

Burlington Development Review Board

149 Church Street, City Hall
Burlington, VT 05401

www.burlingtonvt.gov/pz/DRB

Telephone: (802) 865-7188

Fax (802) 865-7195

Austin Hart
Brad Rabinowitz
Israel Smith
A.J. LaRosa
Geoff Hand
Alexandra Zipparo
Wayne Senville
Jim Drummond, (Alternate)
Robert Purvee, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, May 16, 2017, 5:00 PM

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

Minutes

Board Members Present: Brad Rabinowitz, Israel Smith, Robert Purvee(Alt), Jim Drummond(Alt), A. J. LaRosa, Alexander Zipparo

Board Members Absent: Austin Hart, Geoff Hand, Wayne Senville

Staff Present: Scott Guston, Ryan Morrison, Anita Wade

I. Agenda

II. Communications

Supplemental for 2 King Street accepted by Board.

III. Minutes

IV. Consent

1. 14-0753CA; 210 South Union Street (I, Ward 6S) Chad Tyler

Add one residential unit to existing accessory structure, increasing total units for property from four to five; add one surface parking space. (Project Manager, Ryan Morrison)

B.Rabinowitz: asks applicant if he has received staff comments and recommendations.

C.Tyler: yes.

B.Rabinowitz: no objections by Board or public to treat item as consent.

I.Smith: motion to adopt and approve based on staff comments and recommendations.

A. J. LaRosa: seconds the motion.

Board Vote: 5-0-0

2. 17-0914CA; 212 Elmwood Avenue (RM, Ward 2C) Champlain Housing Trust

Demolish existing 3 bedroom single family home and rebuild new 3 bedroom single family home. (Project Manager, Ryan Morrison)

B.Rabinowitz: asks applicant if they received staff comments and recommendations.

Applicant: yes.

B.Rabinowitz: no objections by Board to treat item as a consent item.

I.Smith: motion to adopt and approve based on staff comments and recommendations.

R.Purvee: seconds the motion.

Board Vote: 6-0-0

The programs and services of the City of Burlington are accessible to people with disabilities. Individuals who require special arrangements to participate are encouraged to contact the Department of Planning & Zoning at least 72 hours in advance so that proper accommodations can be arranged. For information call 865-7188 (TTY users: 865-7142).

Printed on 100% Recycled Paper

3. **17-0955CA/CU; 76 Chase Street (RL, Ward 1E) Eva Sollberger**
Request for accessory apartment and parking arrangement.
(Project Manager, Scott Gustin)

B.Rabinowitz; asks applicant if she has received staff comments and recommendations.
E.Sollberger: yes
AJ.LaRosa: motion to approve based on staff comments and recommendations.
I.Smith: seconds the motion.
Board: 6-0-0

V. Public Hearing

1. **17-0974CA/CU; 2 King Street (DW-PT, Ward 3C,5S) Lake Champlain Transportation Co**
Install exterior removable interconnected deck panels. Install retractable awning over patio area. Remove three windows in front of building and fill in with firewall on interior. Match siding on exterior of building. This property is within the Special Flood Hazard Area.
(Project Manager, Scott Gustin)

B.Rabinowitz: swears in applicants.
Applicants: R.Scully and B.Bertrand
B.Rabinowitz: asks about floodplain issues.
B.Bertrand: this was addressed by State and spoke with staff.
SGustin: looks over handout received from applicant and gives report.
B.Rabinowitz: questions new decking.
R.Scully: went from asphalt to wooden deck. Will put down seasonally 8x8 ft squares to be installed and removed seasonally.
B.Rabinowitz; questions on windows and kitchen area.
S.Gustin: have enough material to move forward. The floor elevation was added and now able to condition based on the floodplain as long as during operation the equipment can be removed and chairs anchored.
B.Rabinowitz: questions times of operation.
R.Scully: late May to September.
S.Gustin: rendered drawing of decking material and hood vent need to be specified.
R.Scully: pressure treated base.
B.Rabinowitz: there is no elevation where hood exists in the building. This is not shown in photo and need information.
S.Gustin: need elevation drawing showing hood in place.
B.Rabinowitz: submit elevation this week to staff. Closes public hearing.

2. **17-0786AP; 220 Pine St (RM, Ward 5S) Nicholas Papaseraphim**
Continuation of an appeal of Notice of Zoning Violation #320536 relative to expanded parking and lack of certificates of occupancy. (Project Manager, Jeanne Francis)

B.Rabinowitz: the applicant is not present. Closed the hearing for this item.

