

Burlington Development Review Board

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Robert Purvee, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday February 21, 2017, 5:00 PM

Contois Auditorium, City Hall, 149 Church St, Burlington, VT

Minutes

Board Members Present: Brad Rabinowitz, Israel Smith, Geoff Hand, A.J.LaRosa, Wayne Senville, Jim Drummond (Alt), Robert Purvee (Alt)

Board Members Absent: Austin Hart, Alexandra Zipparo

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

I. Agenda

Changes to Agenda: Request for deferral for 201 So Prospect to date and time to be determined.

II. Communications

Supplemental communications are accepted by the Board.

III. Minutes

IV. Public Hearing

- 17-0253CA; 201 South Prospect Street (RL, Ward 6S) Bing Enterprises, Ltd**
Appeal of an administrative denial to replace 2 windows with 2 egress windows. (Project Manager, Ryan Morrison)
Item deferred.
- 17-0617CA; 62-64 Buell Street (RH, Ward 8E) Earnest Palasits**
Appeal of administrative denial to replace railings and decking on porch.
(Project Manager, Ryan Morrison)

B.Rabinowitz: swears in applicant and staff.

R.Morrison: property is on both State and Federal historic registers. Presented the historic preservation requirements and the code enforcement violations.

E.Palasits: owner of the building is appealing decision and proposes to replace materials.

BRabinowitz: questions about the posts used.

E.Palasits: round square posts.

BRabinowitz: asks about the ornamental detail.

E.Palasits: hoping to do ornamental brackets. Presents handouts to Board.

BRabinowitz: questions railing thickness.

E.Palasits: higher railing only a little thicker. He did not know house was historic and was not told it had to be exactly the same. He did not know it had to be exactly the same.

G.Hand: asks applicant if he is appealing the denial.

E.Palasits: yes

RMorrison: applicant needs to replace pressure treated material and maintain architectural details at new construction. A precedent had been set previously and with decking.

E.Palasits: said decking cannot be seen from the street.

AJLaRosa: asks if only pressure treated material will be used on only railing and deck.

E.Palasits: yes.

BRabinowitz: disappointing to see the condition of the house with changes to the historic character.

E.Palasits: would like it to look better and would like to use materials that are economical.

BRabinowitz: closes public hearing.

3. **17-0662CA/MA; 75 Cherry Street (D, Ward 3C) BTC Mall Associates, LLC**

Continued review of mixed use redevelopment of the existing Burlington Town Center Mall site and associated lot line adjustments.

(Project Managers, Scott Gustin, Mary O'Neil)

G.Hand: recused.

BRabinowitz: swears in applicant and interested parties. Mentions this is the third hearing on project. DPW follow up on traffic, and water resources.

JBeck: spoke on phase one for construction and transportation. Gives a perspectives on the streetscape views.

A.Cluegill: gives slide presentation for construction activity and phases of occupancy.

Using right of ways for phasing construction.

BRabinowitz: phasing on St. Paul and Pine St. Questions on construction fencing for Bank St.

A.Cluegill: meeting with DPW about encumbrance plan.

BRabinowitz: St. Paul's St. eagles landing project has fencing that is disappointing and would like fencing for this project to be different.

A.Cluegill: confirms this. Said 40% of workforce will car pool and 60% will be using offstreet parking lots. Will provide shuttling services. Intention is to provide sufficient parking available for project needs and staying off the street. Identified traffic routes for construction with each route already an existing truck route in the City.

BRabinowitz: asks about setting up cranes and activity on Bank and Cherry St.

W.Senville: estimate of the average number of trips.

A.Cluegill: presents slides on peak charts based on schedule and work with other contractors. Doesn't have complete list.

C.Spencer: speaks on traffic and stormwater related issues.

L.Wheelock: addresses comments received last week about open streets and the turnover of St Paul and Pine St. Seeking an alternative and least amount of impact on transportation infrastructure.

C.Spencer: dedicating bike facilities for shared lanes on Pine and St Paul St consistent with PlanBTV walk/bike.

L.Wheelock: verifying the proximity of Champlain parkway. Identifies 4 areas for minor clarifications. Working on a model of what parkway will be. Overall, does not feel it will change level of service. Impacts between minor and moderate for transportation structure.

W.Senville: questions on delays.

L.Wheelock: looking at analysis and will continue to make sure inputs going in provide good results. Speaks of the impact on Bank and Cherry St and Pine St and St Paul. Said applicant has been responsive to requests.

B.Rabinowitz: asks about significant changes to travel lanes and keeping track of process.

L.Wheelock: developing plans with applicant on the design to match city portion of streetscape and outside of areas.

