MEMORANDUM

To: The Design Advisory Board  
From: Ryan Morrison, Associate Planner  
RE: 86-88 North Winooski Street; ZP 22-386  
Date: July 12, 2022

Files: ZP-22-386  
Location: 86-88 North Winooski Street  
Zone: RM  Ward: 2C  
Parking District: Multi-Modal Mixed Use  
Date application accepted: ZP21-720 (October 27, 2021); ZP21-784 (November 18, 2021) 
Applicant/Owner: Michael Alvanos / 3G LLC  
Request: After the fact permit for removing part of the garage portion of the carriage barn and request to demolish the remaining carriage barn and rebuild with a new duplex structure. The carriage barn structure is listed on the Vermont State Register of Historic Resources.

Background:

Previous zoning permit history:

- **Zoning Permit 21-720**: after-the-fact demolition of a portion of the historic carriage barn. Expired
- **Zoning Permit 21-784**: request to demolish historic carriage barn. Expired.
- **Zoning Permit 22-54**: replacement windows and siding on existing residence. Denied March 16, 2022.

Overview: The applicant requests an after the fact zoning permit for the demolition of the historic carriage barn’s garage portion. The unpermitted demolition was the subject of a Notice of Violation, issued in August, 2020. Per this review, the already removed garage portion will be viewed as if it were still in place. In addition, the applicant proposes to demolish the remaining carriage barn structure and redevelop the site with a new duplex structure and associated site improvements.

The demolition applications, ZPs 21-720 & 21-784, were both heard by the Design Advisory Board on December 14, 2021. The DAB recommended denial of both applications and encouraged the applicant to return with a restoration plan or redevelopment plan for a building of compatible scale and character. Both demolition applications expired, and the applicant has now submitted a new application which includes a redevelopment plan for a new duplex structure in the footprint of the carriage barn at the property’s rear.
The carriage barn is listed on the State of Vermont Historic Register, and therefore Section 5.4.8 (b), (c) and (d) apply.

Sec. 5.4.8 Historic Buildings and Sites

(c) Demolition by Neglect

No owner of a historic building, or lessee who is obligated by lease to maintain and repair such a structure (other than the interior), shall allow, cause, or permit the structure to suffer or experience demolition by neglect. Examples of such disrepair and deterioration include, but are not limited to, the following:

1. Deterioration of walls or other vertical supports; walls, partitions or vertical supports that split, lean, list, or buckle, thus jeopardizing structural integrity;
2. Deterioration or inadequate foundations that jeopardize structural integrity;
3. Deterioration of roofs, ceilings, or other horizontal members;
4. Deterioration of fireplaces or chimneys;
5. Deterioration or crumbling exterior stucco or mortar;
6. Ineffective waterproofing of exterior walls, roof, or foundations, including broken windows or doors;
7. Lack of weather protection that jeopardizes the structural integrity of walls, roofs, plumbing, electricity, or overall structural integrity, including lack of paint, lack of adequate heating, and lack of adequate ventilation;
8. Vandalism caused by lack of reasonable security precautions; and/or
9. Deterioration of any feature so as to create a hazardous condition that could require demolition for public safety.

In such cases, the building inspector shall notify the property owner of any violation of this section. Such person shall have sixty (60) days to remedy any such violation. In the event the violation is not corrected within sixty (60) days of notification, the city shall be authorized to perform all repairs necessary to correct the violation and to place a lien on the property for the costs of such repairs and reasonable administrative and legal fees incurred.

Until recently, the Assessor’s database shows that the property has been under the same ownership since 1990. New owners took the property in January 2022. Additional records, or lack thereof, indicate that there have been no zoning or building permits sought/issued for any restorative work on the carriage barn.

The submitted architect report, prepared by John Rooney, identifies numerous faults with the remaining structure. In short, the report concludes that the remaining structure is structurally unsound and cannot be rehabilitated or reused on site.

The report does not address the already removed garage portion of the structure. The roof on that section had already collapsed, as evidenced by a 2019 aerial photo. Clearly, the lack of maintenance, or demo by neglect, on the structure caused the roof to fail, and most likely other structural issues. Unfortunately, there have been no photos submitted that show the state of the structure prior to its unpermitted removal.
With regard to the remaining structure, the report identifies numerous structural issues. The structure appears to lean and is in severe disrepair. The southeast corner [where the garage portion attached] shows indication of damage from fire or collapse. Evidence of collapse along the south side exists, and there is indication of fire damage on the roof, roof beams, walls and floor. Roof structural members are undersized and insufficient, and the architect notes that rehabilitation of the structural members will not adequately provide safe and sufficient support. Loose rubble, mixed masonry and stone have been placed for foundation. The walls are bowing due to poor connection to a proper foundation and inadequate structure. The report goes on to identify other insufficiencies with the remaining structure, and that is has limited salvage value.

