



# CIVIL ENGINEERING ASSOCIATES, INC.

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December 8, 2021

Mary O'Neil, AICP, Principal Planner  
Permitting & Inspections  
645A Pine Street  
P.O. Box 849  
Burlington, VT 05402-0849

**Re: 570 South Prospect Street  
Zoning Permit Application**

Dear Ms. O'Neil:

Please find enclosed Zoning Permit Application and supporting information for a proposed 2-lot PUD and tree removal at 570 South Prospect Street.

The landowner of 570 South Prospect Street, Amy E. Tarrant Living Trust, seeks approval for a proposed 2-lot planning unit development (PUD) in addition to proposed tree removal. Based on Section 4.4.6.c, "...PUDs may be permitted pursuant to the standards and procedures of Article 11 hereof for residential development in accordance with the low-density residential district (RL) allowances and standards for any property in excess of five acres which is located in the RCO-RG district south of Main Street. Any residential uses in the RCO-RG district south of Main Street existing on January 1, 2007 shall be treated as conforming uses and not otherwise subject to the restrictions for non-conforming uses pursuant to Sec.5.3.4." The property, which exceeds five acres, is located within the Recreation/Greenspace (RCO-RG) zoning district, south of Main Street.

The existing lot is 33.47 acres and includes an existing single-family dwelling, also known as the Fairholt Estate, located at 570 South Prospect Street. Lot 1 will host the existing single-family dwelling. No changes to the existing residential access, a private drive that traverses the Burlington Country Club, are proposed as part of this application. The existing dwelling includes a municipal water service connection and an on-site wastewater system. Proposed Lot 2, located to the east of Lot 1, will contain a future single-family dwelling and will be accessed via a proposed access easement on the adjoining property to the north, 584 South Prospect Street.

The proposed lot sizes are:

Lot 1: 28.85 acres

Lot 2: 4.62 acres

The table included on enclosed Sheet C2.0 summarizes the dimensions of each of the two lots, in addition to lot coverage. Please refer to enclosed Sheet C2.0 for the Lot 2 proposed building envelope. Slopes in excess of 15 percent are depicted and have been taken into consideration with respect to development. No construction is proposed as part of this application. The proposed residential development of Lot 2 will be permitted in subsequent applications. Please refer to enclosed plat for additional detail.

Tree removal is required for the proposed residential development of Lot 2. William De Vos, ASCA Registered Consulting Arborist, visited the site and prepared the enclosed Tree Assessment, which provides detail on the existing stand and guidance with respect to clearing.

The following is a project narrative demonstrating conformance with:

- **City plans:**

According to Article 4, *“the Recreation/Greenspace District is intended to provide a diversity of passive and active recreational opportunities and other urban green spaces that provide for public use and enjoyment. The District includes a wide spectrum of recreational opportunities including developed parks with active public-use facilities, undeveloped open areas, dog parks, community gardens, urban parks and pocket parks, playgrounds, transportation corridors, and cemeteries. The District also includes private property, including a golf course and residential properties, where appropriate future development could be provided.”* In conjunction with Section 4.4.6.c, the proposed residential development of Lot 2, located on an existing residential property, where appropriate future development could be provided, meets the City’s intentions for the RCO-RG zoning district. Please refer to the table on enclosed Sheet C2.0, which demonstrates compliance with the RCO-RG’s lot coverage requirements, which meets the City’s goals of preserving open spaces for this district. Enclosed Sheet C2.0 depicts the proposed building envelope for Lot 2.

- **The capacity of municipal infrastructure:**

We do not anticipate that the addition of one proposed single-family dwelling on Lot 2 will exceed the capacity of municipal infrastructure.

- **Overall site development and configuration including, but not limited to:**

- **Preservation of open spaces and natural resources:**

Please refer to the table on enclosed Sheet C2.0, which demonstrates compliance with the RCO-RG’s lot coverage requirements, which meets the City’s goals of preserving open spaces for this district. Enclosed Sheet C2.0 depicts the proposed building envelope for Lot 2. The area of proposed development is not mapped as being within the Natural Resource Protection Overlay District.

- **Layout of blocks and lots:**

This application proposes no new blocks. Lot 2 will be located to the east of Lot 1.

- **Streets:**

This application proposes no new streets; therefore, this item is not applicable.

- **Sidewalks:**

The existing lot is largely encompassed by the Burlington Country Club. As there are no existing municipal sidewalks near the project with which to connect, this application proposes no new sidewalks.

