

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401

<http://www.burlingtonvt.gov/PZ/>

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MEMORANDUM

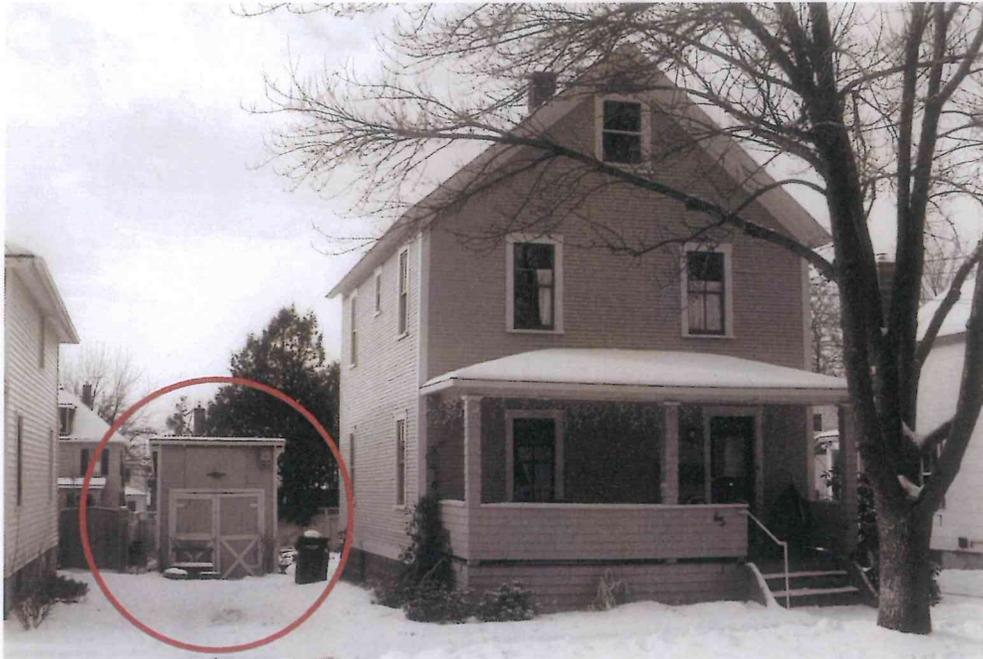
To: Development Review Board

From: Mary O'Neil, AICP, Senior Planner *monie*

Date: July 1, 2014

RE: ZP 14-1064CA/CU 65 Charlotte Street

Note: These are staff comments only. Decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT



Survey 0402-5: 65 Charlotte Street
Burlington, VT. View northwest.
Photograph by Devin Colman, 12/8/2007
Digital image on file at VT Division for Historic Preservation

OR REPRESENTATIVE MUST ATTEND THE MEETING.

File: ZP 14-1064 CA/CU

Location: 65 Charlotte Street

Zone: RL **Ward:** 5

Date application accepted: May 13, 2014

Applicant/ Owner: Sara and Ethan Brown

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).

Request: Demolish existing one car garage/shed; replace with new shed in a different location on the lot.

Background:

- **ZP11-0650CA;** Replacement wood front door. Approved March, 2011.
- **ZP08-460CA;** Insulate, floor and rough finish existing attic space. Install pull down attic ladder, replace existing gable front window with thermalpane window to match existing 2/2 windows. Install new window on back wall to match other windows, remove non functioning chimney. Approved December 2007.
- **ZP06-228NA;** Non-Applicability of Zoning Permit Requirements, Remove and replace 22 double hung wood windows with new double hung wood windows, same size and location. Burlington Lead Program. September 2005.

Overview: 65 Charlotte Street was constructed in 1918, and was included within the Five Sisters Historic Sites and Structures Survey of 2007 which determined it to be eligible for historic designation. That survey work (attached) identifies a one bay garage as a related structure on-site. This application proposes to demolish that accessory structure, and to build a new shed on the lot. Demolition of historic structures requires Conditional Use Review, per Section 5.4.8 (d) of the Comprehensive Development Ordinance.

