Project Narrative – This application is for Planned Unit Development and involves 4 existing lots with the following addresses: 273 Pearl Street, 11 Hungerford Terrace, 15 Hungerford Terrace and 21 Hungerford Terrace.

The Properties are currently improved as follows:

273 Pearl – Mixed use building housing a small dental office and a one bedroom apartment
11 Hungerford Terrace. 5 unit apartment building
15 Hungerford Terrace. Single family dwelling. Note: The applicant obtained a permit to make this building a duplex apartment building, but the conversion to duplex was not commenced or completed.
21 Hungerford Terrace. Single family dwelling. Note: The applicant has also obtained a permit to make this building a duplex, but the conversion to duplex was not commenced or completed.

Note: Applicant has obtained zoning permits to convert the house to be dismantled, 11 Hungerford Terrace, to a duplex and has not commenced construction. Similarly, applicant has obtained a permit to convert 21 Hungerford Terrace house to a duplex, but has chosen not to do so and has not commenced this construction. In lieu of the foregoing duplex conversions, applicant seeks an affirmative finding to instead to construct the Project described herein.

The applicant seeks to construct a new multi-tenant residential building to house 12 residential apartment units with and related parking and other supporting infrastructure on the combined site.

In order to support the new construction, the applicants seeks:
1) removal of the modular cape cod style house located at 15 Hungerford Terrace;
2) Removal of a garage structure on the 11 Hungerford Terrace Lot;
3) Moving of an existing garage structure back to the rear of the 11 Hungerford Terrace lot
4) Removal of a conjectural side porch on the Southerly elevation of the house at 21 Hungerford Terrace.

Total new units proposed = 11 apartment units (12 new minus the one unit currently being removed at 15 Hungerford Terrace)

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**Major Impact Review Standards**

1. **Sufficiency of water, water supply and distribution, public infrastructure, capacity of existing and planned community facilities generally.**

The Project location is an existing high density residential area very close to the urban core and approximately three (3) blocks from Church Street. The Project is located within the Residential High Density Zoning District.

The City's intent for the RH Zone at CDO Section 4.4.5 (a) (5) is as follows:

"The Residential High Density (RH) district is intended primarily for high density attached multi-family residential development. Development is intended to be intense with high lot coverage, large buildings, and buildings placed close together. Parking is intended to be hidden either behind or underneath structures."

1
For purposes of residential construction, if an area is zoned for housing and a lot can accommodate the density, the cumulative impact of housing shall be considered negligible; The parcel is zoned for high density residential housing, and can accommodate the proposed density. The cumulative impact must be considered negligible.

The City has planned for development in the RH Zone on a large scale. It has accordingly set requirements in the form of the CDO to allow for high intensity of residential development near the downtown core where community facilities and infrastructure has already been invested in, created and concentrated. The CDO allows for 40 dwelling units per acre in the RH Zone before consideration of bonuses to take advantage of this existing infrastructure. This is not by accident. Water and sewer infrastructure is robust and runs to the Site. Substantial metered parking extends along Pearl Street and non-metered parking spaces along Hungerford Terrace adjacent to the Project. There are four parking garages within 5 blocks of the Project. The main fire station for the City is 4 blocks away few hundred yards away. The police station is approximately 9 blocks away. Schools are nearby. However, the Project is highly unlikely to generate additional school demand given the likely tenant population being young professionals or students.

The net addition of just eleven (11) new residential units will increase the intensity of use at the site. Given the High Density Residential Zoning District and the housing crisis that exists in the City, more dwelling units are both anticipated and encouraged by the CDO and the MDP, however.

**Impact Fees/Incremental Property Taxes Supporting Infrastructure.**

An impact fee is a fee imposed by local government on a new project to pay for public services. The increase in the number of dwelling units would be off-set by the payment of Impact Fees, and would thus pose no adverse impact to existing or planned community facilities.

The MDP directs housing density to occur in the RH zone, in large part because nearby infrastructure already exists, has capacity and is concentrated nearby. Higher density such as this Project located near the downtown core provides very substantial tax benefits to the City. These benefits are proportionately larger than any incremental infrastructure use arising from the Project. The Applicant estimates that the incremental tax benefit to the City above existing conditions would be at least $31,250 annually, without the likelihood putting children in the school system. As such, the Project is not a detriment to City facilities. Rather, it is a substantial boon to the City’s capital infrastructure budget far into the future.

**Major Impact Review Standards**

The Project shall...

1. **Not result in undue water, air or noise pollution;**

   **Applicant’s Response:** The proposed project would only improve the situation as it relates to these impacts.

   The site currently slopes to the West and does not have modern infrastructure to control these impacts. Stormwater and erosion impacts will be taken into account and there will be a substantial improvement by using current engineering methods. Engineered stormwater and erosion control infrastructure will be constructed as part of the proposal meeting the City’s
requirements of Article 5, Sec. 5.5.3 of Burlington's Comprehensive Zoning Ordinance. Snow would be plowed and removed from site when necessary.

The proposal will not cause undue Noise pollution. The Project is not anticipated to generate substantial noise pollution. We choose are tenants carefully and require them to sign a good neighbor policy. As such, we anticipate continued success in managing noise impacts in a densely populated area.

