

## Burlington Development Review Board

149 Church Street, City Hall  
Burlington, VT 05401

[www.burlingtonvt.gov/pz/DRB](http://www.burlingtonvt.gov/pz/DRB)

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Austin Hart  
Brad Rabinowitz  
Israel Smith  
AJ LaRosa  
Geoff Hand  
Alexandra Zipparo  
Wayne Senville  
Jim Drummond, (Alternate)  
Robert Purvee, (Alternate)



### BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday November 1, 2016, 5:00 PM Contois Auditorium, City Hall, 149 Church Street, Burlington, VT Minutes

**Board Members Present: Austin Hart, Brad Rabinowitz, Geoff Hand, Israel Smith, Alexandra Zipparo, A.J.LaRosa, Wayne Senville, Jim Drummond, Robert Purvee**

**Board Members Absent:**

**Staff Present: Scott Gustin, Mary O'Neil, Anita Wade**

#### I. Agenda

#### II. Communications

Supplemental communications on two items accepted for 3127 North Ave and 702 Lake St

#### III. Minutes

#### IV. Consent

##### 1. 15-0129CA/CU; 1398 NORTH AVENUE (RL, Ward 7N) Peter and Mary Bessery

Extension of time for demolition of existing building and construct new two story building with market on ground floor and two residential units on second floor.  
(Project Manager, Scott Gustin)

AHart: applicant not in attendance and no interested parties.

B.Rabinowitz: motion to approve staff conditions and recommendations.

I.Smitth: seconds the motion.

A.Zipparo: asks if applicant needs to be present.

AHart: no further discussion.

Board Vote: 7-0-0. Motion approved.

#### V. Public Hearing

##### 1. 17-0267SD; 311-375 North Ave (RM-W, Ward 4N) BCCH

Final plat review of 11-lot subdivision. No development included.  
(Project Manager, Scott Gustin)

A.Hart: applicant not present and asked for a deferral and not considered tonight.

Will consider when applicant is ready.

Interested party wants to submit a letter to Planning and Zoning.

##### 2. 17-0302CU; 702 Lake St (UR/DW-PT/RM-W, Ward 4N/3C) City of Burlington

Renewal of winter snow storage on urban reserve parcel. (Project Manager, Scott Gustin)

G.Hand recused.

AHart; no interested parties; swears in applicant

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R.Green: requesting extension for two years for storage of snow; location is old fuel tanks area; Changes over last year with development and asking to store snow.  
A.Hart: went through conservation board and pleased to have their comments. The only issue is the noise issue. Occasionally, the market place uses area for snow removal. Question if DPW will have control over removal and the noise of slamming of trucks  
R.Green: need to make sure piling snow is done properly. Will monitor and maintain piles of snow, the slamming of tail gates is a problem when snow sticks with the noise and echo. Will educate employees.  
A.Hart: does DPW have review over marketplace operations  
R.Green: will discuss issues and be point of contact  
B.Rabinowitz: hours of removal from Church St  
R.Green: DPW does removal after hours; marketplace can be anytime  
B.Rabinowitz: asks for after 9am  
A.Hart: preference for one year extension. No interested parties  
Public hearing was closed.

**3. 17-0189CA; 28 Pine St (D, Ward 3C) Chris Khamnei**

Appeal of zoning permit denial to change use to single family residence.  
(Project Manager, Scott Gustin)

R.Purvee: recused.  
A.Hart: no appellant and will skip and come back  
A.Hart: reopens hearing. The city will go first and appellant can reply. Swears in applicant and staff  
S.Gustin: property is mixed community. Applied for residential SF, but ordinance denies this.  
B.Rabinowitz: are 4 or 5 buildings grandfathered?  
S.Gustin: would have to look into this further  
B.Rabinowitz: asks if this is a change of use  
C.Khamnei: assistant filed this since he cannot rent this space. Any lot can have 6 units  
Commercial use is on ground level  
A.Hart: not used as SF since 1983  
C.Khamnei: discontinuance laws do not apply  
A.Hart: asks for interested parties. Closed public hearing.

**4. 17-0427CA/CU; 3127 North Ave (RL-W, Ward 7N) Joseph Benoit III/Thomas Furland**  
Remove existing garage and construct a new residence. (Project Manager, Scott Gustin)

A.Hart: swears in applicant and interested parties  
T.Furland: owner of property has seen staff conditions and mentions items 6 and 2  
A.Hart: old plans didn't distinguish size restrictions and spaces. Asks staff for comments  
S.Gustin: revised floor plan does comply  
T.Furland: landscape plan not specific yet  
B.Rabinowitz: suggest a plan  
S.Gustin: recommendation but Board can require it  
W.Senville: staff recommendations about attic changed  
T.Furland: yes the new plan has changed  
B.Rabinowitz: site plans have existing photos  
A.Hart: are there staff concerns  
S.Gustin: the issues of accessory apartment have been addressed  
A.Hart: asks applicant if landscaping plan will be deferred  
T.Furland: staff is recommending a landscaping plan, but not requiring it. Want to put off for now  
A.Hart; asks for interested parties to speak.