Recommendation: Consent approval, per the following findings:

I. Findings

Conditional use review required by Section 5.4.8 d) 2:

2. Standards for Review of Demolition.

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

Article 3 Applications, Permits and Project Reviews

3.5.6 (a) Conditional Use Review Standards

1. The capacity of existing or planned community facilities.

No change will be affected to such capacities. **Affirmative finding.**

2. The character of the area affected as defined by the purpose or puposes of the zoning district within which the project is located, and specifically stated policies and standards of the municipal development plan;

This is a low density residential district; the loss of a characteristically small automobile shed will not result in a loss of residential units or overall character of the zoning district. **Affirmative finding.**

3. Traffic on roads and highways in the vicinity;

No anticipated change. **Affirmative finding.**

4. *Any standards set forth in existing City bylaws and city and state ordinances;*

None identified. **Affirmative finding.**

5. *The utilization of renewable energy resources;*

No part of this application would prevent the use of wind, water, solar, or other renewable energy resources. **Affirmative finding.**

and

6. *Shall consider the cumulative impact of the proposed use.*

The proposed replacement structure will assumedly satisfy the need for storage currently provided by the failed structure. No adverse impact anticipated to the use on-site. **Affirmative finding.**

7. *Unrelated individuals living together; Not applicable.*

8. *Location and number of vehicular access points; Not applicable.*

9. *Number location and size of signs; Not applicable.*

10. *Suitable mitigation measures, including landscaping, where necessary to reduce noise and glare and to maintain the property in a character in keeping with the surrounding area;*

The applicant proposes a re-arrangement on the site for the new shed to exploit available sun for a garden and landscaping. The existing car shed can not accommodate a modern vehicle, and has been used for storage. Additional landscaping will be provided. **Affirmative finding.**

11. *may specify a time limit for construction, alteration or enlargement of a structure to house a conditional use;*

The zoning permit life will limit construction to be completed within 2 years, although the application plans more immediate demolition and reconstruction. **Affirmative finding.**

12. *may specify hours of operation and/or construction to reduce the impact on surrounding properties;*

Demolition and reconstruction are proposed as soon as possible. There should be limited impact on the immediate neighborhood. **Affirmative finding.**

13. *may require that any future enlargement or alteration of the use return for review to the DRB to permit the specifying of new conditions;*

This is an ordinance required provision. The applicant must be advised that once demolished, any nonconformities of the existing structure are lost and cannot be reclaimed. **Affirmative finding as conditioned.**

14. *may consider performance standards;* This is at the discretion of the DRB.

15. *may attached such additional reasonable conditions and safeguards as it may deem necessary to implement the purposes of this chapter and the zoning ordinance.*

This too is at the discretion of the DRB. Given the documented failed condition of the existing accessory structure, and proven action to repair and retain, proactive removal is a better course than ordered demolition by the building inspector. The DRB can facilitate this activity through the Conditional Use process and review.

Sec. 5.4.8 Historic Buildings and Sites

(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 applicant included an engineers report with submission materials. See attached.

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

Standards are addressed within the narrative of the submission and supporting documents.

Affirmative finding.

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:

(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.

Given the specific structure (accessory, garage shed) it would not appear that estimates for market value would be required. None have been submitted.

and,

(ii) the feasibility of rehabilitation or reuse of the structure proposed for demolition or partial demolition;

See engineer's report for conditions review and recommendations.

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 proposes construction of a new storage shed, in a different location. The existing site will be returned to green space and landscaped. **Affirmative finding.**

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.

Plans are enclosed. See attached. **Affirmative finding.**

2. Standards for Review of Demolition.

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 applicant has demonstrated in the submitted narrative continued repair and shoring of the existing shed. **Affirmative finding.**

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;

The engineer's report provides a summary of work required to reinforce and repair the existing shed, and offers to provide an order of magnitude cost associated with the repair required. Given that the structure does not meet code and has demonstrated failure, demolition may be considered.

Affirmative finding.

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.

These early garage sheds provide a specific point-in-time when residents were acquiring automobiles and needed shelter for them. A rare building permit record from this time period illustrates the popularity of adding a garage shed to properties between this time period and the early 1920s. Its loss will be regrettable, but understandable. Photos of the structure, kept in the zoning file, will provide a photographic record for future use.

Certainly the construction of a new accessory structure will be useful to the property owners, and remove a failing building on-site. In that manner, coupled with the information about the existing garage shed, there can be imagined a greater community-wide benefit.

Affirmative finding.

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;

Photo documentation would provide a minimal amount of mitigation. **Affirmative finding as conditioned.**

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;

See D. above.

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.

The applicant proposes an immediate replacement structure, to be used for storage. As submitted, the new storage building will complement the existing house and character of the area. **Affirmative finding.**

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; nor does it appear warranted. **Affirmative finding.**

3. Deconstruction: Salvage and Reuse of Historic Building Materials.

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.

