MEMORANDUM

To: The Design Advisory Board
From: Mary O’Neil, AICP, Principal Planner
RE: ZP 21-810; 175-177 South Union Street
Date: April 12, 2022

File: ZP 21-810
Location: 175-177 South Union Street
Zone: RH Ward: 6S
Parking District: Neighborhood
Date application accepted: December 7, 2021 (incomplete)
Applicant/Owner: GVV Architects / Njama Braasch
Request: Rehabilitation after fire damage; converting from 2 family to 1 family.

Background:

- **Zoning Permit 10-0250CA;** replace wooden stairs, landing and deck at rear of property with new re=aligned wooden stairs and deck. **Denied** as incomplete. December 2009.
- **Non-applicability of Zoning Permit Requirements;** remove trees on west side of home. June 2009.

The programs and services of the City of Burlington are accessible to people with disabilities. For accessibility information call 865-7188 (for TTY users 865-7142).
- **Zoning Permit 09-943FC**: replace chain link fence with 230 feet of 6’ high wooden privacy fence. July 2009.

- **Zoning Permit 93-049**: construction of a 12’ x 12’ deck with roof attached to south side of existing duplex. Minimum side yard setback to be five feet. Structure (Saxe House) listed on the city, state and National Register of Historic Resources. August 1992.


- **Zoning Permit 81-212**: construct 2nd floor one bedroom efficiency apartment in existing duplex and rear access stairs, no increase in coverage; 4 existing parking spaces, asking for a waiver of 2 spaces to preserve backyard. Approved May 1986.

- **ZBA**: request for a variance to use a portion of the premises at 177 South Union Street (Dr. Lynch house) for 12 parking spaces for the use of the Pomerleau Agency. Approved June 1971.

- **ZBA**: request permission to conduct a nursing home at 177 South Union Street. Approved August 1964.

**Overview**: 175-177 South Union Street was constructed c. 1845, occupied by John Godfrey Saxe. Saxe held many offices: Attorney, Superintendent of Schools for Franklin Co, owner of the Vermont Sentinel; Chittenden County States Attorney and Democratic candidate of Vermont Governor, but probably best known as a humorist, punster, and poet. Listed on the National Register of Historic Places within the South Union Street Historic District, the property is identified as the John G. Saxe House. Although other Burlington notables have lived here, the house has been used as apartments since 1918. A recent fire substantially damaged the rear of the structure; this application proposes a return to its use as a single family home (allowed in the RH zoning district if that was the original use¹), with significant repairs and structural adjustments post-catastrophe.

**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 important natural features on the site plan. A previous zoning permit allowed for the removal of trees on the western side of the property.

¹ Burlington’s Comprehensive Development Ordinance, Appendix A (Use Table), footnote 30.
(b) **Topographical Alterations:**
No topographical alterations are included in the plan. The site slopes significantly to the west, although contours are not included in the plans.

(c) **Protection of Important Public Views:**
There are no important public views from or through this property.

(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, below.

(e) **Supporting the Use of Renewable Energy Resources:**
Replacement windows will need to comply with energy efficiency requirements, with recording of the RBES documentation in the land records.

No part of this application precludes the use of wind, water, solar, geothermal or other renewable energy resources.

(f) **Brownfield Sites:**
This property is not listed on DEC’s website as a brownfield.

(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 driveway is proposed to be extended westerly, but narrowed from its existing width. A new entry door will include a roof cover (north elevation) for residents moving from their vehicles to the home.

(h) **Building Location and Orientation:**
The home will continue to be oriented toward the public way (South Union Street).

(i) **Vehicular Access:**
Vehicular access will continue as existing; from South Union Street.
(j) Pedestrian Access:
There is an existing flagstone walkway from the public sidewalk on South Union Street to the principal entry.

(k) Accessibility for the Handicapped:
ADA access, although encouraged, is not a requirement for single family homes.

(l) Parking and Circulation:
The existing driveway will be narrowed and lengthened; connecting to a proposed timber and steel carport at the rear (west) of the existing home.

(m) Landscaping and Fences:
The site plan defines the removal of an existing fence (north boundary line), and the installation of a new 8’ fence along the north, west and south boundary lines. A smaller 3’ fence is proposed between the home and the driveway. All fencing must meet the Clear Site Triangle.

(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.

