

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 November 15, 2016, 5:00 PM

Contois Auditorium, City Hall, 149 Church Street, Burlington, VT
Minutes

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

Board Members Absent:

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

I. Agenda

Change to Agenda:

Appeal for 44 Crombie St has been withdrawn.

II. Communications

Supplement:

1200 North Ave application lighting specifications are accepted into the record.

III. Minutes

IV. Consent

17-0471CA; 1200 North Ave (NAC, Ward 7N) Awakening Sanctuary, Inc.

Elevator addition to an existing residential care building. Replace existing walk to entrance with new ADA walkway. (Project Manager, Scott Gustin)

G.Hand: recused on this item.

A.Hart: Swears in applicant. No interested parties to speak. Asks applicants if they have seen staff recommended approval with conditions.

Applicants: confirm and accept staff recommendations and conditions.

B.Rabinowitz: motion to approve upon staff findings and recommendations.

W.Senville: seconds the motion.

Board Vote: 7-0-0. Motion passes.

V. Public Hearing

1. 16-1441CA; 112 Church St (D, Ward 3C) Jeffrey S. Berger

Appeal of zoning permit denial to install windows. (Project Manager, Ryan Morrison)

A.Hart: City will present first based on the denial. Swears in staff person and applicant.

R.Morrison: applicant has submitted application for replacement windows proposing 4 sets of double hung windows. Structure originally burned down and was constructed in 1961. Early jalousie windows were replaced without zoning permits. Decision of denial due to intent of historic property and zoning code calls for jalousie windows.

A.Hart: what is the historic window being restored and what is the recommendation?

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

R.Morrison: recommended to restore to the 4 jalousie windows. This went to the DAB in October and their recommendation was to approve awning windows horizontal muntins to give impression of jalousie windows.

Reads the reasons for denial and what would be approved. DH more closely related to residential uses original use of upper floors were commercial and office.

W.Senville: DAB decision was not unanimous?

R.Morrison: correct. There was an opposing vote.

W.Senville: in the background information there was mention of a zoning permit in 1995. Did this affect the historic character of the property?

R.Morrison: that was just for the first floor.

Applicant: landlord was in favor of changing the windows and spoke to building inspector. The permits originally were approved for apartments on the 2nd and 3rd floors. The awning windows are not acceptable according to DPW, because they impede an emergency exit. The double hung and casements are okay accord to DPW. The casements would have to have reframing. The double hung windows need replacement. The majority of windows on Church are double hung. This is more like a 1960 building, not an 1860 building.

A.Hart: are you replacing all the windows on the 2nd and 3rd floor.

Applicant: I would replace all of them to make building more presentable

A.Hart: staff says these windows are not necessary for access but you had mentioned that DPW indicated they would be necessary.

Applicant: it would be easier to exit the double hung.

A.Hart: the DAB is recommending the replacement with the louvered jalousie windows.

Applicant: they are not energy efficient and not sure about we are able to find the right size.

The double hung windows have been there for 25 years.

I.Smith: a casement window will work.

Applicant: the casement will work, but architects say it will require reframing of the opening and change the look of the building. Either making repairs to windows in existence or custom ordering casement windows to replace double hung is extremely expensive.

A.Hart: the present windows were replaced without a permit. Church St is like our Main St. with great public exposure. The Board tends to apply a high standard to maintain historic integrity.

Applicant: don't think casements will improve or maintain the look. It fits aesthetic with other buildings on the street. This may be the second youngest building on the street.

I.Smith: from historic preservation perspective, it should be a jalousie window, but the problem is egress. Absolutely can find a casement window to fit the opening and get the muntin bars the way you want. It depends on the manufacturer. I think the double hung windows looks out of place for this style of building. I understand the conundrum but there are options.

Applicant: I would prefer the double hung windows.

R.Purvee: asks if the question is whether there should be casements or double hung windows in this location?

A.Hart: the Board does not enforce or know the building code. There is some latitude with the historic preservation ordinance.

R.Purvee: concerns about the look of jalousie's or casement windows when opened at different angles.

W.Senville: asks staff how does casement windows fit into the historic nature and the DAB's decision?

R.Morrison: DAB realizes the difficulties with jalousie windows and felt casement or awnings were adequate to meet egress and energy efficiency as two other options.

Applicant: agree with comment about jalousie's being opened at different angles. If an option exists for casements or double hung, that's what I would like to put in.

A.Hart: closed public hearing and will deliberate on this tonight.

2. 17-0496AP; 44 Crombie St (RM, Ward 2C) 44 Crombie LLC


Appeal of a notice of violation for failure to comply with approved site plan.
(Project Manager, Jeanne Francis)

Appeal has been withdrawn.

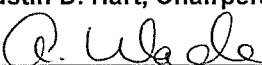
VI. Other Business

DRB Schedule for 2017 was introduced for approval.
A.Hart: makes a motion to approve the meeting schedule for 2017
G.Hand: seconds the motion.
Board Vote: 7-0-0. Motion passes

VII. Adjournment



Austin D. Hart, Chairperson Development Review Board



A.Wade, Planning & Zoning Clerk

Dec. 23, 2016
Date

12/12/16
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.

1

2

3

4