The applicant shall be encouraged 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. **Affirmative finding as conditioned.**

Article 8: Parking

Table 8.1.8-1 requires 2 parking spaces for every residential unit in the Neighborhood Parking District. Although the garage/shed no longer can accommodate a motor vehicle, it has counted toward satisfaction of their parking requirement. The submitted site plan defines an existing driveway of 9' x 38'. This could accommodate one regular vehicle (9' x 20') and one compact vehicle (9' x 18'). As provided, the site will still meet the 2 space parking requirement of this article. **Affirmative finding.**

II. Conditions of Approval

1. Photodocumentation submitted with the application of the existing building shall be included in the zoning permit file for future information and reference.

2. Sale, relocation, deconstruction for salvage or reuse is encouraged.
3. Standard Permit Conditions 1-15.

NOTE: These are staff comments only. The Development Review Board, who may approve, table, modify, or deny projects, makes decisions.

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Sara Brown
65 Charlotte Street
Burlington, VT 05401

DEPARTMENT OF
PLANNING & ZONING

12 May 2014

Department of Planning and Zoning
149 Church Street, City Hall
Burlington, VT 05401

I am applying for permission to demolish and remove the shed located behind our house at 65 Charlotte Street. When we purchased the house in 2005, the roof of the structure had collapsed. We put a new (recycled) roof on the shed to extend its life. Over the course of the last nine years we have also painted the exterior, repaired the sagging doors, and replaced the rotting window sills. We have made these efforts to maintain the structure, but we feel that the shed is reaching the end of its useful life.

The structure sits on a crumbling concrete slab, which has sunk below grade over its lifetime. As a result, water flows into the shed pooling in the areas of the slab where the concrete is cracked, missing, and exposing dirt. This sunken slab is especially problematic in the winter when rain or melt water pools at the entrance to the shed and freezes, making entrance impossible until the ice is chopped away.

After this past winter, we feel that it is time to replace the shed. We propose to demolish the current shed and erect a new shed in a position further to the back of our lot. We have plans to build an addition onto our house in the future, which would require that the location of the shed be moved. We would like to locate the shed at the back of our lot, as it would maintain the sunny center of our yard for gardens. Placement of structures at the back of the lot is typical of the homes in our neighborhood. The three lots contiguous to ours have their sheds towards the back.

We have considered moving the current shed. However, due to the structural improvements necessary (outlined in the engineer's report), and the general deterioration of the structure we do not feel that this is the best option. We do not want to risk further contamination of our yard with the lead paint that is present under the top layer of paint on the shed. We also do not want to pour a new concrete slab creating a permanent, impermeable ground surface.

We propose to replace the current shed with a slightly smaller structure built by the Vermont Shed Company. This structure would have a wooden floor and be supported on piers, a preferable alternative to a concrete slab. The replacement shed would also be sided with wood clapboards, the windows would be two over two lights, similar to the windows in our house, and the roof would be metal. We plan to stain and seal the siding to maintain the natural wood color, and to paint the trim in colors to match those of our house. Perennials and shrubs will be placed around the new shed to further beautify the structure.

Sincerely,



May 6, 2014

Sara Brown
65 Charlotte Street
Burlington, Vermont 05401

RE: Garage Structural Conditions Assessment
EV# 14228

Dear Sara,

As requested by you, Chris Hill from Engineering Ventures performed a site visit to perform a structural conditions assessment of your wood framed garage. The size of the garage is 10'-0" wide by 18'-6" long. The garage is one story with a shed roof and what appears to be a concrete slab on grade.

Currently, the garage space is used for storage and a small chicken coop.

For review purposes, we used the currently adopted building code 2012 International Building Code (IBC 2012) when analyzing the structure. A flat roof snow load of 40 pounds per square foot was used in determining the structural capacity.

Conditions Review:

- Roof rafters are 2x6's at 24' on center with spans of 8'-6" and 10'-0". The slope is approximately 2:12. The 10ft long rafters are not adequate to support the required snow load.
- A roof support beam, (2)-2x6, is located 10 feet from the garage door and spans the 10 foot width. It is not adequate to support the required snow loads.
- Metal roofing is supported by 1x strapping. There is no wood sheathing on the roof.
- Exterior wall studs are 1 3/4"x3 3/4" at 16' on center. The studs are not continuous to the roof with the exception of the back wall. A double wall plate is at the top of the back wall elevation with short studs above on three sides of the garage. Horizontal siding boards exist on the exterior. There is no diagonal bracing on the walls.
- It appears that areas of rot exist along some of the wall sill plates at the foundation level.
- The back wall of the garage is bulging out and appears to have been hit by a vehicle. Exterior siding is broken and we speculate that some of the wall studs are also broken

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due to the extent of the bulge. The chicken coop obstructed our view of the interior framing.