As to air pollution, the site's proximity to employers, public transport and urban infrastructure will allow tenants of the property to avoid the automobile altogether. It will thus provide tangible opportunity to replace use of the automobile with pedestrian, bicycle and public transport and accordingly help minimize air pollution.

2. **Have sufficient water available for its needs;**

   **Applicant's Response:** The proposed project would be served by the municipal water service administered by the Department of Public Works. The Applicant will obtain a water allocation from the Department of Public Works sufficient to support the proposed project.

3. **Not unreasonably burden the city's present or future water supply or distribution system:**

   **Applicant's Response:** Applicant is only proposing to add a net of 11 apartment units to the Site which is already served by the municipal water service. Water lines (including a waterline for sprinkler system) already exist at the Hungerford Terrace site. There is no reason to believe that the addition of 11 residential units would unreasonably burden the City's present or future water supply or distribution system.

In fact, in 1984 the City's capacity of the water system was expanded to 18 million gallons per day (MGPD) and Burlington's water system typically operates at one-third or less of its total capacity.

4. **Not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;**

   **Applicant's Response:** Applicant will submit an engineered Erosion Prevention and Sediment Control Plan and refers to those proposed measures as a means of avoiding such adverse impacts. Additionally, maximum lot coverage permitted in this zoning district is 92% with the affordable housing component. Applicant's proposal is at or below the allowed lot coverage.

5. **Not cause unreasonable congestion or unsafe conditions on highways, streets, waterways, railways, bikeways, pedestrian pathways or other means of transportation, existing or proposed;**

   **Applicant's Response:** Applicant is only proposing to add 11 residential units of to the site which is located in a high-density residential (RH) zoning district. This is well within the maximum build-out allowed under the CDO. In addition, the site is also extremely well located on Hungerford Terrace within/near the urban core of the City. Accordingly, it is one of the precious few locations remaining in the State where multiple modes of transport are extremely viable. In this location use of an automobile is very often less convenient than walking, cycling
or public transport. Within 1 to 5 blocks of the Site, the rich urban infrastructure of downtown Burlington unfolds. The shops and restaurants of Church Street are within 3 blocks. Fletcher Free Library is approximately 3 block away. The Chittenden County Court house is within 5 blocks. Hundreds of employers lie within a 1 to 8 block radius of the site. Any increase in traffic of any sort should be easily absorbed by the existing urban infrastructure.

Public Transport. Public transport is extremely convenient from the Site. There is a bus stop approximately one block away with service regularly from CCTA along Pearl Street, which is a Major Street.

Bike Friendly Building/Pedestrian Friendly Building. The Applicant will also offer amenities to all residential tenants that will make bicycle use extremely convenient and will also make walking a convenient mode of transportation. Included within each apartment will be a wall mounted bicycle rack for one bicycle. Interior climate controlled bicycle storage will also be offered on site. A fixed bike rack will be provided outside of the building. In addition, tenants will be offered free use of several caged trolleys. These trolleys will be designed for use as either pedestrian shopping carts or bicycle mounted shopping carts when shopping at near City Market and other Burlington shops. The carts will serve as shopping carts with the intent that the tenant can wheel inside City Market and back home.

6. Not cause an unreasonable burden on the city’s ability to provide educational services;

   Applicant’s Response: The target demographic for tenants of the proposed project would be adults without minor children, primarily workers who work in the City or students. It is unlikely that this project would draw many tenants with school-age children who would be entering the Burlington School District, if any.

7. Not place an unreasonable burden on the city’s ability to provide municipal services;

   Applicant’s Response: There is no reason to believe that the addition of this small number of residential units would unreasonably burden the city’s ability to provide municipal services given the location so close to the urban core.

Solid waste will be picked up regularly by private hauler.

According to the MDP, the Burlington Police Department meets national standards by providing two police officers per one thousand residents. The addition of just 11 residential units would therefore not have any material impact on the City’s ability to provide police services.

The Proposal would not unreasonably burden the City’s ability to provide fire services. According to the MDP, fire department officials believe they have adequate facilities and equipment with which to fight fires as long as building heights do not increase significantly beyond the current maximum heights. The new and existing construction on the site will meet the height limit of 35’ allowed by the CDO for the RH zone.

The new apartment building on the site will be fully sprinklered with a type 13 R automatic sprinkler system and a fully automated integrated fire alarm system. It is important to note that newer structures, equipped with sprinklers and fire alarms tied into the fire department electronically are less likely to burn than older buildings. Much of the City’s housing, old and new is wood frame construction. Accordingly, the addition of a fully sprinklered building to the housing stock will only help this situation.
8. Not have an undue adverse effect on rare, irreplaceable or significant natural areas, historic or archaeological sites, nor on the scenic or natural beauty of the area or any part of the city;

Applicant’s Response:

There are no rare, irreplaceable or significant natural areas or archaeological sites at the subject property being unduly impacted. The existing buildings at 11 and 21 Hungerford Terrace are eligible for listing or have been listed on the state’s historic registry and are contributing structures in this Historic District. These structures are being preserved for the most part.

The 15 Hungerford Terrace house was built in the 1970s and is not historic. The proposal is to remove the existing house at 15 Hungerford Terrace and move it to another location off site.

