

Burlington Development Review Board

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Austin Hart
Brad Rabinowitz
Springer Harris
AJ LaRosa
Geoff Hand
Alexandra Zipparo
Samantha Tilton
Jim Drummond, (Alternate)
Zoraya Hightower, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday August 7th, 2018, 5:00 PM Contois Auditorium, City Hall, 149 Church St, Burlington, VT MINUTES

Board Members Present: A. Hart, B. Rabinowiz, S. Harris, A. LaRosa, G. Hand, A. Zipparo, S. Tilton, J. Drummond (Alt.)
Board Members Absent: Z. Hightower (Alt.)
Staff Present: Mary O'Neil, Ryan Morrison, Layne Darfler

I. Agenda

A. Hart: Certificate of Appropriateness project number 1. 18-0975CA/18-0976LL; 308 Main St (RH, Ward 8E) Green Castle LLC (Bruce Baker and Gregory Doremus) AND 18-0977LL; 323-325 College St (RH, Ward 8E) Green Castle LLC and Alpha Properties LLC (Peter C. Potts, Carol B. Potts, Elizabeth Demas IRA, Mary Lee IRA); Requested Deferral to date certain of September 4th 2018.

II. Communications

A. Hart: Request for deferral and public communications both accepted into the record

III. Minutes

Minutes will be discussed at the next deliberation

IV. Consent

V. Public Hearing

1. 18-1097CA/CU; 35 Western Ave (RL, Ward 4N) Noah Weisman

Remove porch and garage; New garage and porch and accessory apartment; increase driveway.

(Project Manager: Ryan Morrison)

A. Hart: Staff has recommended this project be reviewed as consent; do any members of the Board object?

B. Rabinowitz objects

A. Hart: has the applicant received and reviewed staff comments?

N. Weisman: Yes

A. Hart: Any questions

N. Weisman: None

B. Rabinowitz: The way the driveway is set up blocks cars into the parking spaces, if the driveway was extended it would be better.

R. Morrison: Agree that extending the driveway would be better and it would be fine within the lot coverage. Would require revised site plan in pre-release conditions

N. Weisman: No problem at all

A. Hart: Closed public hearing

2. 18-1137CU; 6 Wildwood Drive (RL, Ward 4N) Shouyan Li Gardiner

Requesting a two bedroom B&B.

(Project Manager: Ryan Morrison)

A. Hart: Have you received staff comments?

S. Gardner: Yes, has a hard time understanding due to language constraints

A. Hart: There is a notice of violation for the bed and breakfast use and living spaces increase; this application is part of the cure of that notice of violation with conditions that the kitchen uses are removed.

S. Gardner: The stove was already removed and I worked with Code Enforcement to pass inspections.

A. Hart: There was a condition requiring that someone be present to move cars as necessary so that that the 2 parking spaces that are needed for the bed and breakfast are parking on the site and not on the street.

S. Gardner: discussed the times she has guests check in and her work commitment. Does not drive a car and rides a bike all year long except to get groceries. Parking will be provided on site.

B. Rabinowitz: Photos in the application of bedrooms that the bed and breakfast occupies are those windows the egress ones.

Confirmed

B. Rabinowitz: The idea of having a two-bedroom bed and breakfast in the RL zone requiring attended parking seems problematic

S. Gardner: Does not want two cars on site, limit to one or maybe 2 and rarely 3 cars may come but can park cars in garage.

D. Frye: submitted letter to the Board; opposed to having an Air BnB in a quiet, calm neighborhood; the proposed use will bother the neighborhood. People come and go and make noise at all times of the night. Disturbances happen often, 4-car driveway that she has is used by tenants. She has two cars that are always in the driveway and they use the street for parking all year round. There are more violations going on then what is happening today. She had an addition put on and it did not pass inspection. There are times where there are 3-4 cars visiting a day and people come and go at all hours not just when she is home.

A. Zipparo: is there anywhere on the Air BnB site that you can voice these concerns or complaints about neighboring property.

D. Frye: there is but neighbors would have to identify themselves.

E. Able: Wildwood Drive is part of what used to be Brennan Woods, it is a loop; no through traffic; very quiet. Reviewed some history of the property. Single-family ranches built in 1942. Opposing the Air BnB, does not think it is appropriate for the neighborhood. Very hard working individual who has added to the building many times, there are always several cars at her house. Lives four houses away- does not think it is appropriate for the neighborhood; primary concern is the coming and going of strangers every day.

