Burlington Development Review Board
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BURLINGTON DEVELOPMENT REVIEW BOARD
Tuesday, April 18, 2017, 5:00 PM
Contois Auditorium, City Hall, 149 Church St, Burlington, VT
Minutes
Board Members Present: Austin Hart, Brad Rabinowitz, Wayne Senville, Israel Smith, Geoff Hand, Alexandra Zipparo, Robert Purvee (Alt),
Board Members Absent: Jim Drummond (Alt)
Staff Members Present: Mary O'Neil, Ryan Morrison, Anita Wade

I. Agenda

Changes to Agenda: Applicant withdrew 62 Sunset Cliff St.
Applicant for 235 Penny Lane requests a deferral until May 2nd DRB meeting.

II. Communications

Supplementals: material for 269 North Winooski Ave and letter from DPW dated April 12, 2017 accepted by Board.

III. Minutes

IV. Consent

1. **17-0833CA; 62 Sunset Cliff Street (RL-W, Ward 4N) 62 Sunset Cliff Realty, LLC**
Add deck and two additions. Interior work. (Project Manager, Ryan Morrison)

Withdrawn.

2. **17-0822HO; 300 Main Street, Unit 2 (RH, Ward 8E) Adam Grundt**
Establish a home occupation for a psychotherapy office.
(Project Manager, Mary O'Neil)

A.Hart: have you seen staff comments and recommendations?
A.Grundt: yes.
A.Hart: no members of public asking to speak before the Board.
B.Rabinowitz: motion to approve staff findings and recommendations.
W.Senville: seconds the motion.
Board Vote: 7-0-0

Public Hearing

1. **17-0875CA/CU; 269 North Winooski Ave (NMU, Ward 2C) Paul Schnabel**
Request to demolish and remove old garage and add a parking space.
(Project Manager, Mary O'Neil)

A.Hart: swears in applicant and interested parties.

P.Schnabel: owner of 269 No Winooski said garage was always in disrepair and in terrible shape. Requesting to demolish structure to have more parking space.
A.Hart: asks about on supplemental documents.
M.ONeil: supplemental documents show the revised site plans.
A.Hart: single family or duplex?
P.Schnabel: duplex as far as City is concerned.
M.ONeil: assessor's office recognizes two units and previous permit registers as a single family home. We do not have a permit for a change of use. Currently family as duplex.
A.Hart: impressed with application and work to restore main building. Board tries to be careful about demolition of a building of a historic structure. Demolition by neglect does not apply here. Google maps shows another structure.
P.Schnabel: that will be removed in demolition, which is a small play structure.
B.Rabinowitz: asks about turnaround.
C.Genero: a little more room for turnaround and the driveway is more generous than appears.
A.Hart: Staff recommendation said demolition
P.Schnabel: feel this is beneficial addition.
A.Hart: closed public hearing.

2. **17-0388CA/MA; 66,72,80,94,96 Colchester Avenue (I, Ward 1E) Frank vonTurkovich**
Continued review for construction of a 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.
B.Rabinowitz: swears in applicant and interested persons.
G.Rabideau: applicant.
B.Rabinowitz: are previous plans current
G.Rabideau: lighting plan changes and site sections.
Contractor: traffic report showed no change of service at project intersections and neighboring intersections. This was reviewed by Norm Baldwin at DPW.
N.Baldwin: City engineer: reviewed project and supports conclusions. Spoke of the impact at the hospital and impact on the service of the intersection. Confident there is no change in level of impact and levels of service along corridor.
W.Senville: impact of BTC.
N.Baldwin: no
W.Senville: you indicated concerns about more traffic.
N.Baldwin: largest concern was impact on hospital and intersection
W.Senville: did not take in the concern of Mall traffic?
N.Baldwin: no
B.Rabinowitz; asks if members of audience wish to speak.
T.Lefebvre: spoke to number of cars and congested intersection.
S.Bushor: City Councilor of Ward One: asks how people navigate intersections with pedestrian crossing concerns. Already difficult to navigate. Applicant saying most people won't drive is a concern and missing analysis. Aware of intersections and delays. Ambulance access and any delays do have impact. Would like to see comment about emergency vehicles and impact.
R.Dion: ward one active in NPA and task forces of Colchester redesign. This is not consistent with traffic study with L.Wheelock's testimony in January. She said traffic numbers were conservative and signal crosswalk at the developer's development on north side of Colchester. Longer delays at Pearl and Prospect section. Overall grid is saturated with traffic.
N.Kirby: lived in neighborhood for 41 years. Know a lot about traffic in the area. Not happy to see Fletcher Pl and other end of Colchester was left out of this study. Curious about the count of people taking bus. Can't guarantee everyone will carshare and have pedestrian activity. Asked Board to visit this project. Concerned about traffic light and a lot of people run the light. Concern about the water that runs down the project development. Green space should remain green, but parking happens on this green space.
B.Butani: have testimony about contaminated soil. Concern there is no mention of Fletcher Pl and about traffic backing up. Seventy five cars going into and out of project. Asking for more in depth traffic analysis.
G.Rabideau: explains traffic study based on the institute of traffic study for given number of units can determine traffic behavior and times of day, all trips in and out of the site. The scientific data demonstrates 47 ins and outs and 39 trips in the morning. Trips generated from ITE manual have been anticipated morning and afternoon trips.