In this case, the City’s building inspector has not been involved at all. However, staff is of the opinion that demolition by neglect played a primary role in the current state of the structure, and of the already removed building section.

(d) Demolition of Historic Buildings:

The purpose of this subsection is:

. To discourage the demolition of a historic building, and allow full consideration of alternatives to demolition, including rehabilitation, adaptive reuse, resale, or relocation;

. Provide a procedure and criteria regarding the consideration of a proposal for the demolition of a historic building; and,

. To ensure that the community is compensated for the permanent loss of a historic resource by a redevelopment of clear and substantial benefit to the community, region or state.

1. Application for Demolition.

For demolition applications involving a historic building, the applicant shall submit the following materials in addition to the submission requirements specified in Art. 3:

A. A report from a licensed engineer or architect who is experienced in rehabilitation of historic structures regarding the soundness of the structure and its suitability for rehabilitation;

The application includes a single submission of a report from John Rooney relative to the condition and structural stability of the remaining barn. The general conclusion is that the remaining carriage barn appears wholly unstable and structurally unsound, and cannot be rehabilitated or reused on site as part of any economically beneficial use.

The report does not define specific costs or efforts that would be required to restore the remaining barn. Unfortunately, there is no evidence that the property owner made any effort to maintain the structural integrity of the barn since 1990.

B. A statement addressing compliance with each applicable review standard for demolition;

Although briefly, the architect report addresses each demolition standard. See below.

C. Where a case for economic hardship is claimed, an economic feasibility report prepared by an architect, developer, or appraiser, or other person experienced in the rehabilitation and adaptive reuse of historic structures that addresses:

There is no claim of economic hardship. The application only notes that rehabilitation or reuse of the barn structure will not be economically beneficial to the property. There appears to be no
interest in investing any money in the remaining structure, nor did there appear to be interest within the last 30 or so years. Additionally, the submission lacks a feasibility study that addresses rehabilitation or adaptive reuse of the remaining structure.

(i) the estimated market value of the property on which the structure lies, both before and after demolition or removal;
No claim of economic hardship has been raised and an estimate for market value has not been submitted.

and,

(ii) the feasibility of rehabilitation or reuse of the structure proposed for demolition or partial demolition;
The owner has expressed no interest in the rehabilitation or reuse of the building. If the Board favors the removal of the building over rehabilitation, it should at the very least be advertised for sale and relocation; an option that would allow its survival.

D. A redevelopment plan for the site, and a statement of the effect of the proposed redevelopment on the architectural and historical qualities of other structures and the character of the neighborhood around the sites;
The applicant has included a redevelopment plan which includes a new two-story duplex structure. The proposed redevelopment could be viewed as a use that benefits the property as well as the neighborhood as a whole – in that it will create two new residential units.

and,

E. Elevations, drawings, plans, statements, and other materials which satisfy the submission requirements specified in Art. 3, for any replacement structure or structures to be erected or constructed pursuant to a development plan.
Photos of the existing barn and a site plan identify the remaining barn to be removed (and the remnants of the already removed portion) have been submitted. The redevelopment plans include site plans, elevation drawings, and floor plans.


Demolition of a historic structure shall only be approved by the DRB pursuant to the provisions of Art. 3, Part 5 for Conditional Use Review and in accordance with the following standards:

A. The structure proposed for demolition is structurally unsound despite ongoing efforts by the owner to properly maintain the structure;
The photos submitted show evidence of a deteriorating structure. There are no building or zoning permits on file specifically for repair of the barn. Refer to the report by John Rooney for assessment of structural stability and building conditions, which he determines to be “wholly unstable and structurally unsound.”

or,

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 underlying zoning district; and, the structure cannot be practicably moved to another site within the district;
Submission materials are absent any evaluation of the building’s suitability for rehabilitation. Evidence of an opportunity for relocation has not been provided.

or,

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. Replacing the dilapidated carriage barn with a new duplex structure will provide community wide benefit in terms of additional housing.

And all of the following:

D. The demolition 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;

The carriage barn and proposed redevelopment is located in the rear of the property, behind the existing historic duplex and difficult to see from the street. It is, however, within view from neighboring properties. The replacement duplex, although different in architectural style from the carriage barn, should provide some level of mitigation for the loss of the carriage barn in terms of there being a replacement structure rather than no replacement at all.

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 architectural history;

If demolition is approved, photodocumentation of the structure should be completed to retain a record of this significant building.

and,

F. The applicant has agreed to redevelop the site after demolition pursuant to an approved redevelopment plan which provides for a replacement structure(s).