There is one outbuilding (a garage on the 11 Hungerford Terrace site) and a conjectural side porch to 21 Hungerford Terrace that are sought to be removed in order to provide for the substantial public benefit of additional housing. The additional housing and related infrastructure as proposed would not be possible without such removal. The revenues from additional housing will be used to protect and preserve the two primary historic structures on the combined site. (11 Hungerford Terrace building has already been completely renovated on the interior and improved by Applicant with a fully automated sprinkler system and fire alarm system. Thus helping to assure its preservation into the future.) Given the foregoing and the substantial public benefit of additional housing, the impacts in this criteria are not undue and adverse. For a complete analysis of the criteria impacted by removal of the 11 Hungerford Garage, see Exhibit G-11H hereto. For a complete analysis of the criteria impacted by removal of the 11 Hungerford Garage, see Exhibit SP-21H hereto.

The Applicant recognizes that the MDP seeks to respect the city’s architectural heritage and to conserve the existing elements and design characteristics of its neighborhoods and maintain neighborhood proportions of scale and mass, as well as supporting the development of additional housing within the city.

Accordingly, the primary vertical construction will be completely detached from the buildings at 11 Hungerford and 21 Hungerford Terrace and no material changes to the existing buildings at 11 and 21 Hungerford are contemplated other than changes toward the side of 21 Hungerford Terrace. There will be site changes on the 11 and 21 Hungerford lots, which will have impacts only to the rear of the 11 and 21 Hungerford sites. The site changes have two primary purposes. First, to provide greater accessibility to the existing structure as well as to the new construction. The new residential units will comply with the VT Access Rules 2012, by providing two fully accessible HC parking spaces and the required number of HC accessible units. Second, the new apartment structure will help facilitate common use of shared facilities across the site such as an exercise room, storage, bicycle storage and a common lobby.

In summary, the design seeks to minimize impacts on historic features of the existing structures at 11 and 21 Hungerford. This is why Applicant chose not to add on to 11 and 21 Hungerford structures, but rather to build on the middle lot (15 Hungerford) primarily and to the rear of the 11 and 21 Hungerford lots.
The Applicant submits that the proposed new structure is compatible in style with the Hungerford Terrace Historic District. The new addition has been carefully planned to be substantially compatible to the existing building height, massing and arrangement on the street. The Site slopes substantially to the West and the site has an open area to the West that is open for development. The development plan thus exercises the Hungerford Terrace grade change to ‘sink’ the basement substantially from view from Hungerford Street, while accommodating an attractive walk-out provision. It is also of note that the structure reflects the design and massing of two buildings across the street and within 40’ of the Site.

As for the scenic or natural beauty of the area, there are no public viewscapes to impair. Applicant intends to preserve the existing mature trees on the streetscape and to locate new development on the site in a manner which respects the topography.

9. Not have an undue adverse effect on the city’s present or future growth patterns nor on the city’s fiscal ability to accommodate such growth, nor on the city’s investment in public services and facilities;

   Applicant’s Response: The proposed project is to be located in the RH district within the maximum unit limits prescribed by the CDO, where the CDO directs multi-unit residential housing to be constructed. Accordingly, this criteria represents one of the primary strengths of this Project. The proposal provides infill, thus augmenting an already existing development pattern within a largely built up environment, rather than sprawling out the pattern of development. The RH zone of the City is a mostly built out environment with some limited opportunity for small scale infill development such as the subject site. Infill development of this sort are incorporated within and take advantage of existing development patterns, thus avoiding sprawl impacts.

   Infill of this sort also maximizes the City’s existing investment in infrastructure. City services and facilities are already concentrated within the nearby urban core and the RH Zone. Accordingly, infill development as directed by the City provides substantial benefits, while utilizing existing infrastructure and thus avoiding the substantial associated capital costs of additional infrastructure.

   As a result, the CDO expressly directs multi-unit residential development to occur in the RH zone to maximize the City’s existing infrastructure investment. "The Residential High Density (RH) district is intended primarily for high density attached multi-family residential development. Development is intended to be intense with high lot coverage, large buildings, and buildings placed close together." City of Burlington Comprehensive Development Ordinance, Section 4.4.5(a)5. The RH zone of the City is a mostly built out environment with some limited opportunity for small scale infill development such as the subject site. Infill development of this sort takes advantage of existing infrastructure and development patterns, thus avoiding sprawl impacts that include additional infrastructure costs.

10. Resource Utilization. The Site’s many advantages in this regard are outlined throughout. Primarily, the location and improvements proposed provide for the ability of tenants to live, work and play within walking and biking distance. This will result in a project with among the lowest resource utilization profiles possible in the entire State of Vermont. Notably, the Project provides for substantial amount of fenestration, thus providing ample opportunity for
solar gain. Energy efficiency and insulation standards provided under State law and City ordinance will be followed.

11. Be in substantial conformance with the city’s municipal development plan and all incorporated plans:

   Applicant’s Response: Regarding the MDP, the proposed development is in conformance with but also gives direct effect to the MDP.
Exhibit G-11H
Demolition of Dilapidated Garage on 11 Hungerford Terrace Lot

Description of Structure proposed for Demolition and Site.
The only structure proposed to for demolition its entirety in connection with the subject application is a subordinate, dilapidated out building used as a garage located on the 11 Hungerford Terrace.

The primary structure on the lot is a five (5) unit residential apartment building located nearest to Hungerford Terrace which has undergone a complete interior renovation and thus has been preserved by Applicant. The only other structure on the 11 Hungerford Terrace lot is the dilapidated subordinate garage structure.

