

Burlington Development Review Board

149 Church Street, City Hall
Burlington, VT 05401

www.burlingtonvt.gov/PZ/DRB

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Austin Hart
Jonathan Stevens
Brad Rabinowitz
Geoff Hand
Israel Smith
A. J. LaRosa
Alexandra Zipparo
Jim Drummond (Alt.)



BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday, March 20th, 2018 at 5:00 p.m. SUPPLEMENTAL COMMUNICATIONS

1. **18-0682CU; 81 Dunder Rd (RL-W, Ward 5S) Johnathan Heller**
Change of use to bed and breakfast in one bedroom.
(Project Manager: Ryan Morrison)
 - a. Letter submitted by Frits Verdonk
 - b. Email communication submitted by Jorg and Stephanie Aug
 - c. Email communication submitted by Suzanne LeGault
 - d. Letter submitted by George Bossick
 - e. Email communication submitted by Stephen and Susan Plisinski

RECEIVED

MAR 12 2016

To: David White, Director Planning and Zoning Department
cc: Scott Gustin
Mary O'Neil

DEPARTMENT OF
PLANNING & ZONING

Ref: Zoning permit application, Folder # 349980, ZP# 18-0682CU for 81 Dunder Rd.
DRB review meeting scheduled for March 20

Dear David,

I am writing to you as the President of the South Cove Association on request of several association members.

The South Cove Association is a special group of 90 single family homes on Austin Drive, Dunder Rd, South Cove Rd, Eastman Way and Oakledge.

The primary purpose of the association is the ownership, management and upkeep of the commonly owned property of our private beach.

Per our Bylaws, only association members, or accompanied guests, are allowed access to the water and use the private beach area.

The Association is opposing a B&B in the neighborhood. Beach use and access to the water will most likely be the major selling point of any B&B in the neighborhood. In addition, we have no way of controlling the beach access when strangers are staying at any B&B.

Our (expensive) insurance would also not cover any accidents on the beach area caused by B&B clients, who of course would want to make use of the beach area.

The Association therefore urges you to deny the conditional B&B use for 81 Dunder Rd.

A few years ago we successfully challenged a similar request for conditional use for this property as well as for 17 Eastman Way

With kind regards

Frits Verdonk

President South Cove Association

Ryan Morrison

From: William Ward
Sent: Friday, March 16, 2018 3:28 PM
To: Stephanie Auge
Cc: Anita Wade; Ryan Morrison
Subject: RE: 81 Dunder Rd.

The hearing before the Development Review Board will be held on March 20, 2018 - 5:00pm at City Hall and is staffed by the Department of Planning and Zoning.

I am forwarding your e-mail to the attention of the staff at Planning and Zoning to request that it be included in the public comment for the project. I would encourage you to contact the Department directly if you have more detailed objections that you want to submit for their record.

Thank you.

Bill

Bill Ward
Director of Code Enforcement
654 Pine Street
Burlington, VT 05401
(802) 865-7510 -Office
(802) 881-4696 -Cell



From: Stephanie Auge
Sent: Friday, March 16, 2018 3:21 PM
To: William Ward <wward@burlingtonvt.gov>
Subject: 81 Dunder Rd.

Dear Mr. Ward,

We hear again, that our neighbor at 81 Dunder, is applying to use his residence as a bed and breakfast. We attended and spoke at the last such meeting against this proposal. As we are unable to attend the upcoming meeting, we are writing to let you know our position remains the same.

Mr. Heller has continued to rent out rooms which have led to a tenant's dog attacking another dog and the police being called, by him, on another tenant.

We do not believe this idea is appropriate for our street.

Thank you for your attention to this matter.

Jorg and Stephanie Aug

Layne Darfler

From:
Sent: Friday, March 16, 2018 2:03 PM
To: Layne Darfler
Subject: request for B and B at 81 Dunder Rd. Jonathan Heller

Development review board: I cannot attend the meeting.

To whom it may concern:

Jonathan Heller is requesting permission to open a bed and breakfast at 81 Dunder Road in the South Cove neighborhood.

South Cove is an association of residential homes that share a private beach for which we pay taxes. Allowing a bed and breakfast would not be in keeping with our neighborhood. We do not have businesses that are open to the public. We know our neighbors. Our children play in the streets. We watch out for each others homes. Having a steady steam of people up and down Dunder Road would be detrimental to our community. We want to keep South Cove a well knit and safe neighborhood.

Jonathan applied to open a boarding house on October 16, 2012. Many neighbors attended the hearing and objected to this proposal. Mr. Heller's was denied permission (although he still rents to a variety of people).

There were numerous reasons for neighbors to object to a boarding house and specifically to Mr. Heller running a business. I will not catalog these objections as they were covered in the 2012 hearing. Nothing has changed. These objections are the same for opening a bed and breakfast.

I hope this request is denied. Please look at the minutes for the October 16, 2012 meeting and do not let Jonathan Heller open a business at 81 Dunder Road.

Thank you for your time and consideration.

Suzanne LeGault

March 18, 2018

Mr. David White, Director
Planning and Zoning Department
Burlington City Council
Burlington, VT 05401

RE: Zoning permit application, Folder #349980, ZP# 18-0682CU for 81 Dunder Road
Development Review Board meeting scheduled for March 20, 2018

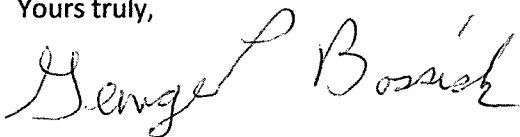
Dear Mr. White,

As property owners adjacent to 81 Dunder Road, we urge you to deny the permit for a Bed & Breakfast at this property following the resent denials for a similar request for this property as well as for the property on 17 Eastman Way.

Approval of this request would jeopardize the value and integrity of our family neighborhood with additional traffic, noise and use of city resources. We are concerned about their being adequate parking, additional use of the private pool located on the property, and the restricted use of our private neighborhood beach. We suggest your review the past records for this property and the information that led to the previous request that was denied by your Board.

Thank you for your consideration.

Yours truly,



George Bossick



Sandra Bossick

Burlington, Vermont 05401

RECEIVED
MAR 19 2018

DEPARTMENT OF
PLANNING & ZONING

Layne Darfler

From: Stephen Plisinski
Sent: Friday, March 16, 2018 11:02 AM
To: Layne Darfler
Cc: Susan Plisinski
Subject: Objection to Change of Use Request 18-0682CU

Attention: Burlington Development Review Board

Dear Board Members,

I received notice from the Review Board of a change of use request (18-0679CU) by my neighbor, Johnathan Heller, that would allow operation of a portion of his residence as a bed and breakfast. Our properties directly abut each other with our home being directly to the west of his. My wife and I are out of town and unable to attend Tuesday night's meeting of the Review Board to make our objections in person, thus we are doing so in writing.

Dunder Road is a quiet, safe, residential neighborhood with no commercial enterprises. Families move and live here predominately for that reason. In 2012, Mr. Heller was rightly denied permission to run a business renting rooms at his home in this neighborhood. Is there any compelling interest to change the character of the neighborhood? There was none in 2012 and there is not one now that we can see.

Secondly, I encourage the Review Board to take into consideration any previous civil action, citations and/or formal complaints related to the applicant over the years before making its decision.

Please confirm receipt of our objection to change of use request 18-0682CU at your earliest convenience.

Your attention and consideration are most appreciated.

Sincerely,

Stephen and Susan Plisinski

Burlington, Vermont 05401