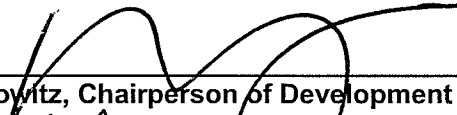
3. **17-0952AP; 41 South Willard Street (RH, Ward 8E) Vista K Properties, LLC**
Appeal of a zoning violation notice #323518 relative to parking, occupancy, and certificates of occupancy. (Project Manager, Jeanne Francis)

B.Rabinowitz: swears in applicant and staff.
J.Francis: presents information on NOV send March 29, 2017 pertaining to expansion of parking,
B.Rabinowitz: questions on parking on the grass and other areas.
J.Francis: more than 6 spaces at any one time in illegal areas. Mentioned the appellant's submission for parking changes over time.

B.Rabinowitz: questions on the area in front of garage and south side of property.
J.Francis not approved in 2006 as parking.
B.Rabinowitz: was part of violation about 6 unrelated adults.
J.Francis: yes. The attorney's office says if more than 4 you need obtain a determination if there is a complaint.
SGustin: sworn in. This wasn't about 6 bedroom problem. If a complaint was made and discovered more than 4 unrelated adults, it needs either to be resolved or changed.
B.Rabinowitz: having 6 bedrooms is not the same as 6 occupants.
J.Francis: correct. Two zoning permits for failed CO's; one was for window changes and to provide muntins, but new windows failed inspection. Second zoning permit is for a parking barrier as an attempt to cure violations for parking. The agreement was to put up barrier. His appeal is asking not to plant the shrubs. Shrubs are needed for barrier around parking area.
S.Kwon: owner of 41 So Willard building. Mentioned permit for parking, shrubs and third floor egress windows. Submits material to Board that shows he is concentrating on parking, shrubs and muntins.
B.Rabinowitz: questions parking off designated areas. Said without barrier people will park anywhere they want.
S.Kwon: would like to speak about muntins first and gives Board handout. Picture shows no muntin on window. Acme assured they did the muntins.
B.Rabinowitz: this shows that muntins are not in at the time.
SKwon; muntins are there now.
B.Rabinowitz: if not there now and need to replace them.
B.Rabinowitz: parking barrier could be fence.
S.Kwon: cannot put fence there.
B.Rabinowitz; trying to find an alternative for shrubs. parking now shows 6 spaces
AJ.LaRosa: did send in scaled plan for 6 or more spaces because I have a large lot size less than 52% lot coverage.
B.Rabinowitz: questions for staff.
S.Gustin: received information but incomplete site plan and requested a conference. Discussion ensued on what was sent. It would be best to meet face to face to resolve parking issue.
B.Rabinowitz: your solution is the shrubs.
S.Kwon: would like to use shrubs.
B.Rabinowitz: Board maybe doesn't want to avoid the shrubs or the functional family rule.
SKwon: zoning map shows that my buildings are not subject to functional family.
B.Rabinowitz: zoning changed in 2012.
AJ.LaRosa: how many people live in 6 bedrooms.
S.Kwon: six people in each unit. Need 2 parking spaces per unit. I cannot do anything about where they are parking.
B.Rabinowitz; that's the reason to have the shrubs.
S.Kwon; gives handout to Board prior to remodel egress on third floor.
B.Rabinowitz: no one insisting you change the stairs.
S.Kwon: will work with staff.
B.Rabinowitz: Board will be looking at shrubs.
S.Kwon: difficult to control parking.
B.Rabinowitz: some of Board's suggestions are how to control the parking.
J.Francis: up to owner to maintain parking that is durable. Rocks would work. This is a historic structure. The berms are not working.
A.Zipparo; do you offer education. Does the City have best practice guidelines?
J.Francis: zoning does have this.
S.Kwon: applied for additional parking space asking how to resolve 3 parking spaces per unit and was told that there is free parking all around. The overflow can park on street. I will speak to tenants to help them understand this. The shared driveway is 8ft wide talking with Planning and Zoning to expand to 12 ft so snow plow can be done properly.
B.Rabinowitz: Board is concerned about these issues and can help you come up with things you can do. Closed public hearing.

VI. Other Business

VII. Adjournment



Brad Rabinowitz, Chairperson of Development Review Board

6/12/17
Date



A. Wade, Zoning Clerk

6/5/17
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/drb/agendas or the office notice board, one week before the hearing for the order in which items will be heard.