

CATHEDRAL OF ST. JOSEPH

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October 27, 2022

Mr. Scott Gustin, City of Burlington Zoning Administrator
Office of Permitting and Inspections – Zoning Division
645A Pine Street – PO Box 849
Burlington, Vermont 05401

RE: 20 Pine Street
Demolition Permit Application

Dear Mr. Gustin:

Please accept this letter and other supporting documentation as The Cathedral of the Immaculate Conception Parish Charitable Trust's (the "Parish") formal filing of a demolition permit application to remove the Church of the Immaculate Conception (the "Church"), free-standing bell tower, and surrounding grove of trees from 20 Pine Street in Burlington. In addition to the online application form, the following documents are included in support of the application:

1. Existing Site Plan with Lot Coverage Calculation prepared by Freeman French Freeman
2. Proposed Site Plan with *Google Earth* aerial imagery depicting open space conditions after the removal of the Church and surrounding grove of trees.
3. Site Photographs:
 - Building Corner – East
 - Building Corner – Southwest
 - Building Entry – North
 - Building Corner – Northwest
4. Legal Memorandum from James P. Langan, Esq., dated October 27, 2022.

As you are aware, the Parish initiated this permit process in December 2021 with a prior application. That application was withdrawn in early February 2022 after your office determined it would be subject to the full provisions of Section 5.4.8 of Burlington's Comprehensive Development Ordinance addressing the demolition of historic structures. We continue to believe Section 5.4.8 does not apply to this application for many reasons, as detailed in Mr. Langan's memo. Among the reasons are that the Church does not meet the criteria listed in Section 5.4.8 for a building to be

eligible for historic registry listing because the Church is not yet 50 years old and that the City's authority to regulate the historic attributes of a church is restricted by State and Federal statutes.

The Parish wants to desanctify the Church and take this property out of liturgical use. One of the methods of completing the deconsecration of a sacred space recognized by canon law is the demolition of a church. The Parish has chosen demolition because it is the clearest way to show the reduction of a property's sacredness. The Parish believes that the razing of the Church is the best way to help our parishioners cope with the loss of this parish, cleanse the site, and prevent any future non-sacred use of the property. A denial of the Parish's demolition permit application would mean that the Parish is unable to desanctify the Church and its property in the way the Parish believes would best serve the Parish and its parishioners. In addition, a denial of the application would mean that the Parish is unable to focus its resources on the religious mission and charitable work at the neighboring Cathedral of Saint Joseph.

The Parish is contemplating a sale of 20 Pine Street and has the property under contract. After the property has been cleared and the transaction successfully executed, I expect the proposed buyer will, in a reasonable time period, submit an application to the City for the redevelopment of the property in accordance with the new form-based code provisions of the Ordinance. Until that time, it is the intention of the Parish to continue to maintain and use the property.

Thank you for your attention to this application. If additional information is required, please advise.

Sincerely,

A handwritten signature in cursive script that reads "Monsignor Peter A. Routhier".

Monsignor Peter A. Routhier