

## Burlington Planning Commission

149 Church Street  
Burlington, VT 05401  
Telephone: (802) 865-7188  
(802) 865-7195 (FAX)  
(802) 865-7144 (TTY)

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

*Andy Montroull, Chair  
Bruce Baker, Vice-Chair  
Yves Bradley  
Alexander Friend  
Emily Lee  
Harris Roen  
Jennifer Wallace-Brodeur*



## Burlington Planning Commission Tuesday, October 9, 2018, 6:30 P.M. Conference Room 12, City Hall, 149 Church Street **AGENDA**

*Note: times given are approximate unless otherwise noted.*

### I. **Agenda**

### II. **Public Forum**- Time Certain 6:30 p.m.

### III. **Report of the Chair**

### IV. **Report of the Director**

### V. **2019 Meeting Calendar**

The Planning Commission will approve its regular meeting schedule for 2019, enclosed in the agenda packet on page 2.

**Staff Recommendation:** Approve the proposed meeting calendar.

### VI. **2019 Update to planBTV**

The Planning Commission will continue its discussion of the updated planBTV and the schedule for posting and reviewing the draft. Information related to the plan update is available at: <https://planbtv-burlingtonvt.opendata.arcgis.com/pages/document-library>

**Staff Recommendation:** No action is required. The Commission is invited to share comments and feedback to support the development of content for the plan update.

### VII. **Committee Reports**

- a. Executive Committee
- b. Ordinance Committee
- c. Long Range Planning Committee

### VIII. **Commissioner Items**

- a. The next regular meeting will be on Tuesday, October 23, 2018 at 6:30pm.

### IX. **Minutes & Communications**

The Commission will review and approve the minutes of the September 25, 2018 meeting, enclosed on pages 3-5 of the agenda packet and accept communications on pages 6-7 of the agenda packet.

### X. **Adjourn**

*This agenda is available in alternative media forms for people with disabilities. Individuals with disabilities who require assistance or special arrangements to participate in programs and activities of the Dept. of Planning & Zoning are encouraged to contact the Dept. at least 72 hours in advance so that proper accommodations can be arranged. For information, call 865-7188 (865-7144 TTY). Written comments may be directed to the Planning Commission at 149 Church Street, Burlington, VT 05401.*

## **PLANNING COMMISSION**

January – December 2019  
Regularly Scheduled Meetings

Date of Meeting	Day of Week	Time	Location
January 15, 2019	Tuesday	6:30pm	Conference Room 12
<b>January 23, 2019</b>	<b>Wednesday</b>	<b>5pm</b>	<b>Joint/Conference Room 12</b>
February 12, 2019	Tuesday	6:30pm	Conference Room 12
February 26, 2019	Tuesday	6:30pm	Conference Room 12
March 12, 2019	Tuesday	6:30pm	Conference Room 12
March 26, 2019	Tuesday	6:30pm	Conference Room 12
April 9, 2019	Tuesday	6:30pm	Conference Room 12
April 23, 2019	Tuesday	6:30pm	Conference Room 12
May 14, 2019	Tuesday	6:30pm	Conference Room 12
May 28, 2019	Tuesday	6:30pm	Conference Room 12
June 11, 2019	Tuesday	6:30pm	Conference Room 12
June 25, 2019	Tuesday	6:30pm	Conference Room 12
July 9, 2019	Tuesday	6:30pm	Conference Room 12
July 23, 2019	Tuesday	6:30pm	Conference Room 12
August 13, 2019	Tuesday	6:30pm	Conference Room 12
August 27, 2019	Tuesday	6:30pm	Conference Room 12
September 10, 2019	Tuesday	6:30pm	Conference Room 12
September 24, 2019	Tuesday	6:30pm	Conference Room 12
October 8, 2019	Tuesday	6:30pm	Conference Room 12
October 22, 2019	Tuesday	6:30pm	Conference Room 12
November 12, 2019	Tuesday	6:30pm	Conference Room 12
November 26, 2019	Tuesday	6:30pm	Conference Room 12
December 10, 2019	Tuesday	6:30pm	Conference Room 12

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## Burlington Planning Commission Tuesday, September 25, 2018, 6:30 P.M. Conference Room 12, City Hall, 149 Church Street Draft Minutes

Members Present	A Montroull, B Baker, A Friend, E Lee, H Roen, J Wallace-Brodeur
Members Absent	Y Bradley
Staff Present	M Tuttle, D White, S Draper

