning Permits

(d) Time Limit on Zoning Permits:

Construction activity associated with this zoning permit commenced within 1 year of the October 27, 2014 approval as required. Construction activity has continued through to the present; however, it is not yet complete. The extension request indicates that curb cut and landscaping work remains to be completed.

The extension request was submitted October 5, 2016, prior to expiration of the original zoning permit approval. Insofar as construction activity commenced within 1 year of the effective date of the zoning permit, and the extension request has been filed prior to expiration of the permit, the requested 1 year extension may be approved. Construction must be complete by October 27, 2017.
(Affirmative finding as conditioned)

II. Conditions of Approval

1. Except as specifically modified in this approval, all conditions of the original zoning permit (15-0129CA/CU) shall remain in effect.
2. Standard permit conditions 1 -15 (including construction completion date no later than October 27, 2017).