

## Meagan Tuttle

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**From:** Jonathan Heller <sweetrecords@mac.com>  
**Sent:** Sunday, April 11, 2021 7:54 AM  
**To:** Meagan Tuttle  
**Subject:** Short term rental meeting

[ WARNING ]: This email was sent from someone outside of the City of Burlington.

To all concerned

My typical guest is a couple looking for a romantic getaway or looking at the neighborhood as they consider buying a house.

There is one confirmed sale so far on South Cove Rd.

They check in [at 4 PM](#), stay for an average of three days and check out [at 11 AM](#). They park in the driveway religiously as instructed through automated email [at 4 PM](#).

They are made aware to be sensitive about my neighbors and street parking. Guests prefer driveway parking and feel no desire to park in the street. I maintain a no dog policy as well as a no beach and no party policy to further reduce impact.

I maintain a 4.9 star customer satisfaction rating and super host status.

Airbnb has reduced traffic in my driveway from the five cars previously, while living with two roommates and their own guests and or gatherings to a now seldom more than two cars in my driveway as is the current situation.

I have received some concern from A neighbor whose driveway abuts mine and we agreed if I install a privacy fence that would ease his concerns.

Being a single parent with a young child, my driveway has less traffic than your average family of four. The income has afforded me the ability stay in my home in a rising housing cost environment, to maintain critical upkeep to the property and grounds while still maintaining time to homeschool my daughter.

This summer I plan to paint the house, purchase new yard plantings and install a privacy fence. In future years I plan a decorative driveway as well as other façade improvements.

By inspiring me to add curb appeal to the property, Airbnb brings value to the town through local room and meals tax as well as being a conduit for restaurants and other tourist dollars. Airbnb is a critical element in sustaining and growing Burlington's tourist industry.

Airbnb allows me to add value to the neighborhood; switching back to a roommate model can only increase impact on the neighborhood.

Airbnb is not an alternative to the Hilton and Marriott. It is an option for people who want to get a little bit deeper into the culture of our town.

Thanks  
Jonathan

Thanks  
Jonathan

**STATE OF VERMONT  
AGENCY OF NATURAL RESOURCES  
OFFICE OF PLANNING**

RE: Lakeside Ovens, LLC ) DISTRICT ENVIRONMENTAL  
 ) COMMISSION #4  
 )  
 ) APPLICATION #4C1316-1A  
 )  
 ) April 12, 2021

ENTRY OF APPEARANCE

Please enter the appearance of the Agency of Natural Resources (“Agency”), State of Vermont, by and through its staff, Kevin Anderson, in the above-captioned matter.

COMMENTS

**Criterion 1: Water Pollution**

The project is in the surface water source protection area for the City of Burlington’s water system (water system identification number VT0005053). Source protection areas are areas through which contaminants are reasonably likely to reach a public water source and where extra precautions should be taken to minimize contaminant risks to public drinking water. To ensure any inadvertent spill or release of a toxic substance associated with the project is promptly reported to the Agency and City of Burlington, the Agency respectfully requests that the District Commission include the following condition in any land use permit it issues for the project:

*If a spill or release of any toxic substance occurs at the project site, the Permittee or their representative shall immediately report the event to the Vermont Department of Environmental Conservation Spills Program and the Water Division of the Burlington Department of Public Works. The Spills Program can be reached during regular office hours at 802-828-1138 or via the 24-hour hotline at 800-641-5005. Any person reporting a release shall speak directly with a Spills Program representative and cannot report by email, text, or other written form of communication. The person reporting a release shall provide water system identification number VT0005053 to the Spills Program. The Permittee shall provide instructions, with contact phone numbers, for reporting a toxic substance release to all contractors for the Project and those instructions shall be displayed on site.*

**Criterion 1(B): Waste Disposal – Stormwater / Criterion 4: Soil Erosion and Drainage**

The proposed land use permit states a permit will not be issued until the District Commission receives and reviews comments from the Agency regarding, “the proposed construction of a new

gravel wetland in anticipation of future compliance with Stormwater General Permit 3-9050.” As explained in the attached email from Winn Wilson, Environmental Analyst with the Department of Environmental Conservation, the proposed gravel wetland is not required at this time and the Applicant may construct the gravel wetland ahead of applying for coverage under General Permit 3-9050. If desired by the Applicant, Mr. Wilson can review the gravel wetland for conformance with certain design standards of the *2017 Vermont Stormwater Management Manual Rule*; however, his review cannot assess the gravel wetland’s compliance with General Permit 3-9050 without additional information.

