

Department of Permitting and Inspections

Zoning Division

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MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Principal Planner
Date: March 21, 2023
RE: ZP-23-57; 78 Crescent Road

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.

File: ZP-23-57

Location: 78 Crescent Road

Zone: RL **Ward:** 6

Parking District: Neighborhood

Date application accepted: February 16, 2023

Applicant/ Owner: Danielle Roberts

Request: Remove 20 trees



Background:

- **Zoning Permit 85-101;** construct a single family home with attached garage on an existing vacant lot. April 1985.

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Overview:

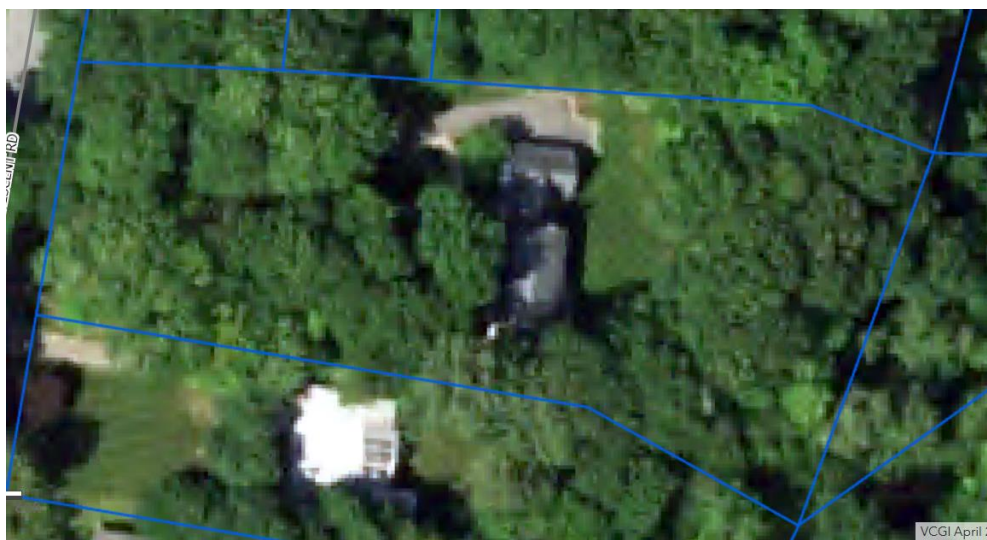
The applicant, who has recently purchased the home, wishes to remove 20 trees from the existing lot with a single family home. The applicant does not meet the exemption under Section 3.1.2 (c) 2.: *The removal of trees from any lot containing a single family home or duplex which consists of no more than three-quarters (3/4) of one acre* as the lot size exceeds that limitation at 77,972 sf.

Recommended motion: Consent approval, per the following Findings and conditions:

I. Findings



2018 Color aerial photograph (above) and 2016 (below.)



Article 5: Citywide General Regulations

Sec. 5.5.4, Tree Removal

(a) Review criteria for zoning permit requests for tree removal

(1) Grounds for approval

Tree removal involving six (6) or more trees, each of ten (10) inches or greater in caliper or the removal of ten (10) or more trees, each of which is three (3) inches or greater in caliper during any consecutive twelve (12) month period may be permitted for any of the following reasons:

A. Removal of dead, diseased, or infested trees;

B. Thinning of trees for the health of remaining trees according to recognized accepted forestry practices;

C. Removal of trees that are a danger to life or property; or,

D. As part of a development with an approved zoning permit.

The applicant has provided an email requesting tree removal largely on the advice of his insurance company, and for the benefit of increased solar gain. See attached email.

A representative from Barrett's Tree Service submitted the following:

Some of the trees are dead or dying, some of these trees are being removed because they are higher risk/danger trees that have weak structures or rot/decay and they pose a threat to the property. Some of the tree removals are required for additional light to the house and roof to prevent moisture issues. Some are being removed due to the overcrowding and by thinning out will promote better quality growth/ health of the remaining trees. Average diameter is 20"-22" DBH

Affirmative finding.

(2) Grounds for denial

Tree removal involving six (6) or more trees, each of ten (10) inches or greater in caliper or the removal of ten (10) or more trees, each of which is three (3) inches or greater in caliper during any consecutive twelve (12) month period may be denied if existing healthy trees are known to be:

A. Providing a significant privacy or aesthetic buffer or barrier between properties;

Trees will remain between the house and the road, and the house and the easterly property.

B. Providing stabilization on slopes vulnerable to erosion;

Not applicable.

C. Located within a riparian or littoral buffer;

78 Crescent Road is not within the Natural Resource Composite Overlay zone; nor in the Riparian Littoral Overlay. **Affirmative finding.**

D. Provide unique wildlife habitat;

The parcel does not fall within any of the Recreation, Conservation and Open Space Districts; or the Natural Resource Protection Overlay District. **Affirmative finding.**

E. A rare northern Vermont tree species as listed by the Vermont Natural Heritage Program;

None identified.

or,

F. A significant element or, or significantly enhances, an historic site.

Not applicable.

II. Conditions of Approval

1. Standard Permit Conditions 1-15.

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