- It appears that the garage is leaning slightly towards the north and west.
- Garage door header is (3)-2x4 flat. It is not adequate for the required snow load.
- A concrete slab on grade exists within the interior of the garage. Two or three courses of brick were seen under the exterior walls. The concrete slab is severely cracked and out of level throughout.

Recommendations:

The following remedial steps are needed to bring this structure into conformance with the Code and to stabilize it for long-term continued use.

- Roof rafters need to be reinforced.
- Reinforce the roof beam.
- Reinforce the header over the garage door.
- Rebuild a portion of the back wall that was damaged.
- Provide diagonal bracing or sheathing on the interior walls to lateral stabilize the structure.
- Replace any rotted sill plates.
- Investigate the condition of the existing foundation below the bricks. If a foundation does not exist below the bricks, then we recommend a constructing new concrete foundation around the perimeter of the garage.

Summary:

The existing garage structure is in a stable condition although a number of items would need to be reinforced/repared in order for it to meet current building Codes and to ensure long-term safety. A priority list for repair work would be in order of importance:

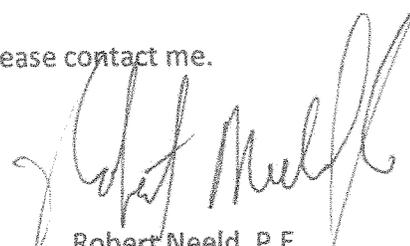
- Reinforce the rafters and the rafter support beam.
- Rebuild the damaged portion of the back wall.
- Replace any rotted sill plates.
- Add sheathing or diagonal bracing to the walls.
- Replace the existing foundation with a new concrete foundation.

If you would like an order of magnitude cost associated with the priority list, we can develop one for you.

Thanks you for contacting us. If you need more assistance, please contact me.

Best regards,

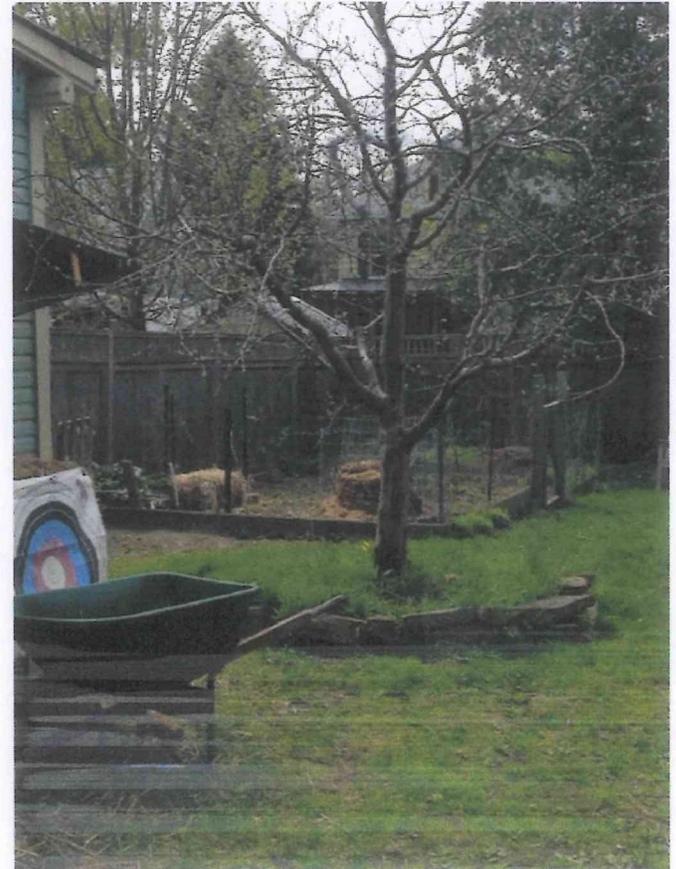

Christopher Hill
Project manager


Robert Neeld, P.E.
President

Current Shed at 65 Charlotte Street

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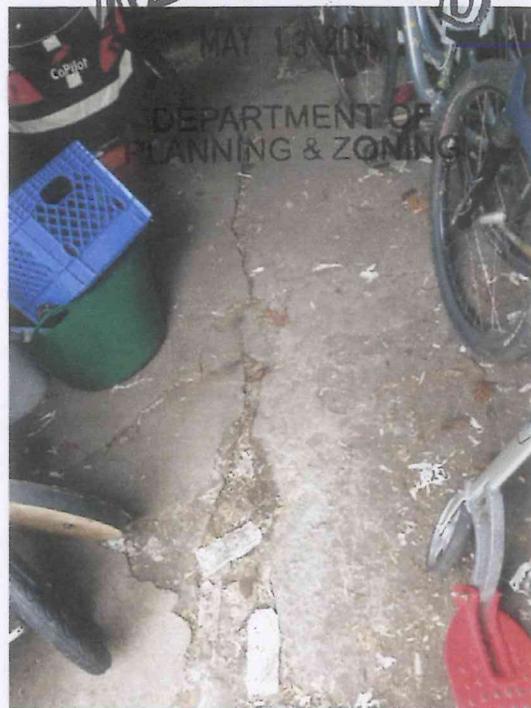


The proposed location of the new shed would be at the back of the lot with its rear wall at the same position as the back edge of the raised bed garden, 12' from the back fence.