(i) Such a plan shall be compatible with the historical integrity and enhances the architectural character of the immediate area, neighborhood, and district;

(ii) Such plans must include an acceptable timetable and guarantees which may include performance bonds/letters of credit for demolition and completion of the project; and,

(iii) The time between demolition and commencement of new construction generally shall not exceed six (6) months.

Work for the replacement duplex structure will need to commence within 6 months from the time of the carriage barn demolition.

This requirement may be waived if the applicant agrees to deed restrict the property to provide for open space or recreational uses where such a restriction constitutes a greater benefit to the community than the property’s redevelopment.

There has been no such deed restriction proffered.


The applicant shall be encouraged to sell or reclaim a structure and all historic building materials, or permit others to salvage them and to provide an opportunity for others to purchase or reclaim the building or its materials for future use. An applicant may be required to advertise
the availability of the structure and materials for sale or salvage in a local newspaper on at least three (3) occasions prior to demolition.

If approved by the DRB, the applicant is encouraged to offer the building for relocation; absent that, a requirement to deconstruct using the safest method possible, minimizing exposure to lead paint and any other potential public safety issue. What material may be salvaged is encouraged for sale or reuse.

Article 6: Development Review Standards
Part 1: Land Division Design Standards
Not applicable.

Part 2: Site Plan Design Standards
Sec. 6.2.2 Review Standards

(a) Protection of Important Natural Features:
There are no identified natural features on site.

(b) Topographical Alterations:
There are no topographical alterations proposed.

(c) Protection of Important Public Views:
There are no protected public views across the site. Not applicable.

(d) Protection of Important Cultural Resources:
Burlington’s architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Archeological sites likely to yield information important to the city’s or the region’s pre-history or history shall be evaluated, documented, and avoided whenever feasible. Where the proposed development involves sites listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Sec. 5.4.8(b).

See Section 5.4.8, above.

(e) Supporting the Use of Renewable Energy Resources:
There is no indication that the proposed duplex will utilize alternative energy. Solar energy utilization is encouraged. In any event, the duplex will not adversely impact the actual or potential use of alternative energies by neighboring properties.

(f) Brownfield Sites:
This is not an identified Brownfield site on Vermont’s DEC list. Not applicable.

(g) Provide for nature's events:
Special attention shall be accorded to stormwater runoff so that neighboring properties and/or the public stormwater drainage system are not adversely affected. All development and site disturbance shall follow applicable city and state erosion and stormwater management guidelines in accordance with the requirements of Art 5, Sec 5.5.3.
Design features which address the effects of rain, snow, and ice at building entrances, and to provisions for snow and ice removal or storage from circulation areas shall also be incorporated.

The plans include canopies above both entrances to the duplex. As is typical for a project of this size, the applicant will have to obtain Erosion Prevention and Sediment Control, and stormwater plan, approvals through the Stormwater Program Manager. While there is some yard space to the side and rear of the proposed duplex structure, there appears to be little room for snow storage – particularly for the driveway and parking area. The applicant will need to address this.

(h) Building Location and Orientation:
The proposed duplex structure take up the space of the carriage barn, at the rear of the property, behind the existing duplex at the front. Its orientation will allow for the existing parking area to remain as is, minus one parking space.

(i) Vehicular Access:
No change to vehicular access is included within the submission. The existing driveway will still provide vehicular access to the rear parking area.

(j) Pedestrian Access:
The site plan indicates walkways to each unit within the duplex from the parking area.

(k) Accessibility for the Handicapped:
No handicap accessibility is evident. However, the building inspection has jurisdiction over this, and if necessary, will address handicap access through building permit review.

(l) Parking and Circulation:
No change to access is proposed. The parking area, however, will lose one space as a result of the project – from 7 to 6 spaces. The property is in the Multimodal Mixed Use Parking District where minimum parking space requirements have been removed.

(m) Landscaping and Fences:
Other than installation of green space, no further landscaping is proposed.

(n) Public Plazas and Open Space:
Not applicable.

(o) Outdoor Lighting:
Where exterior lighting is proposed the applicant shall meet the lighting performance standards as per Sec 5.5.2.

The elevation plans show there to be wall sconce light fixtures at the entrance to each unit. This particular fixture complies with lighting standards of Sec. 5.5.2 CDO.
Integrate infrastructure into the design:

Exterior storage areas, machinery and equipment installations, service and loading areas, utility meters and structures, mailboxes, and similar accessory structures shall utilize setbacks, plantings, enclosures and other mitigation or screening methods to minimize their auditory and visual impact on the public street and neighboring properties to the extent practicable.