T.Ducek: resides directly behind house and excited about project. Wants protection of important views. Some confusion over boundaries in this area. Structure may be bigger than what it was before, which is part of reason we live here. Need landscape protection

A.Hart: ordinance asks for protection of public views, setbacks and building heights are not defined. Asks where is house going to be and would be helpful to know what they plan to do

W.Senville: asks staff to explain setback

S.Gustin: exception for rear yard setback. Nonconformities allowed as long as they reduce it.

T.Furland: will talk to neighbors about landscape plan

J.Drummond: existing plan paved the area parking

A.Hart: closed public hearing

## **VI. Sketch Plan**

- 1. 17-0432SP; 30-32 Howard St/400Pine St (ELM, Ward 5S) Howard Space Partnership**  
Construction of multiuse building for studios, offices and replacement of two residential units.  
(Project Manager, Mary O'Neil)

J.Unsworth: 4<sup>th</sup> generation owner of Howard Center. Went over history of property and relationship to family. Proposing higher density with an artist studio and commercial space. Lower floor for artists' studios and upper floors for office with higher rents.

D.Vaneman: architect for the project spoke about going before the Technical Review Board

B.Rabinowitz: asks about property lines

A.Zipparo: asks about an aerial orientation of Pine St and Howard St and removal of buildings

D.Vaneman: Removal of three buildings providing extra clearance for the existing building to open up area. Parking spaces from the north side will have 25 under the building and 4 surface spaces

G.Hand: questions access to parking

D.Vaneman: easy access on Pine St

K.Worden: described parking and turning radius.

D.Vaneman: discussed the parking waiver, possibly eliminating some parking

J.Unsworth: adding 17 studios

A.Hart: provide a report for the buildings being taken down. Want to take a long at the demolition and how it relates to historic structures

B.Rabinowitz: the elevation is not easy to judge and need more context

D.Vaneman: spoke of materials list and elevation

J.Drummond: asked about raising floor level on first floor relative to the elevation of nearby houses and grade change.

A.Zipparo: the parking has to be better than it is now. It will be hard to convince me that you will be responsible with expansion of the parking waiver. There was a violation all summer long

A.Hart: definitely an opportunity to understand parking on the entire block

B.Rabinowitz: need to look at how pairing works with other studios and provide the data

J.Unsworth: happy to get data on parking

A.Hart: great project and novel issue of replacing housing

B.Rabinowitz: questions on setbacks

J.Drummond: questions about the housing being torn down

W.Senville: spoke about staff concerns with historic structures and demolition

D.Vaneman: thought about using aspects of the building

G.Hand: vault building is intriguing and gives historic context and massing and scale and would like to see the context. The barn is less significant than the vault structure

I.Smith: said this is a site where buildings evolved over time having a rich environment. Taking down and putting up something that's different but what is being replaced should reinforce overall site. Building aspects that don't fit need to get more expressive and unique to the site

A.Hart: demolishing the historic building will provide substantial contribution. It is halfway there, but the design and aesthetics may need attention.

B.Rabinowitz: questions the scale and pricing

J.Unsworth: new building will be higher. We are trying to keep the historic nature and have it compliment some historic aspects.

**VII. Other Business**

**VIII. Adjournment**

Meeting adjourned at 6:23pm.

Deliberative session held after meeting.

\_\_\_\_\_  
Austin D. Hart, Chairperson Development Review Board

\_\_\_\_\_  
Date

\_\_\_\_\_  
A.Wade, Planning & Zoning Clerk

\_\_\_\_\_  
Date

Plans may be viewed in the Planning and Zoning Office, (City Hall, 149 Church Street, Burlington), between the hours of 8:00 a.m. and 4:30 p.m.

Participation in the DRB proceeding is a prerequisite to the right to take any subsequent appeal. Please note that ANYTHING submitted to the Planning and Zoning office is considered public and cannot be kept confidential.

This may not be the final order in which items will be heard. Please view final Agenda, at [www.burlingtonvt.gov/pz/drb/agendas](http://www.burlingtonvt.gov/pz/drb/agendas) or the office notice board, one week before the hearing for the order in which items will be heard.