### I. Agenda

Call to Order	Time: 6:32 pm
Agenda	Approved As Is

### II. Public Forum

Name	Comment	Commission Action?
A number of residents from Ward 6 attended the meeting to express concerns regarding statements made in a letter distributed by a resident indicating that staff had proposed an increase density and was encouraging development in RL zoned neighborhoods. Commissioners and staff explained there are no such proposals within planBTV, nor any such proposed change to RL zoning. Some residents questioned the allowance of additional units in the form of duplex, accessory dwelling units, and inclusionary housing to be created in RL zones. Dialogue between residents, commissioners, and staff ensued, including the following comments from residents:		
John Van Dyk	<ul style="list-style-type: none"><li>Expressed concerns with any plans that would increase development, particularly low-income housing in low-density neighborhoods.</li></ul>	
May Chow	<ul style="list-style-type: none"><li>Questioned if there are plans to rezone low density areas to allow commercial housing, conversion of single family homes to multi-units.</li><li>Student housing increasing in the area, which is not preserving the neighborhood.</li><li>Suggested more methods of communication between the city, residents to avoid confusion.</li></ul>	
Barbara Headrick	<ul style="list-style-type: none"><li>Impression from planBTV is to evolve the neighborhoods by increasing affordable housing, units, and density.</li><li>Feels as though there should be more public meetings for input for the plan.</li><li>Suggests excluding duplexes from RL zones.</li></ul>	

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	<ul style="list-style-type: none"> <li>• Questions how Redstone Campus can change/ evolve even though it is partially historic.</li> </ul>	
Maryanne Kampmann	<ul style="list-style-type: none"> <li>• Concerns that evolving the institutional zone will encroach on the residential zones.</li> <li>• Questions zoning allowing for multi-family units, increasing housing for students in RL.</li> </ul>	
David Jenkins	<ul style="list-style-type: none"> <li>• Does not agree with the allowance for multi-units in the area enabling several unrelated people to live in the home, particularly students.</li> <li>• Shared examples of problems with out of state owners who are hard to contact about issues.</li> </ul>	
Livia DeMarchis	<ul style="list-style-type: none"> <li>• Shares concerns with high density and noise affecting quality of life in that neighborhood.</li> <li>• Would like to be sure that residents will be notified if there ever is an an increase of density or significant change proposed.</li> </ul>	
Ellen Howrigan	<ul style="list-style-type: none"> <li>• City Councilor has set up meetings for communication between the neighbors; invited others to attend.</li> </ul>	
Karen Paul	<ul style="list-style-type: none"> <li>• Will help keep the neighborhood informed, and let them know if there was a reason to be concerned.</li> <li>• Regarding expansion of UVM, there is overlap of planBTV and the university's plan, which currently plans to expand housing on the Trinity Campus.</li> </ul>	
Tim Burke	<ul style="list-style-type: none"> <li>• Requesting consideration of a change to the ordinance to allow for banks in the ELM zone.</li> </ul>	Commission will add to a future agenda for further discussion

**III. Report of the Chair**

A Montroll	<ul style="list-style-type: none"> <li>• No Report</li> </ul>
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**IV. Report of the Director**

D White	<ul style="list-style-type: none"> <li>• No Report</li> </ul>
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**V. CCRPC FY18 Annual Report**

Action: No Action Required		
Motion by:	Second by:	Vote:
Type: Report	Presented by: A Montroll	
Discussion/Notes: <ul style="list-style-type: none"> <li>• Very active year on the RPC, assisting several municipalities and engaging in regional activities.</li> <li>• Update to the regional plan. Different form of previous plan to be more user friendly.</li> </ul>		

**VI. Proposed CDO Amendment; Article 7- Signs**

Action: Approve Municipal Bylaw Amendment Report and forward to City Council		
Motion by: E Lee	Second by: B Baker	Vote: Approved Unanimously
Type: Discussion	Presented by: D White	
Discussion/Notes:		
<ul style="list-style-type: none"> <li>• A new addition to Article 7 is to exempt murals as artistic expression; however, within a mural, one could still create a sign that would be regulated by these standards.</li> <li>• The amendment prohibits any sign that copies or mimics the City's E-911 street naming and addressing system by using a fictitious or "vanity" address not assigned by the city.</li> <li>• K Sturtevant presents suggestions for language changes in the amendment to be more clear and avoid regulating sign content.</li> <li>• There were questions about the regulation of illumination of signs and the size of those illuminated signs. The amendment includes a max of 250 nits between dusk and dawn. Sign size is regulated by sign type, sign type includes regulations of illumination and illumination method.</li> <li>• A member of the public asks for clarification on sign regulation in the public right of way; it was clarified that DPW regulates what can or cannot be placed in the public right of way.</li> </ul>		

**VII. 2019 Update to planBTV**

Action: No Action Required		
Motion by:	Second by:	Vote:
Type: Presentation & Discussion	Presented by: M Tuttle	
Discussion/Notes:		
<ul style="list-style-type: none"> <li>• Deferred to future meeting due to time.</li> </ul>		

**VIII. Committee Reports**

Executive	No Report
Ordinance	No Report
Long Range	No Report
Other	N/A

**IX. Commissioner Items**

Next Meeting	October 9, 2018 @ 6:30pm in Conference Room 12, City Hall
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**X. Minutes & Communications**

Action: Approve Minutes		
Motion by: A Friend	Second by: E Lee	Vote: Approved Unanimously
Changes to Minutes: N/A		
Communications Filed: N/A		

**XI. Adjourn**

Adjournment	Time: 8:15pm	
Motion: E Lee	Second: J Wallace-Brodeur	Vote: Approved Unanimously

