

Burlington Development Review Board

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



BURLINGTON DEVELOPMENT REVIEW BOARD
Tuesday, April 4, 2017, 5:00 PM
Conference Room 12, City Hall, 149 Church St, Burlington, VT
Minutes

Board Members Present: Brad Rabinowitz, Israel Smith, Geoff Hand, Alexandra Zipparo, Wayne Senville, Robert Purvee (Alt)
Board Members Absent: Austin Hart, AJLRosa, Jim Drummond (Alt)
Staff Members Present: Scott Gustin, Mary O'Neil, Ryan Morrison, Anita Wade

I. Agenda

II. Communications

Supplimental Communications for 329-375 North Ave relating April 18th.

III. Minutes

IV. Public Hearing

1. **17-0780CA/CU 29 Intervale Road (ELM, Ward 1E) and 17-0861CA; 557 Riverside Ave (ELM, Ward 1E) Roger Charlebois**
Conversion of a portion of a building to a mini storage and construction of 12,900 sq. ft of new mini storage. 18,585 sq. ft of new coverage and site improvements. Stormwater utility installation. (Project Manager, Mary O'Neil)

B.Rabinowitz: swears in applicant.

A.Mills: engineer representing applicant. Presents construction plan for 121 mini storage units, five new buildings and new stormwater treatment. Has addressed staff comments. Received sign off from DPW.

B.Rabinowitz: questions on steep banks.

A.Mills: presented steep bank locations to Board and new building location.

I.Smith: is existing paving expanding

A.Mills: confirms and shows where new pavement is located.

I.Smith: questions on the treatment setup.

A.Mills: goes over treatment setup and discharge.

W.Senville: what is the access to self-storage?

A.Mills: shows where entrance access will be open to public.

M.ONeil: stormwater approval March 27th from stormwater department.

G.Hand: traffic

A.Mills: average of 31 total trips during the day.

W.Senville: office manager on site?

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A.Mills: current staffing will cover.
B.Rabinowitz: access to units front and back.
A.Mills: both
B.Rabinowitz: swears in S.Bushor, interested party.
S.Bushor: questions if neighbors, such as railroad, and farms and Gardener Supply have issues with stormwater and runoff. Questions how much more pavement is being created. Not sure if all small cars or anticipate larger vehicles. Is DEC going to provide a complete report. Will landscaping absorb runoff.
A.Mills: refers to L1-201 plan showing small amount of landscaping. All stormwater runoff is unmanaged. DPW is satisfied for new and redeveloped for site.
B.Rabinowitz: questions on the proposed tree line and trees being cut.
A.Mills: fairly minimal and shows existing treeline.
B.Rabinowitz: separate site plans
A.Mills: conditional use fits well for storage
M.O'Neil: can provide more information from DEC. DEC considers low risk site and removing off list.
B.Rabinowitz: closed the public hearing.

2. 17-0786AP; 220 Pine Street (RM, Ward 5S) Nicholas Papaseraphim
Appeal of Notice of Zoning Violation #320536 relative to expanded parking.
(Project Manager, Jeanne Francis)

B.Rabinowitz: swears in applicant.
M.O'Neil: ordinance speaks for City to address the Board first on this issue.
J.Francis: Code Enforcement Officer; explains how the complaint came through a parking ticket and city attorney contacted our code enforcement to see if parking was legitimate. Code Enforcement reviewed other permits on the property, which brought into question the use of backyard and parking spaces over time.
B.Rabinowitz: questions location of shared driveway and adjacent driveway.
J.Francis: no zoning permits on file for gravel.
G.Hand: asks staff about 2010 report.
J.Francis: shows photo of cars near the house.
G.Hand: asks if the expanded parking a violation at that time.
J.Francis: correct, the owner needed to stop parking and replenish areas.
G.Hand: is the parking violation same area as today.
J.Francis: yes.
G.Hand: was applicant provided with the 2010 NOV.
J.Francis: would have to issue a new NOV.
G.Hand: may be basis for an appeal.
N.Papaseraphim: he and his wife purchased property in 2006. The backyard was as is today and nothing has changed. There is grass. This was a HUD foreclosure and crack house. He gutted out down to lathe. House was in tough shape and took a lot of time and money. Would like to address driveway and parking and here to defend what has been going on for 11 years. This is a duplex with 2 three bedrooms on small lot. Now is a quality housing stock now up to code. This is the first time today met J.Francis.
B.Rabinowitz: parking and lot coverage is big concern. Question on aerial; shared driveway and rectangular piece of property.
N.Papaseraphim: no one owns rectangular piece.
B.Rabinowitz: how many cars are parking at this time.
N.Papaseraphim: six spots with all parking back part of house and room for six spaces.
B.Rabinowitz: RM district with 40%
M.O'Neil: RM but possible 10% bonus.