A. Zipparo: Familiar with the Wildwood loop; the bike path cuts through the back of the road; my experience is that is impacted by people everyday on bikes and pedestrians throughout that neighborhood and quite a bit of coming and going.

E. Able: That is Dale Rd that the bike path cuts through; Wildwood is not through traffic it is a loop.

P. Henry: concerned with the proposal because there are times when he cannot park in front of the house because her guests are in front of their homes and she does not cooperate. People coming and going all of the time.

N. Weisman: Air BnB has strict rules you can enforce

A. Hart: Air BnB is allowed in the RL zone, you are asking for two rooms and that is allowable, however the ordinance states that the use has to conform to the

neighbors. Can you respond to their concerns regarding the noise and the parking issues?

S. Gardner: The noise is not from her guests, if from her property it may be from her because she is very social and hosts Chinese dance classes at her home. Only recalls one incident with a loud guest; there was a boundary line issue 20 years ago and in June she had friend park on the street to wait until she could get her car into the garage before they moved their vehicle into the driveway, neighbor had words with the individual.

A. Hart: the point is that you need to control the noise made by the Air BnB guests and you are going to need to operate this in compliance with the ordinance and the conditions the Board applies to the permit. This means you need to control the noise and where the guests park. You need to provide parking spaces for the BnB guests on site. We cannot control if you decide to park your car on the street but your guests need to park on the site.

A. Hart: Closed the public hearing

3. 16-1259CA/CU; 195 South Prospect Street (RL, Ward 6S) Vermont Organization for Jewish Education-Lubavitch

Request for Time Extension: Change of use from single family to two units, add finish in the basement, rearrange parking/driveway.

(Project Manager: Ryan Morrison)

M. Weiner: client has approval for the project we are just asking for an extension of time for the work to be done due to the extent of the project and financial aspects they just need more time.

B. Rabinowitz: the construction is happening now?

Confirmed

B. Rabinowitz: if we approved a 1-year extension what is the completion date?

R. Morrison: June 28th, 2019

A. Hart: Does the Board have any further questions?

None

A. Hart: Closed the public hearing

VI. Certificate of Appropriateness

1. 18-0975CA/18-0976LL; 308 Main St (RH, Ward 8E) Green Castle LLC (Bruce Baker and Gregory Doremus) AND 18-0977LL; 323-325 College St (RH, Ward 8E) Green Castle LLC and Alpha Properties LLC (Peter C. Potts, Carol B. Potts, Elizabeth Demas IRA, Mary Lee IRA)

Residential addition to add four (4) new dwelling units for a total of 8. Site plans changes simultaneous to lot line adjustment with 323-325 College Street to accommodate parking and circulation.

(Project Manager: Mary O'Neil)

A. Hart recused

B. Rabinowitz: Deferral request to date certain of September 4th, 2018

G. Hand: Motion to defer to date certain of September 4th 2018

A. LaRosa: Seconds the Motion

8-0-0

VII. Other Business

1. Annual Organizational Meeting

Position of Clerk: Staff filled by Planning Technician Layne Darfler
Motion made by A. LaRosa
Second by B. Rabinowitz
8-0-0

Position of Chair: B. Rabinowitz
Motion made by: G. Hand
Second by: A. Hart
8-0-0

Position of Vice Chair: A. LaRosa
Motion made by A. Zipparo
Second by A. Hart
7-0-0

Long Range Planning Committee member: Samantha Tilton
Motion made by: A. LaRosa
Second by: G. Hand
7-0-0

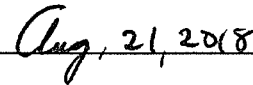
Planning Commission Ordinance Committee: Austin Hart
Motion made by: A. Zipparo
Second by: A. LaRosa
8-0-0

VIII. Adjournment

Meeting was adjourned at 6:15 PM

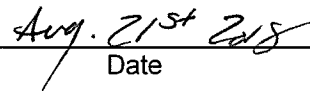


Austin D. Hart, Chair of Development Review Board



Date


L. Darfler, Planning Technician


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 or the office notice board, one week before the hearing for the order in which items will be heard.