The project would modify the limits of disturbance approved in connection with the Applicant’s construction stormwater permit (8275-9020.1); notably, by extending the limits of disturbance towards the shoreline. As suggested by Mr. Wilson, the Applicant should update the risk evaluation associated with that permit to account for the project. If the risk category does not change, the project may proceed under the existing construction stormwater permit.

**Criterion 1(F): Shorelines**

The project site is located along the shoreline of Lake Champlain (Exhibit 001 at 10). The storm drain exiting the proposed gravel wetland passes through an area to be managed as meadow in accordance with the landscaping plan approved under land use permit 4C1316.<sup>1</sup> To demonstrate the project satisfies Criterion 1(F), the Agency respectfully requests that the Applicant clarify whether the area to be occupied by the storm drain, after installation, will be managed as meadow as required by land use permit 4C1316. The Agency believes meadow management in this area helps the project meet standards (i) and (iv) of Criterion 1(F).

Respectfully submitted,  
State of Vermont  
Agency of Natural Resources

By:

/s/ Kevin Anderson  
Kevin Anderson  
Regulatory Policy Analyst  
ANR Office of Planning  
(802) 798-2087

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<sup>1</sup> See Exhibit 035a of land use permit 4C1316.

E-Notification CERTIFICATE OF SERVICE FILE #4C1316-1A

I hereby certify that I, Kevin Anderson, Regulatory Policy Analyst for the Agency of Natural Resources' Office of Planning, sent a copy of the foregoing **Entry of Appearance and Comments**, dated April 12, 2021, regarding File #4C1316-1A by U.S. mail, postage prepaid, to the individuals without email addresses and by electronic mail to those with email addresses as indicated:

District #4 Environmental Commission  
111 West Street  
Essex Junction, VT 05452  
[nrb.act250essex@vermont.gov](mailto:nrb.act250essex@vermont.gov)  
[aaron.brondyke@vermont.gov](mailto:aaron.brondyke@vermont.gov)

Lakeside Ovens, LLC  
c/o Russ Scully  
688 Pine Street  
Burlington, VT 05401  
[russ@hulalakeside.com](mailto:russ@hulalakeside.com)

LandPlan Development Services, LLC  
c/o John Caulo  
61 Central Avenue  
Burlington, VT 05401  
[john.caulo@gmail.com](mailto:john.caulo@gmail.com)

Steve Smith  
SAS Architects  
117 St. Paul Street, Third Floor  
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Katherine Schad, City Clerk  
Chair, Selectboard/Chair, Planning Commission  
City of Burlington  
149 Church Street  
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Chittenden County Regional Planning Commission  
110 West Canal Street, Suite 202  
Winooski, VT 05404  
[permitting@ccrpcvt.org](mailto:permitting@ccrpcvt.org)

Dept. of Public Service  
112 State Street, Drawer 20  
Montpelier, VT 05620-2601  
[barry.murphy@vermont.gov](mailto:barry.murphy@vermont.gov)  
[PSD.VTDPS@vermont.gov](mailto:PSD.VTDPS@vermont.gov)

VTrans Policy, Planning & Research Bureau  
219 N. Main Street  
Barre, VT 05641  
[AOT.Act250@vermont.gov](mailto:AOT.Act250@vermont.gov)

Agency of Agriculture, Food & Markets  
116 State Street, Drawer 20  
Montpelier, VT 05620-2901  
[AGR.Act250@vermont.gov](mailto:AGR.Act250@vermont.gov)

Division for Historic Preservation  
National Life Building, Drawer 20  
Montpelier, VT 05620  
[scott.dillon@vermont.gov](mailto:scott.dillon@vermont.gov)  
[james.duggan@vermont.gov](mailto:james.duggan@vermont.gov)  
[ACCD.ProjectReview@vermont.gov](mailto:ACCD.ProjectReview@vermont.gov)