No lighting information has been provided. If included in the rehabilitation, fixture information and illumination levels shall be provided for staff review and approval.

(p) 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.

Utility and service enclosures and screening shall be coordinated with the design of the principal building, and should be grouped in a service court away from public view. On-site utilities shall be placed underground whenever practicable. Trash and recycling bins and dumpsters shall be located, within preferably, or behind buildings, enclosed on all four (4) sides to prevent blowing trash, and screened from public view.

Any development involving the installation of machinery or equipment which emits heat, vapor, fumes, vibration, or noise shall minimize, insofar as practicable, any adverse impact on neighboring properties and the environment pursuant to the requirements of Article 5, Part 4 Performance Standards.

The electric and gas meters are identified on the north elevation of the existing home.

There are no identified mechanical units within the submitted plan sheets; nor is the location and method of trash/recycling storage provided.
Part 3: Architectural Design Standards
Sec. 6.3.2 Review Standards

(a) Relate development to its environment:

1. Massing, Height and Scale:
The massing, height and scale of the existing building is not proposed to be altered. Other than window, door and masonry repair, the majority of the work is isolated to the rear wing of the building and within the interior.

2. Roofs and Rooflines.
No change proposed.

3. Building Openings
Reference is made to 175-177_SoUnion_exterior_pix and the detailed window survey/inventory. Many windows will be restored to working order and cast iron lintels reset; some historic reproduction windows will be utilized (south entry, front porch opening 1-02). Other openings will be infilled with brick (north elevation, 1-06 and 1-15 door opening, west elevation of south ell.)
More modern windows are proposed for the areas most heavily damaged by the fire; that is, west addition.

Changes proposed to the south elevation (Plan PIC5) will introduce a more modern engineered style of window to a historic masonry elevation that will immediately reflect conversations of the DAB Window review of March 29th. Ann Vivian includes the following proposal:

a) The brick masonry on this side is in very poor condition and shows that window locations have been changed multiple times since initial construction. Some headers are cast iron in a plain style, others are soldier course brick. The long header or opening 1-14 is covered in wood and is likely compromised. The windows 1-13, 2-09, 2-10, and door and sidelight unit 1-14 sash and frames show significant wracking with compromised operation or are inoperable. Door & sidelight 1-14 has rotted away at sill and window units 1-13 and 2-09 show significant fire and fire-fighting damage. Additionally, this side of the structure is only briefly visible between two buildings from King St. travel.

b) Proposed scope of work:
Remove these four units, salvage sound cast iron headers, accomplish stone and brick masonry repair and rebuild, re-install historic salvaged cast iron headers from this building and elsewhere, frame new true openings and install new thin profile aluminum clad wood awning units and a double French door within exterior trims similar to original.
(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.

(c) Protection of Important Public Views:

Not applicable.

(d) Provide an active and inviting street edge:

The overall rehabilitation will freshen the exterior, including the primary façade.

(e) Quality of materials:

_All development shall maximize the use of highly durable building materials that extend the life cycle of the building, and reduce maintenance, waste, and environmental impacts._ Such materials are particularly important in certain highly trafficked locations such as along major streets, sidewalks, loading areas, and driveways. Efforts to incorporate the use of recycled content materials and building materials and products that are extracted and/or manufactured within the region are highly encouraged.

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.

As the rear (wood frame) addition suffered the brunt of the fire, substantial changes are proposed here. Part of the conditioned space will be removed, with retention of the roof, a new main floor, deck and stair to grade. Repairs will be made to the stone foundation. Renovations will deviate from the existing wood clapboard/double hung window vocabulary, and introduce modern windows, 6” horizontal black sheathing and contemporary glass and metal barrier rails. For new work, the proposed materials are of acceptable durability.

(f) Reduce energy utilization:

All new construction is required to meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.

(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:
Redevelopment shall adhere to all applicable building and life safety code as defined by the building inspector and/or Fire Marshal.

Section 5.4.8 Historic Buildings and Sites

The City seeks to preserve, maintain, and enhance those aspects of the city having historical, architectural, archaeological, and cultural merit. Specifically, these regulations seek to achieve the following goals:

To preserve, maintain and enhance Burlington’s historic character, scale, architectural integrity, and cultural resources;
To foster the preservation of Burlington’s historic and cultural resources as part of an attractive, vibrant, and livable community in which to live, work and visit;
To promote a sense of community based on understanding the city’s historic growth and development, and maintaining the city’s sense of place by protecting its historic and cultural resources; and,
To promote the adaptive re-use of historic buildings and sites.