RECEIVED

SEP 20 2018

DEPARTMENT OF  
PLANNING & ZONING

**DRM** | Downs  
Rachlin  
Martin PLLC  
Business Sense · Legal Ingenuity

September 17, 2018

Elizabeth Kohler  
Tel: (802) 864-8382  
ekohler@drm.com

To: Parties Entitled to Notice Pursuant to 30 V.S.A. § 248a(e) and Procedures Order

Re: Sprint Spectrum, L.P. d/b/a Sprint: Modification to an Existing Wireless Communications Facility  
76 St. Paul Street, Burlington, Vermont 05402  
Sprint Site Name: Burlington (St. Paul St. – NE43XC447)  
**60-DAY ADVANCE NOTICE**

Dear Recipient:

Sprint Spectrum, L.P. d/b/a Sprint (“Sprint” or “Petitioner”), acting by and through its agent Centerline Communications LLC (“Centerline”), proposes to modify an existing telecommunications facility located at 76 St. Paul Street, Burlington, Vermont (the “Facility” or “Project”). The telecommunications facility is on the rooftop of a building owned by Vermont Realty Inc. (the “Property” or “Site”). Downs Rachlin Martin PLLC (“DRM”) represents Centerline in connection with the Project.

Pursuant to 30 V.S.A. § 248a, this letter is intended to provide 60 days advance notice that Sprint intends to submit a petition to the Vermont Public Utility Commission (“PUC”) for approval to modify the existing Facility at the Site. The Project will provide capabilities for use of devices employing Sprint’s Long Term Evolution (“LTE”) technologies. LTE—better known as 4G LTE service—is a high-performance air interface for cellular mobile communications. It is designed to increase the capacity and speed of telecommunications service and internet access provided through use of wireless devices.

Exhibit A to this notice is a statement that itemizes the rights and opportunities available to municipal representatives and planning officials pursuant to §§ 248a(c)(2), (e)(2), (m), (n), (o), and (p). This notice is being filed electronically with the PUC via its ePUC system to distribute to the Vermont Agency of Natural Resources, the Vermont Department of Public Service, the Vermont Division for Historic Preservation, and the Vermont Agency of Transportation (collectively, “Advance Notice Parties”).

Sprint’s petition will be filed pursuant to the PUC’s “Fifth Amended Order implementing standards and procedures for issuance of a certificate of public good for communications facilities pursuant to 30 V.S.A. § 248a,” dated September 14, 2017 (the “Procedures Order”). The Procedures Order, as well as more information concerning review of communications projects under 30 V.S.A. § 248a, is available at the PUC’s office in Montpelier and on its website: <http://puc.vermont.gov/>.

I. Project Description

Sprint’s existing facility consists of three (3) panel antennas mounted within a stealth flue enclosure (the “Flue”) on a ballast mount located on the penthouse of the building, together with six (6) remote radio head units (“RRUs”) mounted on the ballast mount below the Flue, and two equipment cabinets located on steel platform on the rooftop of the building adjacent to the penthouse.

The proposed Facility will consist of the following components:

- A. Replace the existing Flue, which measures approximately 84” x 32”, with a new Flue, which will measure 84” x 36”, and replace the existing three (3) panel antennas with three (3) slightly taller panel antennas within the new Flue.
- B. Install two (2) new panel antennas, each measuring approximately 25.6” x 19.7”, to be mounted to the rooftop steel platform, and one (1) new panel antenna, measuring approximately 25.6” x 19.7”, to be mounted to an existing antenna mount located on the exterior side of the penthouse.
- C. Install three (3) new RRUs, which will be mounted on a new ballast mount on the penthouse.
- D. Install ancillary improvements, appurtenances, cabling and hardware necessary for the operation of the Facility.

Each feature of the Facility is described and depicted in more detail on the Site Plan attached as Exhibit B. The Project will not create any permanent earth disturbance and will involve no tree clearing of any kind. In short, the Facility will not appear substantially different from the facility that exists at the Site today.

The Project will promote the general good of the state, consistent with 30 V.S.A. § 202c(b), and is compatible with municipal and regional plans, insofar as the Project will improve Sprint’s wireless service and capacity in Burlington. The Project constitutes an eligible facilities request for purposes of federal law.

## II. Opportunity to Comment; Contact for More Information

As a recipient of this notice, you or your organization will be notified when the petition is filed with the PUC, which will be at least 60 days from the date the PUC accepts this notice. During the 60-day period, should you have any questions relating to the Project, please direct all inquiries and/or comments to Timothy Whalen, at (781) 375-8318 or email to [twhalen@centerlinecommunications.com](mailto:twhalen@centerlinecommunications.com). I can be reached at the telephone number and/or email provided in the letterhead above.

Once Sprint’s petition has been accepted for filing by with the PUC, any interested person may submit comments and seek to intervene in the proceeding within 30 days of the receipt of the notification that the petition has been filed. Thank you in advance for your attention to this important project.

Sincerely,



Elizabeth Kohler

Enclosures

cc: Service List

Liz Rutkowski, Project Manager, Susan Masse, Site Acquisition Project Manager, and Tim Whalen, Centerline Communications (via electronic mail)  
Vermont Realty Inc. c/o Bank of Vermont (US Mail)