Examples of damage to shed at 65 Charlotte St.



Cracks run throughout entire slab.



The low spot at the center of the photo is bare dirt.



Doors sag a bit. A large crack in the left door was repaired before our ownership. Doors continue to be damaged at the bottom by winter ice.



General deterioration.



The cracked and bowed back wall mentioned in the engineer's report.



Vermont Shed Company

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10 x 16 Foot Shed Model: 062_1016

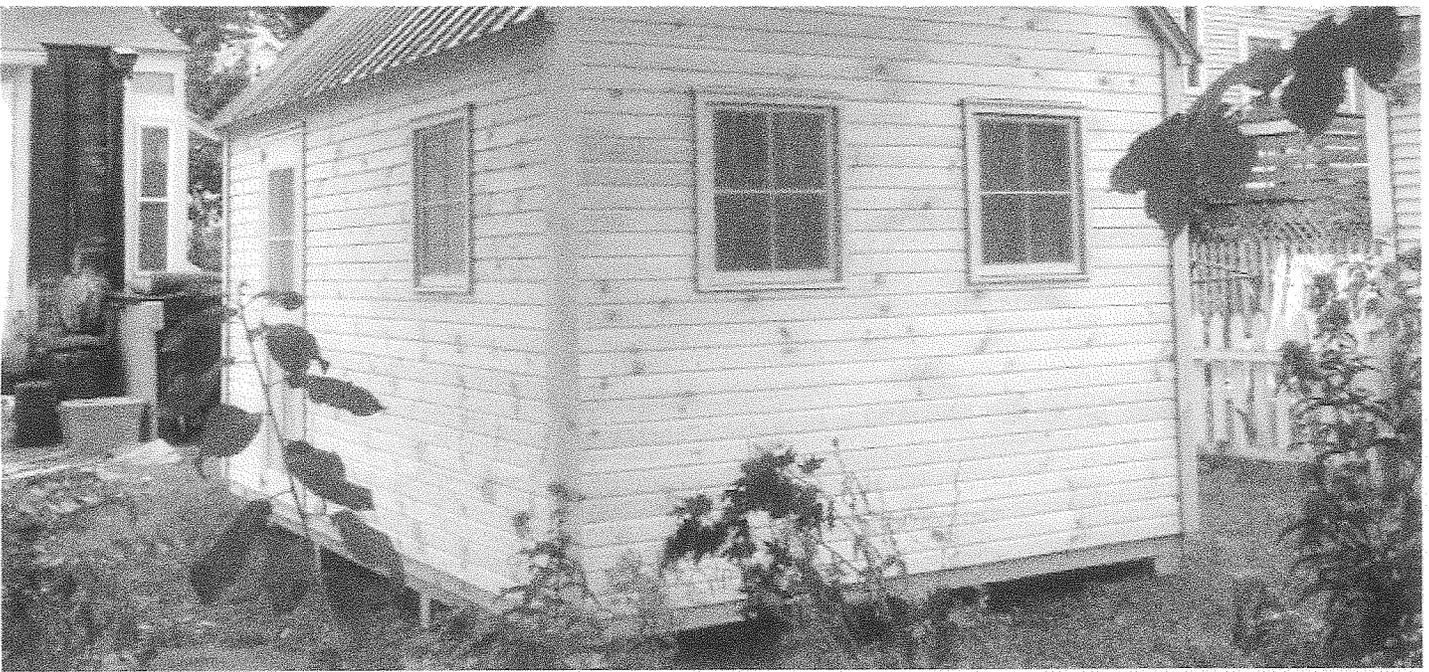
Size: 10 x 16 feet, Walls: 7 feet, Roof color: (7) Red, Roof pitch: 12/12, Location: Burlington, VT

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Similar design to proposed, new shed.