/s/ Kevin Anderson  
Kevin Anderson, Regulatory Policy Analyst  
Agency of Natural Resources  
Office of Planning

**From:** [Wilson, William](#)  
**To:** [Anderson, Kevin](#)  
**Subject:** 4C1316-1A Lakeside Ovens, LLC  
**Date:** Tuesday, April 6, 2021 8:28:31 AM  
**Attachments:** [image001.jpg](#)

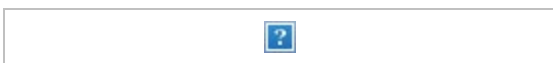
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Good morning Kevin,

Please include the comments below to the NRB with respect to the Building 32 construction and proposed gravel wetland at the HULA site per our previous discussion.

1. The stormwater program would request that the area of disturbance needed for gravel wetland construction be included in an updated Appendix A risk score, as long as there is no change in the risk score category this work would be covered by the current construction stormwater permit.
2. The proposed work on Building 32 and surrounding hardscapes are already covered by stormwater permit 8275-INDS.A. The proposed gravel wetland is not a requirement of any of the currently proposed impervious redevelopment or expansion. The permittee could move forward understanding that the gravel wetland has not been reviewed for stormwater permit compliance. The stormwater program could review the gravel wetland with regards to conformance with the general 2017 Vermont Stormwater Management Manual design layout, however this review would not evaluate the required sizing needed to meet site wide 3 acre requirements under General Permit 3-9050.

Thank you,  
Winn



*Due to the coronavirus (COVID-19), the Agency of Natural Resources is taking additional safety measures to protect our employees, partners and customers. We anticipate we will be working remotely until a least March 31, 2021 and encourage you to communicate electronically or via phone to the greatest extent possible. Thank you for your patience and understanding that responses may occasionally be delayed.*

**Winn Wilson** | Environmental Analyst  
Vermont Department of Environmental Conservation  
Watershed Management Division | Stormwater Program  
Davis 3, 1 National Life Dr | Montpelier, VT 05620-3901  
802-490-8019  
<https://dec.vermont.gov/watershed/stormwater>

**LandPlan Development Services, LLC**

61 Central Avenue  
Burlington, Vermont  
(802) 233-6640 john.caulo@gmail.com

13 April 2021

Mr. Aaron Brondyke, District Coordinator  
Vermont Agency of Natural Resources – District 4 Environmental Commission  
113 West Street  
Essex Junction, Vermont 05452

RE: 44-50 Lakeside Avenue (Building #32)  
Lakeside Ovens, LLC –\_4C1316-1

Dear Aaron:

With regards to the *Entry of Appearance* by Kevin Anderson, VANR-Office of Planning in the above-referenced matter, we offer the following:

**Criterion 1: Water Pollution**

Per the Applicant's submission materials provided to the District Commission as part of Act 250 applications 4C1316, 4C1316-1 and 4C1316-1A, the Project does not involve the production or handling of any toxic substance. This fact notwithstanding, the Applicant does not object to the inclusion of the proposed condition offered by Mr. Anderson.

**Criterion 1(B): Waste disposal – Stormwater / Criterion 4: Soil Erosion and Drainage**

Per the communication from Winn Wilson at VT-DEC, we understand the proposed gravel wetland is not required to be installed at this time. The decision as to whether to proceed at his time will be made by the Applicant after reviewing proposed cost estimates for the Work. Regardless, the Applicant will update the risk evaluation and limits of disturbance of the existing construction stormwater permit and amend the existing permit accordingly.

**Criterion 1(F): Shorelines**

The Applicant agrees that the area to be occupied by the storm drain, after installation, will be managed as a meadow as required in Permit 4C1316.

Thank you for your continued assistance in processing this application. If additional information is required, please advise.

Sincerely,

LANDPLAN DEVELOPMENT SERVICES, LLC  
John Caulo

cc. Russ Scully, Lakeside Ovens, LLC  
Hannah Wingate, Engineering Ventures