

## Burlington Development Review Board

149 Church Street, City Hall  
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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 January 31, 2017, 5:00 PM

Fletcher Room, Fletcher Public Library, 235 College Street, Burlington, VT  
Minutes

Board Members Present: Austin Hart, Brad Rabinowitz, Geoff Hand, Israel Smith, AJLaRosa,  
Alexandra Zipparo, Wayne Senville, Jim Drummond(Alt), Robert Purvee(Alt)

Board Members Absent:

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

I. Agenda

II. Communications

III. Minutes

IV. Consent

1. 17-0632CA; 55 Colchester Ave (I, Ward 1E) UVM

Addition of 23,350 sq. ft. to Kalkin Hall; 3 stories plus basement, existing outdoor courtyard for classrooms, study rooms, faculty offices and other spaces to support the Grossman School of Business. (Project Manager, Scott Gustin)

B.Rabinowitz: asks if Board members accept as a consent item. Call for motion.

W.Senville: moves to accept staff recommendations and approve item.

A.Zipparo: seconds the motion.

Board Vote: 6-1-0

V. Public Hearing

1. 17-0388CA/MA; 66-96 Colchester Ave, 27 Fletcher Place, and 49 Fletcher Place  
(I, Ward 1E) Frank vonTurkovich

Construct 3 story residential building containing 75 apartments units. Combine and reconfigure surface parking areas. (Project Manager, Mary O'Neil)

A.Hart and G.Hand: recused from item.

B.Rabinowitz: swears in applicant and interested parties.

M.ONeil: explains staff report was written prior to receiving revised plans submitted late Friday.

F.vonTurkovich: hands out memo about the project with staff's notes with responses. Colchester Ave LLC holds the title and Frank is the applicant. Architect Greg Rabideau speaks about issues brought up in the staff report.

B.Rabinowitz: asks for an overview of the project.

F.vonTurkovich: project is assemblage of different avenues and streets. Both 66 and 96 Colchester Ave are not owned by LLC and are part of the overall scheme. Land includes a deep ravine connecting into Riverside Ave. Intend to combine parking to meet city requirements to having underground access. Previously went before DAB and Conservation Board. Intends to construct stormwater basin on the site.

B.Rabinowitz: asks about rental office space.

F.vonTurkovich: explained that some office uses will remain and some will change. Requesting permission for medical office lower level and business office on upper level.

B.Rabinowitz: questions the apartment mix and inclusionary units.

F.vonTurkovich: 1 bedroom and studio units meet targeted population for Medical Center and students. The floor plans are not finalized. Inclusionary units will be on site but have not identified where on the site.

W.Senville: asks how many units there will be and which building will be built first.

F.vonTurkovich: hopes to build all buildings at the same time.

G.Rabideau: would like staff to approve all at one time.

W.Senville: questions the configuration of units.

B.Rabinowitz: has question on the elevation plans.

G.Rabideau: spoke of site plan and connections, shared amenities. Presented to the Board the frontage massing and several entrances. The walkway through 72 Colchester Ave allows for more circulation to move back and forth.

B.Rabinowitz: missing from this submittal is the elevation showing the context and surrounding property features. Need an aerial context to the buildings in addition to site section and grade changes.

G.Rabideau: shared documents new plans with Board. Colchester Ave is elevated compared to other buildings and shows the changes in grade.

J.Drummond: questions the west side having possible retaining walls, the pitch of grades, and location. Asks about underground parking.

G.Rabideau: parking is invisible in underground area.

AJ.LaRosa: neighbors and Conservation Board expressed concerns about stormwater.

G.Rabideau: two main issues are with stormwater are the culvert in the ravine and how the project handles stormwater management. New project will be multi step, where the stormwater flows pretreated and outflows will be controlled for no sheet flows off properties.

F.vonTurkovich: UVM has disconnected the flows from the pipe, but we intend to find it, reconnect and use it and redirect to ravine. Have not applied for state stormwater but believe DPW has approved the project to stabilize the bank.

W.Senville: not seeing impacts from the traffic report.

F.vonTurkovich: this has been studied intensively by UVM. We were informed to do traffic counts by the light signal for the overall capacity of walkers. Also looking into careshare.

W.Senville: still substantial number of trips. Questions staff if DPW has studied this.

I.Smith: asks about a bike rack on the site plan.

F.vonTurkovich: haven't planned this yet and willing to put in more.

I.Smith: would like to see short term racks for 4 or 5 bikes.

A.Zipparo: question about indoor bike racks.

G.Rabideau: 27 bikes racks

A.Zipparo: would like to see more bike racks.