Vermont Shed Company • vtshed@gmail.com

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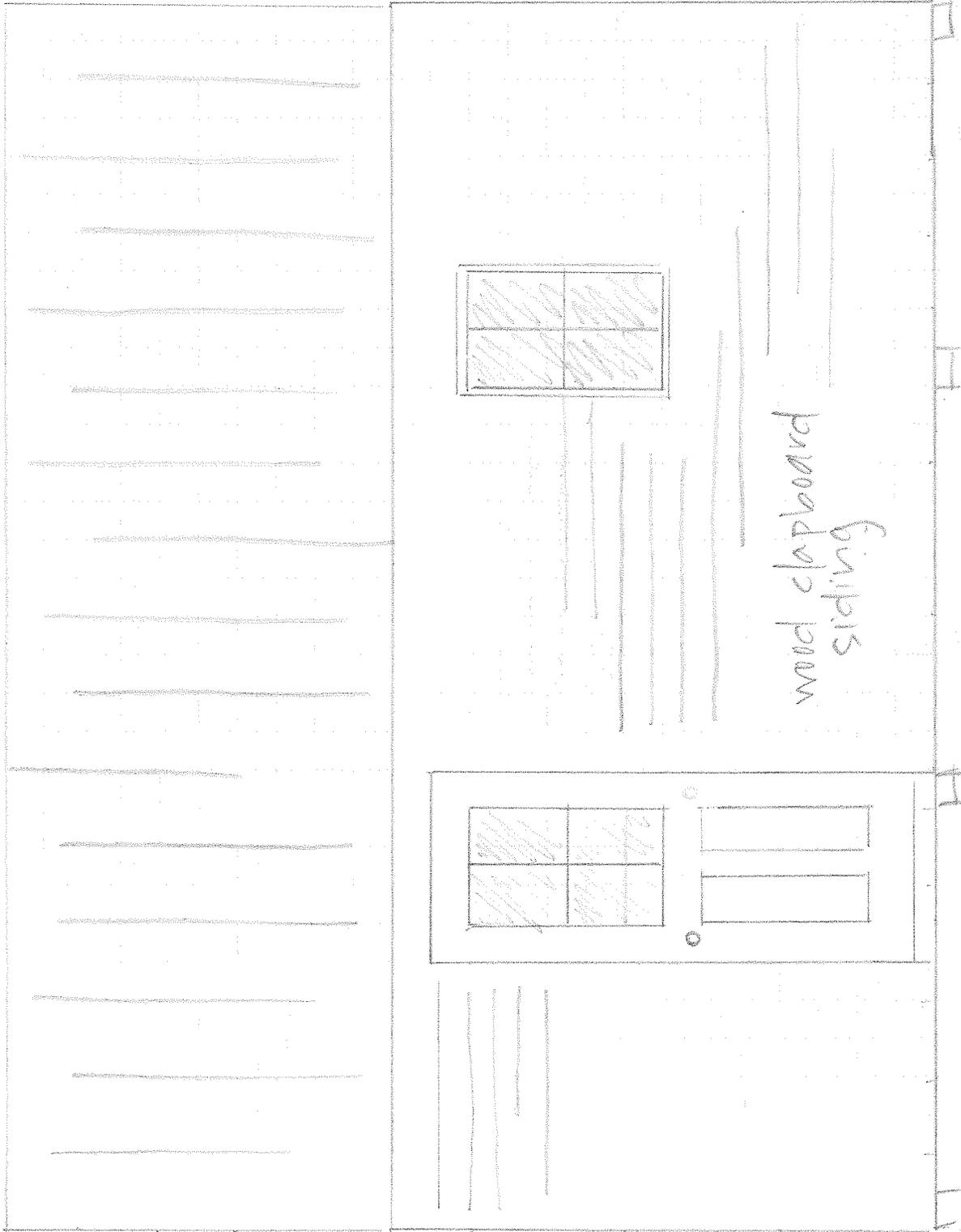
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grey metal roof