G.Hand: NOV from 2010 owner failed to work with City to prohibit future parking
 N.Papaseraphim: would like to see the 2010 NOV. I have no recall of a parking incident.
 G.Hand: fence in 2003, was it there when you bought it.
 N.Papaseraphim: no fence there now.
 G.Hand: did you put down the gravel. Is there an easement
 N.Papaseraphim: no and no easement or shared access
 B.Rabinowitz: a lot of cars and lot coverage cannot accommodate 6 cars on the property. This doesn't match plan of 1991.
 G.Hand: need to bring to conformance. The new plan doesn't meet zoning requirements.
 N.Papaseraphim: received copy of staff report from staff. The fence and backyard wasn't a backyard regardless of how it was accessed.
 BRabinowitz: more lot coverage now than before. Need to meet zoning ordinance.
 G.Hand: your burden to establish to 15 year entitlement. Do you want additional time
 N.Papaseraphim: would like to figure something out.
 B.Rabinowitz; goes over applicant's options.
 G.Hand has a permit for 4 spaces.
 B.Rabinowitz: is approved for 340 sq. feet and tandem parking for a duplex, two cars deep
 M.O'Neil: yes.
 J.Francis: no NOV for 2010. The area was never replenished to green space
 G.Hand: no issue by City and owner not given ability to contest.
 J.Francis: owner on the south and couldn't be here, but opposes people using his driveway. He will be putting up a fence. The tenant who received the ticket said there are three spaces.
 N.Papaseraphim: there are three per unit according to inspector Ryan. Applicant asks for additional time to research.
 S.Gustin: require the materials be submitted two weeks in advance.
 G.Hand: motion to continue hearing to May 16th
 WSenville: seconds this motion.
 Board Vote: 6-0-0

V. Certificate of Appropriateness

1. **17-0791CA; 323-325 College Street (RH, Ward 8E) Carol Bedard Potts**
 Review of parking dimensional standards associated with parking reconfiguration relative to addition of 4 new units. (Project Manager, Mary O'Neil)

B.Rabinowitz: Board changes agenda for item to be consent. Board treats as consent.
 Asks for a motion.
 W.Senville: moves to approve project based on staff findings and recommendations.
 G.Hand: seconds.
 Board Vote: 6-0-0

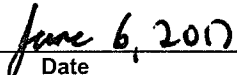
2. **17-0801CA; 201 South Prospect Street (RL, Ward 6S) Bing Enterprises, Ltd**
 Convert attic space into habitable space - 2 bedrooms. Includes a parking waiver request. (Project Manager, Ryan Morrison)

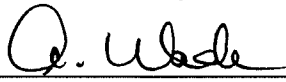
J.Parkins: is in agreement with read staff conditions and findings.
 B.Rabinowitz: asks Board for a motion.
 G.Hand: motion to approve request and adopt staff findings and recommendations.
 I.Smith: seconds.
 Board Vote: 6-0-0

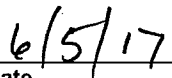
VI. Other Business

VII. Adjournment


Austin D. Hart, Chairperson Development Review Board


Date


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