- **Pathways and other access ways:**

This application proposes the subdivision of an existing lot, in the form of a PUD, with the proposed future use of Lot 2 being a single detached dwelling. No pathways are proposed as part of this application. Lot 2 will be accessed via a proposed access easement on the adjoining property to the north, 584 South Prospect Street.

- **Stormwater management system:**  
This application only proposes the subdivision of an existing lot, in the form of a PUD, and tree removal on Lot 2. The future development, and related stormwater management systems, of Lot 2 will be permitted separately in subsequent applications. Lot 2 generally drains from west to east. Based on available United States Department of Agriculture (USDA) mapping, the eastern portion of the parcel features soils with infiltrative properties, Hinesburg fine sandy loam, 3 to 8 percent slopes (HnB), classified by the USDA as hydrologic soil group A.
- **Water:**  
The existing dwelling at 570 South Prospect Street is served by a municipal water service connection. The proposed single-family dwelling on Lot 2 will be served by a proposed municipal water service connection. At this time, it is anticipated that the City Water Resources Division has the capacity to serve the proposed single-family dwelling on Lot 2.
- **Sanitary sewage:**  
The existing dwelling at 570 South Prospect Street is served by an on-site wastewater system. The future single-family dwelling on Lot 2 will also be served by a proposed on-site wastewater system. Test pits have been analyzed on the southern portion of Lot 2 and soils suitable for an on-site wastewater system have been confirmed.
- **Other utility systems:**  
The future development, and related utility systems, on Lot 2 will be permitted separately in subsequent applications.
- **Buffering of uses:**  
The existing and proposed uses are largely encompassed by the Burlington Country Club, in addition to an existing residential use to the north of Lot 2.
- **The requirements of the underlying zoning district(s) and all applicable overlay district(s) as set forth in Article 4:**  
The project is located in the Recreation Green Space (RCO/RG) zoning district and the Design Review overlay district. *“The District also includes private property, including a golf course and residential properties, where appropriate future development could be provided.”* Based on Article 4, *“...a planned unit development may be permitted pursuant to the standards and procedures of Article 11 hereof for residential development in accordance with the low-density residential district (RL) allowances and standards for any property in excess of five acres which is located in the RCO-RG district south of Main Street. Any residential uses in the RCO-RG district south of Main Street existing on January 1, 2007 shall be treated as conforming uses and not otherwise subject to the restrictions for non-conforming uses pursuant to Sec.5.3.4.”*
- **The review criteria for Conditional Uses and Major Impact in Article 3, Part 5 where applicable:**  
Conditional Uses:  
The proposed use for Lot 2, a single detached dwelling, is not classified as a Conditional Use in Appendix A – Use Table; therefore, this item is not applicable.

Major Impact:

Based on Section 3.5.2, the subdivision of land and dwelling units are not classified as Major Impacts in the RCO-RG zoning district; therefore, this item is not applicable.

- **The requirements of Article 5 with regard to Special Uses and Performance Standards as applicable:**

Special Uses:

The proposed use for Lot 2, single detached dwelling, is not classified as a Special Use in Article 5; therefore, this item is not applicable.

Performance Standards:

With respect to Section 5.5.3, this application only proposes the subdivision of an existing lot, in the form of a PUD, and tree removal on Lot 2. The future development, and related stormwater management systems, of Lot 2 will be permitted separately in subsequent applications.

With respect to Section 5.5.4 Tree Removal, please refer to enclosed Tree Assessment, prepared by William De Vos, ASCA Registered Consulting Arborist.

- **Land Division Design Standards Section 6.1.2:**

a) **Protection of important natural features:**

**The arrangement of blocks and lots shall preserve watercourses, wetlands, steep slopes, flood-prone areas, rock outcroppings, wildlife habitat and travel corridors specimen trees and contiguous stands of forest, and other sensitive ecological and geological areas to the extent practicable.** Based on available Agency of Natural Resources (ANR) mapping, Lot 2 does not include any mapped watercourses, flood-prone areas, habitat blocks, significant natural communities, uncommon species, or trail corridors.

We anticipate that the existing tennis court on Lot 1 was erroneously mapped by the United States Department of the Interior as a Class 2 wetland during the processing of data from high-altitude photographs. There is a margin of error inherent with the use of high-altitude photographs where there is visible reflective standing water. Based on available ANR mapping, no mapped hydric soils or watercourses exist in the immediate vicinity of the tennis court.