B.Rabinowitz: asks DPW staff for comments.

L.Wheelock: looked at traffic study and site plan. A quick overview didn't address the capacity and number of trips. Felt the numbers were conservative. Extensive study for Colchester Ave. Asking applicant about extra turn lanes needed and for this to be submitted for review.

A.Zipparo: questioned how to mitigate jaywalking.

L.Wheelock: identified two locations for enhanced crosswalks.

G.Rabideau: elimination of curb cuts will reduce conflict and jaywalkers.

B.Rabinowitz: opens for public comment.

T.May: lives in Burlington at Riverwatch has concerns about the ravine, traffic congestion and about losing green space. Questions on rainwater collection, clearing out the pond, and what can be done for stormwater runoff. Residents at Riverwatch are footing bill for cleaning up the pond and the concern is that the project may add to an existing problem.

A.Torizzo: as a hydrologist and stormwater specialist, attended the Conservation Board's meeting and reviewed materials. 1) Four standards need to meet for State groundwater recharge and land area to absorb from the site. Applicant may ask State for a waiver based on soil. Returning stormwater into ground is not adequate because of possible contamination and standard will change the design and may be an issue. 2) Wetland impasse has 50 ft. buffer. State concerned about design and may need changes to mitigate impact. 3) Downstream flooding concerns State.

B.Butani: brought a handout for the Board. Map does not adequately represent our properties. Presents three exhibits and soils that may have contamination.

L.Ravin: campus services manager at UVM; said project meets mayor's action plan pertaining to the importance of housing near transportation corridors and this project meets those requirements.

R.Dion: NPA and applicant has met over many years. Ambivalent about impact on the area.

N.Reagan: said housing will enhance area

B.Owre: lives on Fletcher Place said this is way too big a project in scale. There are differences in uses around the site and will have big impact. Disturbed there is no effort to downscale. The Conservation Board requires a retention pond, but very steep into permanent pond. Questions size of building, grade, residential neighborhood access to light and traffic access. Would like to see new design.

B.Rabinowitz: stormwater requirement discussion ensued with Board.

J.Metcalf: with owners at Fletcher Street have concerns about pond and steepness of hill. Speaking to plan and other things that may not have been anticipated, feels project is too ambitious.

B.Hitchkok: knows owner of ravine property has a concern about a permit granted without reviewing the ravine. Said building is too high and too massive.

S.Bushor: city councilor for Ward 1 said this is a PUD. Hopes the Board allows people to speak asking if Public Hearing will be kept open. Traffic backup on East Ave will impact hospital and emergency vehicles. Discussion bus stop in area. Packet references on page 9 and support Municipal development plan; this is no the core campus; wants applicant explain the open space. Discount small historic structures; value of garage, don't value old neighbor hoods; each version became less and less compatible.

B.Rabinowitz need parking plan

G.Rabideau familiar with catch basin area; observe best practices and thus will be improved; contaminated soils where city has examined this area;

B.Rabinowitz: asked for more information on the site.

A.Zipparo: as in article 11 do you feel it contributes

G.Rabideau: concentrated development

W.Senville: would like to see the views from Fletcher Place.

B.Rabinowitz: include site sections.

W.Senville: expressed a lack of consistency.

G.Rabideau: spoke of a higher roof line with pitched roof, which is common in Burlington. Not trying to replicate historic features.

B.Rabinowitz: closed public hearing asking for site selections at end of the week.

F.vonTurkovich: requested more time

B.Rabinowitz: asked for the next continuance date.

S.Gustin: continuance scheduled for March 8<sup>th</sup>

**17-0643CA/MA and 17-0644CA; 400 Pine Street and 30-32 Howard Street  
(ELM, Ward 5S) Howard Space Partnership, LLP**

Demolish 2 warehouse buildings, and construct new multi-use building. Demolish duplex and move curb cut. (Project Manager, Mary O'Neil)

J.Unsworth: intends to turn underutilized space into something different. Spoke of the powerpoint presentation to DAB and Conservation Committee.

A.Hart: noted Conservation Board's report has not been made available.

M.O'Neil: information regarding this and the traffic study came after posting requirement.

A.Hart: asks about issues raised by Conservation Board.

G.Hand: questions on traffic counts from events.

J.Unsworth: has not been an issue. Never 100% full with parking. The truck stop does not interfere with parking areas. There is covered bike parking on site

A.Hart: questions if new uses will require more parking demand.

G.Hand: will there be spaces under the building.

J.Unsworth: working out access for some tenants to have a parking spot.

Applicant: standards in the State require a 9x18' space but Burlington is a 9x20 space.