11 Hungerford Terrace is a narrow lot of about 50’ in width that slopes substantially to the West. The subject garage structure is set back on the lot about 60’ feet from Hungerford Terrace, just beyond the Westerly façade of the primary structure on the site. The garage is built into the grade close to the southerly boundary line. The elevation between the Easterly facing front of the garage and the back of the garage drops off about 8’. The location of the garage structure on the narrow lot approximately mid-way across the narrow lot blocks access and creation of parking and other infrastructure necessary for the proposed project and also interferes with creation of habitable space on the combined lots.

The subject garage is in substantial disrepair, to the point where it is structurally unsound and cannot be rehabilitated or moved to better accommodate economically feasible development of the Combined Site.

The garage structure is a primarily wood structure with two levels, a partially below ground level and a street facing level with a wood floor that is above ground. The garage structure appears to have been built at the same time as the primary structure on the Property and has been substantially altered since its original construction. As noted above, Applicant has undergone a complete interior renovation of the existing primary structure on the lot, to include a complete interior renovation and sprinkler system to preserve the property.

Applications for Demolition of an entire structure are governed by Article 5.4.8(d) of the City of Burlington Comprehensive Development Ordinance.

A. The Structure Proposed for Demolition is Structurally Unsound Despite Ongoing Efforts to Maintain.

One very substantial reason for the proposed demolition is that the garage structure is unsound. See report of Scott + Partners Architects attached (the “Architects Report”), confirming the following defective conditions:

The foundation and footings appear to have been improperly installed originally. As a result, the slab and foundation is sinking up to 42 inches in some places. In addition, there is extensive water
leakage through the roof and siding. The compromised roof and siding systems have caused substantial issues, including, but not limited to:

- structural supports rotting
- rotting of wall systems
- white mold infiltration

As a result of the foregoing, the structure is unsound for use as a garage structure.

The Applicant acquired the 11 Hungerford Terrace property in March of 2018. Since that time, the Applicant has sought diligently to properly maintain the structure. Primarily, this has consisted of installing beams to support the first floor that is sinking and settling substantially. (See pictures attached and Architects Report). However, given the existing compromised foundation and footings, such work is not likely to achieve lasting positive results structurally.

B. **The structure cannot be rehabilitated or reused on site as part of any economically beneficial use of the property in conformance with the intent and requirements of the RH Zone and cannot be practicably moved due to its compromised condition.**

The Applicant is seeking a zoning permit to add 12 apartment units (net 11 apartment units) and to make associated site improvements including stormwater infrastructure. The Applicant has already done a complete interior renovation to the primary structure at 11 Hungerford Terrace. Thus helping to assure its economic viability well into the future and its historic preservation. Rehabilitation of the garage structure is not practically feasible, however. This is primarily due to the fact that the foundation and slab have been substantially compromised and are sinking. There is also rot and other structural damage as noted above and in the Architect’s Report. As a result, any rehabilitation would be extremely costly, involving wholesale reconstruction of nearly every element of the structure with new materials including, but not limited to, new footings, new foundation, new concrete slab, new roof underlayment, new roof shingles and new siding. For these same reasons, the garage cannot be practicably moved.

Moreover, such reconstruction would result in a structure that has little or no economic benefit in the context of the residential high density zone in which it is located. Section 4.4.5 (a) of Burlington’s Comprehensive Development Ordinance provided that “[t]he Residential High Density (RH) district is intended primarily for high density attached multi-family residential development. Development is intended to be intense with high lot coverage, large buildings, and buildings placed close together. Parking is intended to be hidden either behind or underneath structures.”

Put simply, a suburban garage type structure that cannot be practicably moved and is in substantial disrepair as of purchase by the Applicant uses up precious land and lot coverage needed for development of housing on the site. As such under the circumstances, preservation of the 11 Hungerford garage is both impractical and runs directly counter to the intent of the RH Zone, which is to engender intense development consisting of large multi-family residential buildings.
C. **The proposed redevelopment of the site will provide a substantial community benefit that outweighs the historic or architectural significance of the building proposed for demolition.**

i) The Garage structure has little if any historic significance.

In order to weigh the historic significance of the building set for demolition against the community benefits, it is necessary to first review the historic character of the garage structure. The State of Vermont Division of Historic Preservation Individual Structure Survey Form includes a reference to the garage as a related structure, which is often done as a matter of course. Significantly, the Historic Preservation Individual Structure Survey Form notes present no fact indicating any material historic significance attributable to the garage structure itself. Accordingly, in the Statement of Significance at page 2 thereof, there is only mention of the apartment building on the site as contributing to the massing on the street. There is no mention of the garage itself as meeting any historic standard or criteria whatsoever.

Review of the applicable standards used to determine historic value of a structure confirms that this ancillary structure to have little or no historic significance.

1. There was no event that occurred on or about this lot or on any structure on the lot that made a substantial contribution to the major pattern of American History.
2. The Property is not associated with any significant person of the American past.
3. The design and construction is not particularly distinctive and does not possess historic value and was not the work of a master.
4. The property has not yielded and is not likely to yield information that is important to prehistory or history.

