



June 14th, 2022

Meagan Tuttle, AICP
Planning Director
Office of City Planning
City Hall, 3rd Floor
149 Church Street
Burlington, Vermont 05401

Dear Meagan,

Please accept this letter as Nedde Real Estate's request that the City's Ordinance Committee re-consider their decision to not allow 79 Pine Street's building design itself to act the screening required to meet the Development Review Board's 2021 decision #22 which states that rooftop mechanicals shall be screened. Please also consider that Neighbors of 79 Pine Street support this request from Nedde Real Estate and do not support additional screening at 79 Pine St. aka The Nest.

We thoughtfully, carefully designed the building with the goal of keeping all the rooftop or elevated mechanicals out of site and we've struggled to make sense of the PC Ordinance Committee's decision to interpret #22 in a manner that that causes us to spend \$93,000 only to add screening that becomes visible from the street and to neighbors on all sides. We've had to penetrate our roof in dozens of areas, primarily on steel upright framing to attach all the screening to, which seems literally opposite of the intention of the condition. Adding additional rooftop screening at the Nest just does not make sense and seems a very poor use of limited resources.

Our hope is that the Committee take the current wording of the ordinance language and simply interpret it as including passive or architectural screening, or to tweak the language so you don't lose visual protections but allow for more types of "screening", i.e., if the mechanicals are obscured by the building design, that is acknowledged as meeting the requirement of this form-based code.

We understand the rules and we agree with the concept of screening unsightly mechanical, so they are kept out of public view as much as possible, but sometimes the rules don't anticipate all situations and in the instance of the Nest, it really doesn't seem like this condition makes any sense. \$100,000 for something you can't see to begin with to be made into something everyone doesn't want to see but can see from all directions? It feels misguided.

In our previous attempts for a reconsideration of #22's intent, the DRB denied our request but immediately requested that the language of Article 5 be reevaluated by the Planning Commission Ordinance Committee.

While rooftop mechanical screening was a Planning & Zoning requirement and a condition of the Development Review Board's spring 2021 decision #22, if we must add this mechanical screening, it will be visible on the Nest's roof from the street from every direction. Without screening, the Nest rooftop mechanicals won't be visible from the street view at all – totally hidden regardless of what direction you view the building from. Given this, we're asking for reconsideration of this condition as it doesn't seem to be in anyone's best interest.

Supportive Documents for your review are attached to the email transmission of this letter.

Sincerely,



Doug Nedde
Owner, Nedde Real Estate



Grace Amao Ciffo
Director of Operations, Nedde Real Estate