Although available ANR mapping indicates that project area, in addition to the adjacent, existing residential uses, and the majority of the Burlington Country Club, once supported small whorled pogonia (*Isotria medeoloides*), a rare woodland orchid, this species has not been observed at the site in over a century. The original discovery in 1902, consisting of a single plant, is the only record of this species in Vermont. Given that it has not been reported for 119 years, it is ranked “SX” or “Presumed Extirpated.” The aforementioned is based on findings in the Act 250 database (reference Land Use Permit 4C1278) and a USDA Species Review, dated 2019.

Tree removal is required for the proposed residential development of Lot 2. William De Vos, ASCA Registered Consulting Arborist, visited the site and prepared the enclosed Tree Assessment, which provides detail on the existing stand and guidance with respect to clearing.

Available ANR mapping indicates that a bedrock outcrop is located to the north of the existing tennis court on Lot 1. Based on field reconnaissance, CEA staff did not observe an outcrop in this area.

Please refer to locations of slopes in excess of 15 percent, as depicted on enclosed Sheet C2.0.

**b) Block Size and Arrangement:**

**The size and arrangement of new blocks shall maintain the size and arrangement of existing neighborhood blocks within the zoning district, and support the pattern of interconnected streets throughout the city.** No new blocks are proposed as part of this application; therefore, this item is not applicable.

**c) Arrangement of lots:**

**The size and arrangement of new lots shall reflect and perpetuate the existing development pattern of the surrounding neighborhood. Lots shall be created in such a way as to enable their development pursuant to the requirements of this ordinance, and ensure a clear transfer of title.** The project is located in a rather unique part of Burlington where the existing adjacent residential lots are generally expansive in size and are collectively encompassed by the Burlington Country Club. Proposed Lots 1 and 2 have been designed to meet the City's development requirements for the RCO-RG Zoning District.

**Interior lot lines extending from a street should be perpendicular or radial to the street right-of-way line to the greatest extent feasible. Flag lots and through lots are discouraged, and shall be allowed only to the extent where topography and existing block and lot arrangement allow no suitable alternative. In such cases, a minimum frontage for access of 20-feet shall be required.** Proposed Lots 1 and 2 are largely encompassed by the Burlington Country Club parcel, which buffers the lots from direct frontage along South Prospect Street. Proposed Lots 1 and 2, and the existing adjacent residential lots to the north, are all accessed via an existing private drive that traverses the Burlington Country Club. This application does not propose any flag lots or through lots.

**d) Connectivity of streets within the city street grid:**

**The established grid of interconnected streets shall be maintained and extended to the extent practicable. All streets shall be in conformance with applicable street design & construction details as provided by the Department of Public Works, and shall be dedicated to the City.** No new streets are proposed as part of this application; therefore, this item is not applicable.

**e) Connectivity of sidewalks, trails, and natural systems:**

**The established sidewalk network shall be maintained and extended to the extent possible. Trail networks and uninterrupted corridors of greenspace outside of the established street grid should be maintained and extended wherever possible. All sidewalks shall be in conformance with applicable street design & construction details as provided by the Department of Public Works, and shall be dedicated to the City.** Proposed Lot 2, which is encompassed by privately-owned land, is not located adjacent to the City's right-of-way along South Prospect Street. This application does not propose any



changes to the existing sidewalk along South Prospect Street and no new sidewalks are proposed as part of this application. The eastern portion of Lot 2 contains an existing golf course path.

With respect to Section 6.2 - Site Plan Design Standards and Section 6.3 – Architectural Design Standards, no construction is proposed as part of this application. The proposed development of Lot 2 will be permitted in subsequent applications.

This concludes our summary of the proposed 2-lot PUD and tree removal at 570 South Prospect Street. If you should have any questions or require any additional information, please feel free to contact me at 864-2323, ext. 315 or at [jmilbank@cea-vt.com](mailto:jmilbank@cea-vt.com).

Respectfully,



Jack Milbank  
Project Manager/Survey Coordinator

Enclosures: Zoning Permit Application, Property Owner Consent Form, COA Level III Preliminary Plat Checklist, \$800.00 application fee (\$200.00 and \$300.00 per lot), Tree Assessment, Preliminary Plat, and site plan sheets C1.0 and C2.0

cc: Ronald Roberts (electronic copies), CEA File 20156

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