Moreover, even if the garage did originally have any historic merit, such qualities have been completely eroded by subsequent modifications. Accordingly, the structure has no historic integrity. This is due to modifications to nearly every aspect of the exterior of the structure done by prior owners, including the following:

- The Original roofing materials have been replaced with asphalt shingles.
- The original siding materials have been changed to vinyl siding.
- The street facing easterly façade has been substantially modified to provide for an opening large enough to accommodate single garage door.
- Late 1970s era single entry garage door has been added on the street facing façade
  - a newer entry door has been added to the right of the modern garage door
  - a newer poured concrete foundation walls and slab have been installed at the lower level.

Finally, because the garage is set back so far from the street and sunken in elevation, its removal would not represent a detriment to the massing on the street, which is the only recognizable basis for nomination of the primary structure at 11 Hungerford Terrace.

The community benefit to redevelopment of the site is overwhelmingly evident. Burlington has long had a housing crisis resulting in a scarcity of housing. The addition of twelve additional residential units
to the site, thus renders a substantial community wide benefit. It is also important to note the location as being critical to the analysis. Because the site is close walking distance to downtown, the waterfront, the institutions and many dozens of employers, residential development of the site will make a substantial contribution to mitigating reliance on automobiles as cars are not needed for commuting to work, studies or downtown recreation.

D. Demolition of the garage will be done in a way that has no impact on the existing multi-unit building on the 11 Hungerford property, but will instead facilitate preservation of the primary structure.

The structure is detached from the primary building on the 11 Hungerford lot. The garage structure can therefore be accessed from the driveway for demolition. In addition, the redevelopment of the greater site has been planned and designed to assure that the primary building on the 11 Hungerford lot will not be impacted or changed at all. As such, there will be no impact whatsoever on any other structure as a result of demolition, including the existing multi-unit apartment house on the 11 Hungerford lot.

E. All Historically and architecturally important design, features, construction techniques and examples of craftsmanship and materials will be documented properly using the applicable standards of HABS.

As a condition to the permit to remove the structure, the Applicant will document any important design, features, construction techniques and materials using the standards of the Historic American Building Survey and make such available to historians and those interested in Burlington’s historic history.

F. The space generated after demolition will be used to construct housing units.

It is also important to note that the garage sits at a place on the property that blocks functional use of a large portion of the 11 Hungerford lot. In this PUD, the rear 25% setback must be maintained as well as the other setbacks around the combined site perimeter. Accordingly, redevelopment of this site is very limited if this dilapidated garage is retained. Put simply, maintaining this garage prevents the construction of incredibly valuable housing units in the location of the garage.

It is also important to note, that Applicant is proposing as part of the Application to add a stormwater bio-treatment detention area located behind the existing structures, which is much needed in this difficult, sloping site. The proposed bio treatment area also offers the substantial added community benefit of treatment of stormwater run-off from the adjacent sites at 15 and 21 Hungerford Terrace and from sites originating up the hill. Such stormwater infrastructure is simply not viable to construct economically if not associated with redevelopment of the site to apartments.

G. The Applicant Has Provided a substantial redevelopment plan for the combined site after demolition which provides for replacement structure consisting of a multi-unit residential apartment building with 12 apartment units.

The Application represents a significant redevelopment plan for the site that provided for replacement structure. The proposed structure is also compatible with the historical integrity and enhances the architectural character of the site and area.
The Applicant expects to commence construction immediately after zoning approval and development of construction drawings, with an expected construction start date of Spring, 2021. The demolition of the 11 Hungerford Structure would be within a few days of the commencement of construction of the overall project. So, there would be no appreciable time lag between demolition and commencement of construction.
Mr. Greg Doremus  
Green Castle Group  
346 Shelburne Road, Suite 602  
Burlington Vermont 05406

Dear Greg:

You have asked us to report on the soundness of the shed/garage currently located at 11 Hungerford Terrace. This report is based on our site visit to the property on October 4, 2018.

**Description of Structure and Site.**

The garage structure is a wood structure of approximately 675 square feet with a parking level and a walk out basement. There is a small storage loft on the parking level accessed by a step ladder. The lot slopes toward the main entry of the garage and continues to slope toward the back of the garage. The structure is built into the grade and sits about 5' feet from the Westerly boundary line. The elevation between the front and back of the structure drops off about 8'. Retaining walls hold back the grade to allow an entry to the basement on the North side. The rear of the building is at grade. The building form is a simple rectangular form with a pitched roof and gables at the entry and rear ends. The roof ridge aligns East to West. The structure appears to have been built at the same time as the primary structure on the Property was built. (The Primary structure on the property was converted to a 5 unit apartment building by a previous Owner and has substantially been allowed to degrade.)

Both buildings sit on a narrow lot of about 50' in width, that slopes substantially to the South and West. The building is constructed as follows.

**Roof Structure:**

The roof structure is 2x4 framing at varying on center dimension of around 24 inches covered with board sheathing and topped with asphalt shingles. There is no ridge beam. Rafter ends at the ridge butt together and are fastened with nails. Rafters sit on a wood top plate and are secured with nails. There are no collar ties or a structural roof beam. The loft framing provides some resistance to outward gravitational pressures.