(a) Applicability:
These regulations shall apply to all buildings and sites in the city that are listed, or eligible for listing, on the State or National Register of Historic Places.

175-177 South Union Street is listed on the National Register of Historic Places within the South Union Street Historic District.

(b) Standards and Guidelines:
The following development standards, following the Secretary of the Interior’s Standards for the Treatment of Historic Properties, shall be used in the review of all applications involving historic buildings and sites subject to the provisions of this section and the requirements for Design Review in Art 3, Part 4. The Secretary of the Interior’s Standards are basic principles created to help preserve the distinctive character of a historic building and its site. They are a series of concepts about maintaining, repairing and replacing historic features, as well as designing new additions or making alterations. These Standards are intended to be applied in a reasonable manner, taking into consideration economic and technical feasibility.

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.
175-177 South Union Street was constructed as a single family home; its historic use allowed to continue (single family homes are not a permitted use in the RH zoning district) via Footnote 30 in Appendix A of the zoning ordinance.

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.
In general, the application addresses rehabilitation and restoration of many features of the home. The DRB has repeatedly denied requests to remove historic chimneys from listed historic properties, as they are character-defining features of the structure. This application proposes the removal of two chimneys; one that emerges from the south ell of the primary façade, and another within the rear wood frame addition. While the latter is likely a component of an addition not original to the home, the chimney within the south ell is both prominent on the façade, and certainly dating from at least the 1870s if not original to the home. It has garnered importance in its own right, and should be repaired and retained (even if not in working order.)

The application also includes infill of some building openings (although masonry recessed, to identify the original opening) as well as replacement sash. The character of the chosen sash i.e. north elevation, casements below restored historic lintels; south elevation, proposed work:

South and west walls of south ‘pavilion’. Walls show significant movement requiring stabilization. A new bathroom is planned to be installed in area of opening 1-15, and a window in place of the damaged door would ideally be smaller. Rebuilding the masonry provides opportunity to resize the opening, possibly install a cast iron similar to the existing header at opening 2-09. Scope proposes installation of an **aluminum clad wood awning unit** +/- 18” x 42” within exterior trims similar to those installed at openings in adjacent wall (eg: 1-13).

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 historic properties, will not be undertaken.**

   The significant damage to the west addition does allow the introduction of a more modern vocabulary that will certainly identify the work as new. In a similar vein, the introduction of more contemporary windows (casements north and south elevations) should be carefully assessed for their impact on the character and integrity of the existing historic structure.

4. **Changes to a property that have acquired historic significance in their own right will be retained and preserved.**

   The chimney in the south ell of the main façade should be retained and stabilized, as it is either contemporary with the original home or reflects changes made in the 1870s.

5. **Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.**

   Many of the rehabilitation efforts will be directed as stabilization (masonry of walls and foundation), restoration (cast iron lintels, window trim and woodwork, window sash) and repair.

6. **Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires 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.**

   Fire damaged windows will be replaced. Some replacement sash are patently contemporary, while others will be historic reproductions and others still aluminum frame double hung sash. The DAB is called upon to exercise discretion founded in earlier conversation about appropriate window sash replacement for listed historic structures.
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.**

   No chemical treatments are proposed. Much of the work is relative to post-fire rehabilitation, which offers greater latitude in materials and design.

8. **Archaeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.**

   There are no identified archaeological resources on this site.

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.**

   The new carport, deck, and west addition work are clearly differentiated from the historic structure, yet provides a compatible partnership with existing character.

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 would be unimpaired.**

   It is quite within the realm of possibility that proposed new work may be removed in the future without negatively affecting the character of the original structure.

**Items for the Board’s consideration:**

- The location and method of trash/recycling shall be identified. If exterior, it must be surrounded on all four sides to prevent blowing trash.

- Any lighting (fixtures, illumination) shall be presented to staff for review and approval.

- The chimney (south ell, primary façade) shall be stabilized and retained to protect the visual character of the streetfront and historic building components of the Saxe House.

- An EPSC and Stormwater Management Plan are a requirement of this review. The Stormwater Program engineer has alerted the applicant to the required form and process.