B.Rabinowitz: what was included in traffic study?
N.Baldwin: did not ask to look at Fletcher Pl is existing issue with access to Pearl St
W.Senville: asks about pedestrian timer/crosswalk
N.Baldwin: push button crossing at traffic light and could consider flashing. Add that the project consolidates driveway access and less of flow onto Colchester Ave.
B.Rabinowitz: no flashing walk?
F.vonTurkovich: no
A.Zipparo: mentioned that people jaywalk in area. I brought this up last time.
B.Rabinowitz: site section was brought up by people. DPW has looked at stormwater at site?
G.Rabideau: yes and state will as well. Drops from area where water runs down hill.
F.vonTurkovich: historic runoff from the hospital was corrected by the City and sidewalk is elevated and does not have had any flooding or stormwater since.
B.Rabinowitz: heights of buildings?
GRabideau: roof line is about third floor of building; description of how images were shown by various points of view. Described views from 11 Fletcher Pl with screening and additional landscaping.
F.vonTurkovich: two other changes are bike parking area on pavement closer to front door is a change. Proposed embossed sidewalk is a technical correction.
B.Rabinowitz: have letters from other people voicing concerns.
T.Rawlings: housing program manager for Community and Economic Development Office; met with applicant regarding inclusionary zoning requirements and feels applicant is capable of meeting this by providing 11 permanently affordable units.
G.Nanton: assistant director of Community and Economic Development Office reads letter of support as support for municipal plan and affordable units, which will have major impact on City's housing stock.
S.Bushor: not sure traffic analysis provided with housing was taken into consideration. We need more work on this. Second, no sign off on water and collection of water. Want to make sure we do our diligence in addition to Act 250. The housing is close to institutions and very available to undergraduates.
A.Zipparo; the city will review stormwater and do you feel this adequate?
S.Bushor: off-set project or working with existing capability but should refer to additional report.
M.ONeil: two different views are the EPSC and stormwater.
F.vonTurkovich: holding tank for sewage sent to City facility. No stormwater is put into system, but dealt with on site.
B.Hickok: resident of 27 Fletcher Pl, said water is a problem now and hasn't been fixed. Has six inches of water in my cellar today.
R.Dion: asks Board about municipal housing plan if written 6 months ago and questions relevance of study. Said the vacancy rate getting higher than national average; 3,000 new units and may go toward a housing glut in future, which most likely will be student housing.
T.Lefebvre: serious concerns about contamination in backyard of a nearby house. Riverwatch already has serious problems with runoff and wants to be sure it will not affect and increase what goes into our holding pond. When can we expect the answers.
M.ONeil: stormwater has been reviewed.
T.Lefebvre: someone send me information.
B.Rabinowitz: at the Planning and Zoning website.
W.Senville: missing information is traffic study not significant acct as result of BTC approval. Traffic report from DPW about mall mentioned Colchester becoming worse. We were informed by City attorney to consider projects in pipeline and I would like analysis of traffic about downtown mall considered.
M.ONeil: BTC traffic analysis did not include this project.
F.vonTurkovich: there has to be a limit. We cannot take into account every single project.
W.Senville: concern about how the city is reviewing this.
B.Rabinowitz: this is a unique event in Burlington and asking to look at one event.
N.Baldwin: standard review this project is minor accord to scale of project and impacts.
A.Zipparo: at what point would it be impact?
N.Baldwin: looking at state analysis is 75 trips and this is 47. We have already asked them to do more and found no significant change.
Resident: spoke of 31 and 27 Fletcher Pl not being correctly labeled.