**Exterior walls:**

Exterior walls are framed with 2 x 4 wood studs at 24” or more on center. Corner studs are larger wood member and there is a former timber column framed into the wall system to support the loft area. Nails are used to secure the framing. The outside of the studs is framed with wood sheathing and topped by what is assumed to be wood siding and trim. The exposed exterior finish of the walls is vinyl siding and does not allow for view of finishes behind. Wall framing sits on wood plates that are not pressure treated and appear to be in fair to poor condition. The plates sit on a concrete foundation wall.
**Floor system:**
Garage floor system consists of wood framing with a board floor. Framing is a mix of non-original pressure treated boards and original boards. Several built up beams have been added at some point to provide additional floor structure. The floor system bears on the basement walls. Fasteners used are nails. Beams bear on the concrete basement foundation walls and internal columns. Columns are a mix of steel tube and light weight steel adjustable columns. The columns sit on a failing concrete floor slab. It is not clear if the columns sit on footings.

**Basement:**
The basement walls are poured concrete and wood framed. The concrete walls were formed using board forms. There is no indication of rebar or other structural reinforcing. The walls do not show signs of structural distress. The basement slab is a thin slab that is failing. There appears to be water movement under the building causing undermining of the slab.

**Windows and Doors:**
Windows where they remain are wood double hung with a six over six configuration. Window sash and frame are in poor and deteriorating condition. There is a person door next to a garage door on the garage entry side of the building. The person door has four wood panels and three glass lites. The door is damaged and one lite is broken. The garage door is wood and not original to the structure. The basement is accessed by a wood door fabricated from board and in fair condition.

**Building Location:**
The garage location on the lot limits easy access to the rear of the property impacting the ability to access an existing sewer line (which requires periodic maintenance) and limits the ability to properly manage stormwater that runs to the back of the lot. Removal of the structure would greatly improve the ability to maintain of the site and its utilities.

**Observations:**
- The asphalt shingles are beyond their useful life and require replacement.
- Roof sheathing shows signs of rot and deterioration. There is extensive discoloration and water markings. Sheathing will be required to be replaced.
- Rafters are undersized for their function. Some are damaged and will require replacement or reinforcing to meet current standards. Some rafters have failed and are repaired with a wood splice.
- Rafters will require proper attachment to the wall framing and a structural ridge installed to reduce gravitational forces.
- Wall sheathing shows signs of rot, water damage, and staining indication a long period of weather exposure. We assume a minimum of 50% will require replacement.
- Walls studs where damaged or rotten will require replacement. We assume a minimum of 20% of the studs will require replacement.
The condition of the finishes under the vinyl siding was not able to be observed. It is assumed that the vinyl siding was installed to cover failing exterior siding. Replacement of the exterior siding and trim should be anticipated if the vinyl siding is removed.

- Garage floor boards show signs of rot and deterioration at the perimeter edges of the floor. Damaged and rotten boards should be replaced. We assume a minimum of 10% of the boards are to be replaced.
- Steel columns are poured into the concrete basement slab and are rusting. Column should be replaced. Reinforced concrete footing should be provided for each column.
- The basement slab will need to be replaced if desired to be kept. Proper structural fill installed as well as a new storm water management system.
- A footing underneath the existing poured concrete basement walls was not able to be verified. Existence of a footing should be confirmed.
- On the rear and North side of the building there is a visible bump and change in wall plain at the main floor framing. It appears that there has been some movement either of the building or the foundation. A more invasive exploration of this area should be conducted.
- Past work completed on the building has removed most of the original historical building components.

**Soundness of Structure and its Suitability for Rehabilitation.**

Based on the observation above there are valid concerns about the structural soundness of the garage and its suitability for rehabilitation. The building has been neglected over the years and the lack of repair and upkeep are showing. The building framing does not meet current structural standards. Rehabilitation of the building will require extensive structural reinforcing as well as replacement of framing, wall sheathing, windows, columns, footings, and exterior finishes. As such, it is our opinion that the structure is compromised and is not suitable for rehabilitation. In addition, because of the extensive nature of the defects, it is not economically feasible to rehabilitate the structure.

Sincerely,

Joel Page, AIA
Scott + Partners, Inc.
Principal
Exhibit SP-21H

Executive Summary

Application for zoning approval to remove ancillary sun-porch attached to historic building to facilitate emergency vehicle access to PUD site.

- The sun-porch is not part of the original construction of the building; The exact date is unclear, but the Sanborn Fire Insurance Maps and National Register of Historic Places indicate that the sun-porch was not part of the original building.

- On its own, the sun-porch does not meet the criteria for Applicability of a Structure as a historic building or site. To be applicable, all of the following conditions must be met
  a. The building is 50 years old or older.
  b. The building does not possess significance in illustrating the heritage of the city, state, or nation in history.
     i. No associations with significant events.
     ii. No associations with significant people.
     iii. No distinctive construction techniques or artistic qualities. Not constructed by a "master".
     iv. No maintenance to an "exceptional high degree of integrity", original site orientation, or character defining elements.
  c. The building does not possess a high degree of integrity of location, design, setting, materials, workmanship, feeling, and association.

- The sun-porch contrasts the historic nature of the primary historic structure; Hip roofs originate from French/French Creole inspired architecture, contrasting the Dutch/Flemish gambrel roof of the main structure that makes the structure historically significant.

- The removal of the sun-porch will help return the structure to its original historical state; In addition to the hip roof of the porch contradicting the gambrel roof design of the main house, removal of the sun-porch will expose the exterior chimney, a historical feature.