The plans will need to be updated to show the location of meters, and all other mechanical equipment and trash/recycling facilities. The trash/recycling area must be screened if outside.

Part 3: Architectural Design Standards
Sec. 6.3.2 Review Standards

(a) Relate development to its environment:

1. Massing, Height and Scale:
The replacement duplex structure will be similar to the existing carriage barn in height and scale. Massing on the new structure will be broken up by distinct building components on two sides only – the west and south elevations. The east and north facades are shown to be large blank walls, and although they don’t necessarily face a public right-of-way, they will be in view from neighboring properties and should offer more than just blank walls.

2. Roofs and Rooflines.
The duplex roof will be flat, which is certainly not a predominant roof type in this neighborhood. However, the structure will be particularly hard to see from the public street and will not have any negative impact on the streetscape.

3. Building Openings
A generous portion of building openings are planned for the west and south facades, in the form of windows and doors/sliding doors. The east and north facades are shown to have no openings and should, to not only allow natural light into the units, but also to provide a more attractive appearance from neighboring properties. When looking at the floor plans, exterior windows on the east façade (Unit B) could be placed where internal staircase will locate (either floor) and the second floor bedroom. On the north façade, windows could be placed in the kitchen of each unit and the living room at the ground floor level (Unit A), and in one bedroom (Unit A) and the staircase of the second floor level (Unit B).

(b) Protection of Important Architectural Resources: Burlington’s architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Where the proposed development involves buildings listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Sec. 5.4.8. The introduction of new buildings to a historic district listed on a state or national register of historic places shall make every effort to be compatible with nearby historic buildings.
See Section 5.4.8 above.

(c) **Protection of Important Public Views:**
There are no protected public views across the site. Not applicable.

(d) **Provide an active and inviting street edge:**
Removal of the carriage barn and redevelopment with a new duplex structure will not impact the street edge. The structure is in the rear yard, behind the primary structure, and not easily seen from the street.

(e) **Quality of materials:**
Owners of historic structures are encouraged to consult with an architectural historian in order to determine the most appropriate repair, restoration or replacement of historic building materials as outlined by the requirements of Art 5, Sec. 5.4.8.

The proposed duplex will be clad in horizontal cement board siding – 4” reveal at the ground level, and 8” reveal at the upper level. Metal framing around the sliding doors, metal canopies above the entrances, and metal balcony railings will be used. Marvin windows and sliding doors will be used (specific models unknown) throughout. Therma Tru entry doors will be used (model also unknown). The applicant will be required to submit spec sheets for the windows and doors prior to Development Review Board review; however for new construction, it is likely that they will be acceptable in terms of both quality and durability.

(f) **Reduce energy utilization:**
There is no analysis of comparative energy expenditure, particularly energy utilized by heavy equipment to tear down the structure when added to the value of the “embodied energy” of the existing building: the amount of energy invested in its materials and construction. Various studies, including one by the Department of Defense, have examined Btu’s of energy lost from demolition, adding the cost of energy to demolish, remove and dispose of debris. The addition of new materials (cost of equipment, delivery and manpower) further elevates that energy expenditure. From “The Benefits of Cultural Resource Conservation”, published by the U.S. Department of Defense:

*The process of rehabilitating a historic facility consumes less energy than new construction. And, the energy costs of operating a rehabilitated structure vs. a new structure are effectively equal.*

For the proposed duplex, it must comply with the current energy efficiency standards of Burlington and the State of Vermont.

(g) **Make advertising features complementary to the site:**
Not applicable.

(h) **Integrate infrastructure into the building design:**
See Section 6.2.2. (p), above.
(i) **Make spaces secure and safe:**
The proposed building must comply with the city’s current egress requirements. Building entries will be illuminated.

**Items for the Board’s consideration:**
Should the Board recommend approval for the demolition of the carriage barn, the following recommended conditions be forwarded to the DRB:

- The applicant shall provide information about the following, and illustrate on a site plan/building elevation as appropriate:
  - Trash/recycling facilities
  - Utility connections
  - Any other mechanical equipment
- The applicant is encouraged to offer the building for relocation; absent that, a requirement to deconstruct using the safest method possible, minimizing exposure to lead paint and any other potential public safety issue. What material may be salvaged is encouraged for sale or reuse.
- Construction of the replacement duplex structure shall commence within 6 months of the carriage barn demo.
- To allow for more than one principal use on the property, the application shall amend the application to meet all PUD requirements.
- Add windows to the north and east building elevations to break up the large blank exterior walls.
- The applicant shall prepare a snow storage/removal plan.
- Consider additional landscaping.
- Window and door spec sheets shall be submitted.