12/12 pitch

west wall facing fenced will have no windows



wood clapboard siding

Proposed New Shed
East wall - facing street

piers

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12/12 Pitch
grey metal roof



South wall

North wall

STATE OF VERMONT Division for Historic Preservation Montpelier, VT 05602 HISTORIC SITES & STRUCTURES SURVEY Individual Structure Survey Form		SURVEY NUMBER: 0402-5	
COUNTY: Chittenden		Part of: <input checked="" type="checkbox"/> District _____ <input type="checkbox"/> Complex _____	
TOWN: Burlington VILLAGE:		Contributing <input checked="" type="checkbox"/> Non-Contributing <input type="checkbox"/>	
LOCATION: 65 Charlotte Street		Listed on: State Register of Historic Places <input type="checkbox"/> N National Register of Historic Places <input checked="" type="checkbox"/> N 02/02/2008	
PROPERTY TYPE: House		CRITERIA: A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/>	
OWNER: Ethan and Sara Brown ADDRESS:		NEGATIVE FILE NUMBER:	
ACCESSIBILITY TO PUBLIC: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Restricted <input type="checkbox"/>		COORDINATES: UTM (ZONE 18) E 0 N 0 VSP (NAD 83) E 443340.41042 N 213525.71907 E911 E N	
HISTORIC CONTEXT: Physical Patterns of Communities		PRESENT FORMAL NAME: Brown House	
SIGNIFICANCE: Architectural <input checked="" type="checkbox"/> Historic <input checked="" type="checkbox"/> Archeological <input type="checkbox"/> Engineering <input type="checkbox"/>		COMMON NAME: Brown House	
LEVEL OF SIGNIFICANCE: Local <input checked="" type="checkbox"/> State <input type="checkbox"/> National <input type="checkbox"/>		ORIGINAL FORMAL NAME: Paya House	
PHYSICAL CONDITION OF STRUCTURE: Excellent <input checked="" type="checkbox"/> Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/>		PRESENT USE: House	
GENERAL DESCRIPTION: 1. Foundation: Stone <input type="checkbox"/> Brick <input type="checkbox"/> Concrete <input type="checkbox"/> Concrete Block <input checked="" type="checkbox"/>		ORIGINAL USE: House	
2. Wall Structure: a. Wood Frame: Post & Beam <input type="checkbox"/> Balloon <input checked="" type="checkbox"/> b. Load Bearing Masonry: Brick <input type="checkbox"/> Stone <input type="checkbox"/> Concrete <input type="checkbox"/> Concrete Block <input type="checkbox"/> Bonding Pattern: c. Iron <input type="checkbox"/> Steel <input type="checkbox"/> e. Other:		ARCHITECT/ENGINEER:	
3. Wall Covering: Clapboard <input checked="" type="checkbox"/> Board & Batten <input type="checkbox"/> Wood Shingle <input checked="" type="checkbox"/> Shiplap <input type="checkbox"/> Novelty <input type="checkbox"/> Asbestos Shingle <input type="checkbox"/> Sheet Metal <input type="checkbox"/> Aluminum & Asphal Siding <input type="checkbox"/> Brick Veneer <input type="checkbox"/> Stone Veneer <input type="checkbox"/> Bonding Pattern: Other:		BUILDER/CONTRACTOR: Edward Paya	
4. Roof Structure: a. Truss: Wood <input checked="" type="checkbox"/> Iron <input type="checkbox"/> Steel <input type="checkbox"/> Concrete <input type="checkbox"/> b. Other:		STYLE: Vernacular	
5. Roof Covering: Slate <input checked="" type="checkbox"/> Wood Shingle <input type="checkbox"/> Asphalt Shingle <input type="checkbox"/> Sheet Metal <input type="checkbox"/> Built Up <input type="checkbox"/> Rolled <input type="checkbox"/> Tile <input type="checkbox"/> Other:		PLAN:	
6. Engineering Structure: 7. Other:		DATE BUILT: 1918	
8. Appendages: Porches <input checked="" type="checkbox"/> Towers <input type="checkbox"/> Cupolas <input type="checkbox"/> Dormers <input type="checkbox"/> Chimneys <input checked="" type="checkbox"/> Shed <input type="checkbox"/> Ells <input type="checkbox"/> Wings <input type="checkbox"/> Bay Window <input type="checkbox"/> Other:			
9. Roof Styles: Gable <input checked="" type="checkbox"/> Hip <input checked="" type="checkbox"/> Shed <input type="checkbox"/> Flat <input type="checkbox"/> Mansard <input type="checkbox"/> Gambrel <input type="checkbox"/> Jerkinhead <input type="checkbox"/> Saw Tooth <input type="checkbox"/> With Monitor <input type="checkbox"/> With Bellcast <input type="checkbox"/> With Parapet <input type="checkbox"/> With False Front <input type="checkbox"/> Other:			
Number of Stories: 2		Entrance Location: gable right	
Number of Bays: 2 x 2		Approximate Dimensions: 22x27	

ADDITIONAL ARCHITECTURAL OR STRUCTURAL DESCRIPTION:

Additional Features:

hood molding; Colonial Revival porch;

Additional Description:

RELATED STRUCTURES:

Garage - One-bay Garage; Garage - Other Roof;

STATEMENT OF SIGNIFICANCE:

This house occupies Lot #86 as shown on the 1898 Buell plan. Batchelder and Brown sold the lot to Benjamin H. Sharples, and the first Burlington City Directory listing appears in 1918 for Edward Paya. Paya was a carpenter and may have built this house #61 next door. The house first appears on the 1919 Sanborn map. #65 and #61 were the first two houses built on Charlotte Street.