J.Drummond: clearance on Pine St.

L.Wheelock: Pine St clearance will be 12' 6".

W.Senville: asks if any city streets have such limited clearance.

L.Wheelock: only one is Lakeside St.

C.Spencer: City discussed strong desire to have street grid restored and applicant has diligently tried to comply.

W.Senville: traffic control on Pine and Bank St.

L.Wheelock: there will be a stop control.

M.Lee: water resources engineer for DPW is reviewing stormwater, water and systems. Stormwater meets expectations and peak flows will be 100,000 gallon per day. Mentions a collection system.

C.Spencer: said there will be a new main on St Paul St.

W.Fellows: gives an overview. There is no phase 2 development, the project St Paul and Pine St considered pedestrian and now restored will be fully deeded to the City. There is no interior mall. Slides show different changes of materials and introduce areas with new vegetation. Discussed recent site work with DPW.

W.Senville: asks about entrance to existing mall crossing.

W.Fellows: points out the mid street crossing for more opportunity to have activated street coverage, plantings on the east side, and turning the mall inside out with all retail open on all four streets. Worked with City on how to fulfill BTV Plan.

J.Drummond: coordination with Macy's.

W.Senville: retail frontages.

W.Fellow: frontages vary to allow for flexibility. Balanced with office space.

B.Rabinowitz: David addresses the new zoning issues.

D.White: Went over requirements of overlay last meeting. Provided detail of standards. Approval is discretion of DRB and for applicant to meet major impact. Some measure of impact is possible with project. Board can approve this application with conditions with pre-release for zoning permit and pre-release for CO. Downtown overlay mixed use all elements are in compliance. Applicant has met community and city requirement for long time and continues to do so.

S.Gustin: spoke of the last two conditions in supplemental material.

W.Senville: questions on observation deck and portions of the roof.

W.Fellows: observation deck is open to public as a public amenity to the town.

W.Senville: staffed in some manner.

W.Fellows: yes, historic or museum quality.

J.Beck: mentions green roof, water retention roof.

B.Rabinowitz: opens to the public.

S.Goodkind: application is at odds with previous representations. More information needs to be addressed: project taking away taking away retail, public parking, tax revenues.

Not getting good information on costs, public improvements, street activation and none on east of St Paul, Macy's, historic review, impact on businesses and neighbors, stormwater discharge permit..

M.Murray: lives in Montpelier and owns property on Shelburne St. Said the project will affect walkability of the area. Questions the 12 ft driveway under Bank St and understands a number of trucks are taller. DAB concerns. Parking will be a nightmare with 500 UVM employees working above 2nd floor and will be a problem.

B.Rabinowitz: CATMA presented parking plan for 500 employees.

J.Franco: questions St Paul and Pine St and design and purpose of great streets. Questions Macy's and entrances off Pine St. Act 250 with Macy's as a co-applicant because of the exposure of the front of Macy's. Street arrangement and coordination not being done.

S.Bushor: City Councilor Ward 1. Questions valet parking and the cost. Referred to letters submitted on 2/14 and information tonight. Asked why Burlington isn't more proactive with environmental issues and disappointed on this: capping soil, one level of underground parking, and clarifications on the observation deck. Boiler plate reports from fire and police departments. Concerns about vehicle and traffic impact on Main St. Small business concerns with the construction hours and demands.

M.Bushy: architect and chair of DAB. Comment that the DAB approves this project having held a vigorous review; all prescriptives and intent of ordinance were met.

W.Senville: did DAB look at all of St Paul and design?

M.Bushy: no

B.Dunkiel: felt Act 250 does not apply to Macy's and cannot require adjacent property owner to respond to something when no permit is issued. Discussed observation deck.

W.Senville: public access

DSinex: deck will be open to the public. Mentioned the entire project has changed ten major times. Better project now through numerous meetings with city council, NPA's and formal sessions which voted for TIF zoning. This project will bring life downtown and catalyst for other improvements. Leed participants for district heating would be first commercial large project and designing HVAC to tap into district heat. Project will prove remarkable for City and the old mall is dying and does not need to remain.

W.Senville: questions construction hours

D.Sinex: we won't work on Sunday and will try to limit number of trucks to protect adjacent business owners.

B.Rabinowitz; will not deliberate until March 6th.

Board discussion on regarding the number of days to meet their decision.

B.Rabinowitz: closed public hearing.

V. Other Business

VI. Adjournment

Brad Rabinowitz, Chairperson Development Review Board

A.Wade, Zoning Clerk

5.2.17

Date

4/20/17

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