B.Rabinowitz 27 Fletcher is not part of this application and not considering it at this time.
Resident: mentions gravel parking lot at 27 Fletcher Place.
B.Butani: the land is part of 80 Colchester, which has been dug up and created as parking lot and concern that the parking lot is contaminated spot.
B.Rabinowitz: closed public hearing.

3. **17-0623CA/MA; 329-375 North Ave (NAC-CR, Ward 4N) BC Community Housing, LLC**
Request to change conditions of approval relative to days & hours of construction and bonding. (Project Manager, Scott Gustin)

G.Hand recused.
AHart: swears in applicant and interested parties.
E.Farrell: hours of construction will be Monday through Saturday and interior only on Sundays.
A.Zipparo: asks about hours of operation and construction.
AHart: Bonding and security?
E.Farrell: spoke on the bonding for public improvements. Construction will be broken up in phases. Public amenities are not usually bonded.
W.Senville: do road phases correlate to building phases?
E.Farrell: not intended to be sequenced only a reference. May change the order the nine phases.
Edgar Austin: hopes DRB does not change the hours. Disagrees with staff report and feels has to deal with construction on the weekends will have negative impact on neighborhood.
A.Hart: discussion ensued on hours and construction.
Edgar: cannot see how this will reduce bonding efforts.
A.Zipparo: ask if resident would you feel more comfortable knowing how impact will be mitigated.
Edgar: yes would like to hear more about this.
K.Ross: thanks Board and realizes changes are difficult. Works in Burlington and at her home. The vibration and noise at project street was so bad had to leave the house because house was shaking was intolerable. Concern for condition of her older house. This does impact neighborhood.
E.Farrell: CHT wants to build next year. Cathedral Sq will be in 2018. College building will build in 2018. Vibrations with site work could limit earth moving equipment on Saturdays. Not a lot can be done about excavation noise.
A.Zipparo: wondering if dates can be given for earthmoving and restrict this work on Saturday.
E.Farrell: more than willing to communicate with neighbors, but taking a day a week off every month is significant.
A.Zipparo; are you willing to work with Community and Economic Development Office?
E.Farrell: absolutely.
A.Hart closed public hearing.

5. **17-0762CA/CU; 35 Grove Street (RL, Ward 1E) Gina S. Lambdin**
Continued review to demolish garage, construct accessory structure for accessory dwelling unit and workshop, rear addition to single family home, convert porch into year-round living space. Reconfigure parking area. (Project Manager, Mary O'Neil)

A.Hart: continued public hearing. Swears in applicants and interested parties.
G.Lambdin: biggest issue was parking and easement. The legal documents with neighbor fully formed but not notarized. Changed parking for no headlights facing toward other properties. Enclosing front porch and front yard setback have drawings and measurements.
M.ONeil: revised stormwater has been received.
B.Rabinowitz: need signatures and notarized documents.

G.Hand: asks what is now and if porch is currently closed.

G.Lambdin; not enclosed and no screens.
B.Rabinowitz: will five or six steps onto porch remain as support?
G.Lamddin: steps will remain.
A.Hart: closed public hearing.

6. **17-0755CA/CU; 235 Penny Lane (DW-PT, Ward 3C) City of Burlington**
Construct marina, parking lot, and related site improvements. *Requested deferral to May 2, 2017.* (Project Manager, Scott Gustin)

A.Hart: applicant requested this deferred to May 2nd. No one to comment.
Asks for a motion.
I.Smith: motion to defer project to May 2nd.
A.Zipparo: seconds the motion.
Board vote: 5-2-0

V. Other Business
VI. Adjournment

Austin D. Hart — June 12, 2017
Austin D. Hart, Development Review Board — **Date**

Anita Wade — 6/9/17
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.