REFERENCES:

MAP: (Indicate North in Circle)

SURROUNDING ENVIRONMENT:

- Open
- Woodland
- Scattered Buildings
- Moderately Built Up
- Densely Built Up
- Residential
- Commercial
- Agricultural
- Industrial
- Roadside Strip Development
- Designed Landscape Features
- Other:

RECORDED BY:

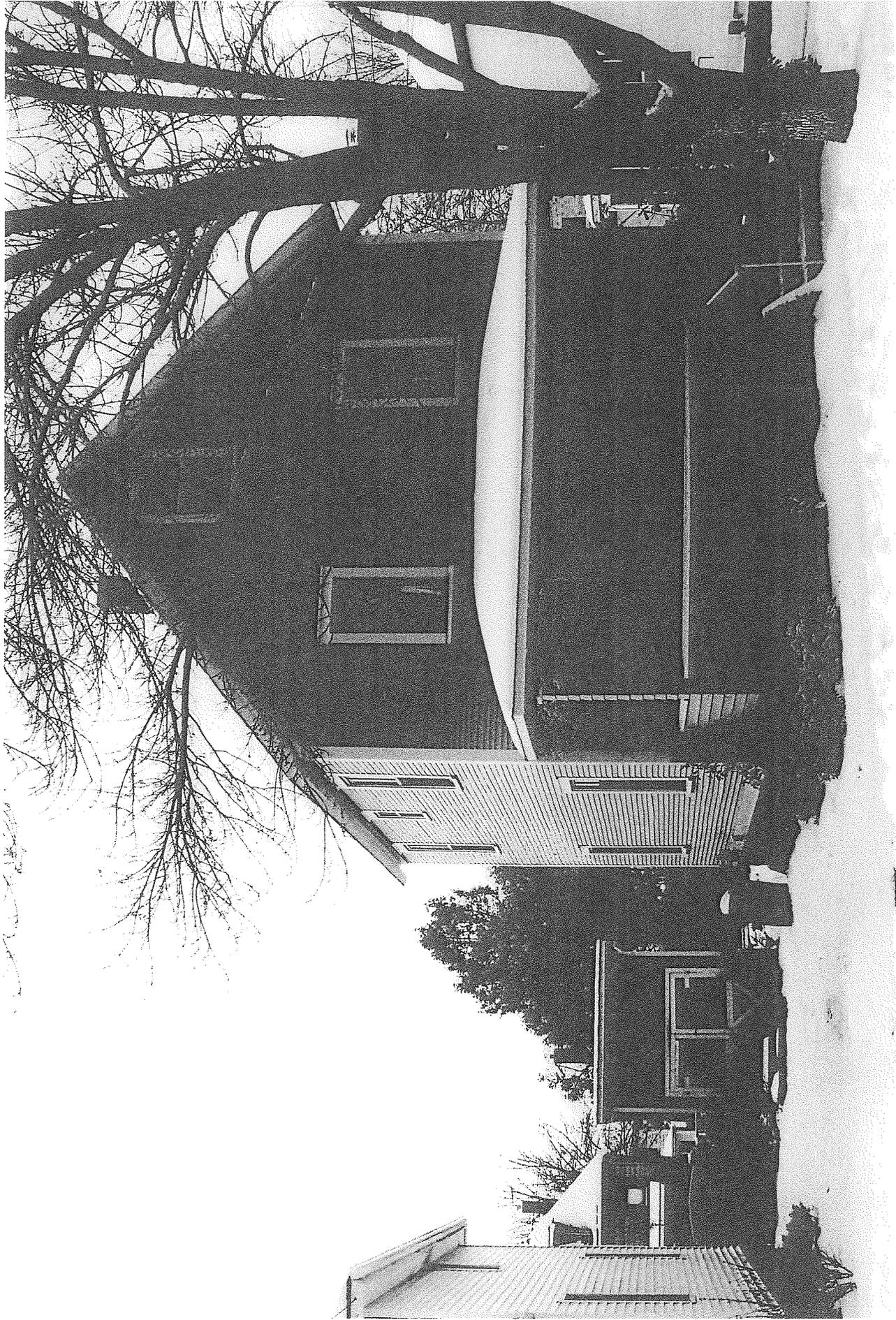
Devin Colman

ORGANIZATION:

City of Burlington

DATE RECORDED:
09/07/2007

LAST UPDATED:
10/06/2008



Survey 0402-5: 65 Charlotte Street
Burlington, VT. View northwest.
Photograph by Devin Colman, 12/8/2007
Digital image on file at VT Division for Historic Preservation