- The removal of the porch will not damage the historical nature of the main house; The sun-porch will be disassembled, rather than "demolished" in the traditional sense. This will allow for careful preservation of the existing historical building.
Project Overview: This application is part of a Planned Unit Development that involves 4 sites: 273 Pearl Street, 11 Hungerford Terrace, 15 Hungerford Terrace, and 21 Hungerford Terrace (the “Combined Site”). The project seeks to construct a new multi-tenant residential building to house 12 residential units (net 11 new units), related parking, and other supporting infrastructure on the Combined Site. In support thereof seeks removal of a non-historic house constructed in 1994 located at 15 Hungerford Terrace, the demolition removal of one outbuilding located at 11 Hungerford Terrace, and the removal of an accessory sun-porch on a secondary facade of 21 Hungerford Terrace. This memorandum relates to the removal of the accessory sun-porch at 21 Hungerford Terrace.

Applications for removal of an ancillary space pursuant to article 5.4.8(d) and the City of Burlington Comprehensive Development ordinance.

Description of Ancillary Space Proposed for Removal.

This is an application for the zoning approval to remove a sun-porch located at 21 Hungerford Terrace. The primary structure on the lot is a single family dwelling, to which the sun-porch is connected via a door through the living room. The removal of this sun-porch is proposed in this application to facilitate safe and fast access to the site by emergency response vehicles.

21 Hungerford Terrace is a lot approximately 50" in width, with driveway access to parking in the rear along the Southern facade of the primary structure. The sun-porch proposed for removal in this application attaches to this Southern facade and protrudes out from the primary structure approximately eight feet, leaving about 18 in of space between the driveway and building. The porch attaches in the front ¾ of the primary structure, leaving the rear 1/3 as open space for cars to fit between the porch and a row of large trees along the Southern property line. The location of the porch between the primary structure and the property line makes for difficult access to the rear of the property by any vehicle that is larger than average. The poor location of this retrofitted space has led to the repeated striking of the building by vehicles.

The sun-porch is constructed using standard framing techniques on top of a cement block foundation. The crawl space underneath is not accessible, although there are two openings for basement windows facing South. The main windows consist of 8 casements covered by modern metal storm windows. Siding below, between, and above windows is vinyl. The roof is a wood framed, slight pitch hip roof peaking at the chimney (which was on the exterior prior to the construction of the porch). The roof covering is sheet metal.

Applicability of Structure Pursuant to Article 5.4.8

Section 5.4.8(a) specifies that all of the following conditions must be met for a structure to be listed on the State or National Register of Historic Places.

1. The Building is 50 years old or older; 21 Hungerford Terrace is listed both in the State and National Register of Historic Places. The original construction date is unclear, either in 1922 (State Register) or in 1923 (National Register).

2. The building or site is deemed to possess significance in illustrating or interpreting the heritage of the city, state, or nation in history, architecture, archeology, technology and culture because one or more of the following conditions is present;
a. Associations with events that have made a significant contribution to the broad patterns of history; There was no event that occurred on or in the building or its lot that made a substantial contribution to the broad patterns of American or international history.

b. Associations with the lives of persons significant in the past; The original occupant was a man named William Robinson, however there is no evidence of his historical significance. He was either a banker or a barber, and has no relation to Daniel Webster Robinson, the Burlington lumber magnate who lived at 384-388 Main St.

c. Embodiment of distinctive characteristics of a type, period, or method of construction, or representation of the work of a master, or possession of high artistic values, or representation of a significant or distinguishable entity whose components may lack individual distinction; The distinctive characteristic of the building as stated in the state and national historic registers is the gambrel roof feature of the house itself. The sun-porch in question was not constructed by a master and has no distinguishing features that could be considered artistic or representative of a significant or distinguishable entity.

d. Maintenance of an exceptional high degree of integrity, original site orientation and virtually all character defining elements intact; The statement of significance of this building on the state historic register lists its character defining elements as being one of several gambrel roof houses on this block. We are not removing or modifying this distinguishing feature that adds to the “Dutch or Flemish ‘feel’ to the surroundings”.

e. Yielding, or may be likely to yield, information important to prehistory; There is no evidence that this site is likely to yield any prehistoric information.

3. The building or site possess a high degree of integrity of location, design, setting, materials, workmanship, feeling, and association; Although the primary structure of the building lends its gambrel roof to the feeling of the neighborhood and its association, the enclosed porch in question lends no integrity of design.

Following the review of the State and National Historic registers, the significance of the structure with regard to these registers is as follows.

- The building is part of the Buell-Bradley Street Historic District. A district characterized by its Dutch colonial and Colonial Revival building style.
- The building has a gambrel roof that adds to the Dutch “feel” of the surroundings.

The sun-porch section of the building in question does not exhibit any of the characteristics that lend to the neighborhood Dutch or Flemish “feel”. In fact, hip roofs as seen on this porch directly contrast the Dutch Colonial style as they are historically seen in French-inspired architecture.