I.Smith: questions the parking area.

A.Hart: asks if members of public want to speak.

D.Lashman: lives behind project and questions the terrace on Howard St side and fence on Hayward St side.

Applicant: existing fence will not be continuous  
D.Lashman: existing red warehouse provides a fence to my backyard. Will this go away?  
Will there be construction on weekends?  
A.Hart: only interior work on Saturdays.  
A.Hart: asks about Champlain Pkwy, Pine and Maple Streets and other intersections.  
L.Wheelock: the parkway study assumes additional trips for small projects such as this.  
I.Smith: at Howard and Pine St the left turn is very difficult at peak times.  
L.Wheelock: the pkwy has tied us down on what we can do until we have more information.  
A.Hart: asked for the schedule to continued hearing. Questions staff about state requirements for demolition of historic structures.  
M.ONeil: potentially eligible for listing.  
B.Rabinowitz: ask to submit elevation and street scape plans.  
G.Hand: asks for cost benefit analysis and narrative description of public benefit.  
A.Hart asks for narrative. Makes a motion to continue review on March 8<sup>th</sup>  
G.Hand: seconds the motion.  
Board Vote: 9-0-0

2. **17-0623CA/MA; 311 North Ave(RM, Ward 4N) and 329-375 North Ave(NAC-CR, Ward 4N) VLTBTV Parkland LLC, BC Community Housing LLC & Eric Farrell**  
Continued review of the proposed development consisting of 11 buildings containing 733 residential units, approximately 45,000 sq. ft. of non-residential support/amenity space, approximately 45,000 sq. ft. of neighborhood commercial spaces and 1093 parking spaces.(Project Managers, Scott Gustin and Mary O'Neil)

G.Hand is recused.

A.Hart: asking applicant to respond to specific issues and materials.

E.Farrell: handouts on parking matrix.

W.Senville: this is a 25% minimum requirement and providing more that ordinance requires.

E.Farrell: can exceed if they are structured spaces. Only want to build what we need.

W.Senville: level of uncertainty for TDM program, but why can't there be an allowance for reserve parking.

E.Farrell: not willing to take away surface parking.

W.Senville; roof top deck parking is for events. Wants to know the allocation of parking.

E.Farrell: farmer's market is best example

A.Zipparo: questions construction hours and 7am to 9pm seven days a week being excessive.

Asks about quiet time during weekend.

E.Farrell: hours are from 7am to 6pm. Typically will not work on Sundays and holidays. As long as not restricted with interior work. Issue about staff comments building K and L subject to another report. We have to go through Act 250.

A.Hart: accepts written materials.

## VI. Certificate of Appropriateness

1. **15-0801PD; 140 Grove Street (RL, Ward 1E) Bayberry LLC**

Amend final plat approval to relocate community recreation building and to adjust grading around the 8-unit buildings. (Project Manager, Scott Gustin)

A.Hart: asks applicant to focus on staff comments, new angled parking. Swears in applicant and interested party.

P.O'Brien: presents the parking site plan, wants to move community building, will open up green space and move pavilion. Asking for parking to change from parallel to perpendicular. Received a waiver adding 17 spaces with an increase of 3000 sf ft of pavement. Lot coverage at 42.8% up to 44.4% Mostly an impervious surface, otherwise may need to come back to ask for more parking. May affect streetscape slightly; Want to build six plexes into eight plexes and hands out grading plan; not changing grading and making them walk out units; retaining wall had to be brought up to grade.

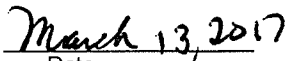
A.Hart: questions the height.

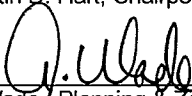
S.Gustin: this does affect height calculations.

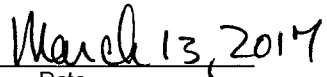
P.O'Brien: taking points outside the building and averaging them out so we wouldn't exceed 35%. This is why we brought retaining walls down, average finished grade was 35 ft now lowering the rear and asking for lower part acceptable  
A.Hart: is the height of rear building higher than 35'ft  
P.O'Brien: yes  
G:Hand: does this change parking needs.  
S.Busher: agree that parking and height is up to Board. Asks for additional units to have handicap parking. Questions location of the pool and community building with soil issues.

- VII. Other Business
- VIII. Adjournment

  
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Austin D. Hart, Chairperson of 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/dr/ agendas](http://www.burlingtonvt.gov/pz/dr/ agendas) or the office notice board, one week before the hearing for the order in which items will be heard.

1. 1992-1993

2. 1993-1994

3. 1994-1995