**Standards and Guidelines Pursuant to Article 5.4.8(b)**

Following the review of the Secretary of Interior’s Standards for the Treatment of Historical Properties, we believe that the removal of the sun-porch in question falls well within the standards. Article 5.4.8(b) specifies that “These standards are intended to be applied in a reasonable manner, taking into consideration economic and technical feasibility”. Within the context of the greater PUD for this site will require access to large emergency vehicles. The driveway is currently too narrow for this. In the past, even smaller vehicles have had trouble navigating this section of driveway and have struck the sun-porch, causing damage. The following points address each standard and guideline in article 5.4.8(b)

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships. The original use for this property was as a residential dwelling. It is currently used as such and will continue to be after removal of the sun-porch.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided. As stated above, both state and national historic registers recognize this property for its distinctive roof features. This feature will not be altered or removed.

3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historical properties, will not be undertaken. No conjectural features will be added. In fact, removal of the sun-porch will help return the building back to its original historical nature, as the hip roof feature of the porch directly contrasts the Flemish architectural style that distinguishes the structure.

4. Changes to a property that have acquired a historical significance in their own right will be retained and preserved. The sun-porch itself is a change to this historical property, however it has not achieved any historical significance according to section 5.4.8(a).

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved. The sun-porch has no distinctive features with regards to its construction. Common construction techniques were utilized and finishes are not distinctive.

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration required replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials recognizing that new technologies may provide an appropriate alternative in order to adapt to ever changing conditions and provide for an efficient contemporary use. Replacement of missing features will be substantiated by documentary and physical evidence. We are not removing any historic features, deteriorated or otherwise. The sun-porch is not a historic feature because it (in itself) does not meet eligibility conditions 2 and 3 listed under section 5.4.8(a), of which all must be met for a building or site to be considered historic.

7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used. N/a

8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken. N/A

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment. No new exterior features or alterations are proposed.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment will be unimpaired. The new development in the greater PUD will not infringe or impair the historic nature of the property. The historic property will be properly separated and protected from any development on the site.

Standards for review of Demolition pursuant to article 5.4.8(d) (2)
Article 5.4.8(d)(1) focuses on demolition applications involving a historic building. However the removal of a non-original addition to a historic building is not addressed. This applicant will attempt to apply these standards to this project.
A. The structure proposed for demolition is structurally unsound despite ongoing efforts by the owner to properly maintain the structure; or, Despite the structure being struck by multiple vehicles, it is not in structurally unsound condition to the best knowledge of the applicant.

B. The structure cannot be rehabilitated or reused on site as part of any economical beneficial use of the property in conformance with the intent and requirements of the underlying zoning district; and, the structure cannot be practically moved to another site within the district; or, The section of the structure in question cannot be moved or reused on the site as it is attached to the greater historical structure. Movement of the structure to another location on the greater structure would further decrease the historical significance of the building as this section of the structure is not original and has no historical significance of its own merit.

C. The proposed redevelopment of the site will provide a substantial community-wide benefit that outweighs the historic or architectural significance of the building proposed for demolition. The sun-porch in and of itself has no historical significance. To determine the historical significance of the porch it is necessary to review the State and National Historical Registers. The State of Vermont Historic Sites and Structures Survey makes no mention of the sun-porch, only that the gambrel roof of the primary structure has significance to the overall "feel" of the neighborhood. The National Register of Historic Places (published in 1995) mentions the sun-porch as a matter of course in a description of the building as it stood at the time. However there is no mention of its historical significance. In addition, the construction of the sun-porch covered a distinctive feature in the exterior chimney, a design element common at the time. Although inefficient for heating, deep fireplaces feeding into exterior chimneys were a fire safety measure. The exterior chimney is mentioned in the national register of historic places.

The greater redevelopment of this site will provide a substantial community benefit that significantly outweighs the historic or architectural significance of the sun-porch. The sun-porch has little or no historic or architectural significance. In addition, the proposed PUD will help provide the safe and efficient housing that is needed in downtown Burlington. The combined site is currently vastly underutilized. Development would not only provide housing, but would help provide the funding needed to keep the historic buildings at 11 and 21 Hungerford well-maintained and able to contribute to the history of the neighborhood long into the future.

D. The development and redevelopment proposal mitigates to the greatest extent practical any impact to the historical importance of other structures located on the property and adjacent properties; Removal of the sun-porch will be done with the greatest care to preserve the greater historic structure. The porch will not be "demolished", but dismantled piece by piece to ensure that no damage will occur. Siding and other materials that are needed to fill in the doorway from the primary structure to the sun-porch will be consistent with the materials on the rest of the house. Separation from other historical structures on the site is significant enough to facilitate removal without disturbance to those structures.

E. All historically and architecturally important design, features, construction techniques, examples of craftsmanship, and materials have been properly documented using the applicable standards of the Historic American Building Survey (HABS) and made available to historians, architectural historians, and others interested in Burlington's history; As of this writing, no significant historical features, construction, architectural, or otherwise have been observed at the sun-porch. If during removal any significant features are discovered, they will be documented using the HABS standards, preserved, and physically made available to the Chittenden Historical Society and or the City of Burlington.

F. The applicant has agreed to redevelop the site after demolition pursuant to an approved redevelopment plan which provides for a replacement structure(s); The space gained from the removal of the sun-porch will provide access to the rear of the property and greater PUD site...
by emergency vehicles. The driveway currently is narrow and is required to curve around the porch, which has resulted in vehicles hitting the structure, causing damage. If an emergency vehicle was currently required to access the site, they would be unable to do so. This is a significant life safety issue that we seek to resolve with this application. See greater PUD application for more details.