

## Burlington Development Review Board

Department of Permitting & Inspections

645 Pine Street

Burlington, VT 05401

[www.burlingtonvt.gov/DPI/DRB](http://www.burlingtonvt.gov/DPI/DRB)

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Caitlin Halpert  
Evan Gould  
Geoff Hand  
Sean McKenzie  
Miles Waite  
Chase Taylor  
Marina Campbell, (Alternate)



### BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, September 1, 2026, 5:00 PM

#### MINUTES

*Hybrid & In Person (at 645 Pine Street) Meeting*

**Board Members Present:** Evan Gould, Sean McKenzie, Miles Waite, Chase Taylor, and Marina Campbell (5:05 PM)

**Board Members Absent:** Caitlin Halpert and Geoff Hand

**Staff Members Present:** Scott Gustin, Mary O'Neil, and Joseph Cava

**Staff Members Absent:** Kirk Dressing and Matthew Clark

- I. Agenda
- II. Communications
- III. Minutes
- IV. Consent

**1. ZP-24-50; 75 Briggs Street (E-LM, Ward 5) Meraki Realty Holdings, LLC / Andrea Charest**

Time extension request for the construction of a new health club, climbing, and community center including related site improvements. (Project Manager, Scott Gustin)

Andrea Charest, owner, present

Evan Gould: This item is recommended for consent approval.

Miles Waite: I have done consulting on this project, but do not believe it will inhibit my ability to provide an objective review.

Evan Gould: Is there anyone on the Board that would have an issue with treating this item as consent? Hearing none, is the applicant present?

Andrea Charest: Yes.

Evan Gould: Have you had the opportunity to review the staff report, and have any questions or comments?

Andrea Charest: Yes, and no questions or comments.

Evan Gould: Are there any questions or comments from members of the Board? Hearing none, are there any questions or comments from members of the public in attendance in person or online? Hearing none, would someone like to make a motion?

Evan Gould: Motioned to approve and adopt staff findings and recommendations, Sean McKenzie 2<sup>nd</sup>. Vote 4-0. Motion carried.

## **V. Public Hearing**

### **1. ZP-26-331; 38 Cliff Street (RM, Ward 6) Claire Leopold / Donald Leopold**

Proposed demolition of existing garage to construct a new garage with covered patio. (Project Manager, Mary O'Neil)

Donald Leopold, owner, present

Evan Gould: Is the applicant present?

Donald Leopold: Yes.

Evan Gould: Can you tell us about this project?

Donald Leopold: Yes, our plan is to demolish the existing garage and construct a new garage and covered patio.

Evan Gould: Can you expand on the pictures?

Mary O'Neil: As an accessory structure, the pictures would suffice.

Evan Gould: Are there any additional questions or comments from members of the Board? Hearing none, are there any questions or comments from members of the public in attendance in person or online? Hearing none, we will close the hearing on this item, and deliberate later on.

### **2. ZAP-26-11; 139 Bank Street (FD6, Ward 3) First Baptist Church / Bridget Brett**

Appeal of Administrative Officer's determination of ZP-26-358. (Project Manager, Scott Gustin)  
Owen McClain, Frank Von Turkovich, and Rena Koopman: Sworn in.

Evan Gould: This item is an appeal of an administrative officer's determination. Can you tell us about this project?

Owen McClain: Associates have been operating at the Howard Opera House space. A zoning violation was issued. Syringe Services Programs (SSP) is not an allowed use. It is not similar to any existing approved uses and the Development Review Board (DRB) should undo the determination. There is a second issue, the syringe issue, which is not accessory to office use. There is some confusion in the staff report regarding the requirement for a zoning permit. We ask that the DRB determine that the syringe program is not an accessory use. The DRB needs to consider the illegal drug transactions occurring along this area of Bank Street. It is apparent from the application that the ongoing SSP is having a negative impact on the neighboring hotel and recently established coffee shop. I would be happy to clarify any questions.

Evan Gould: Are there any questions or comments from members of the Board?

Miles Waite: I see property ownership is under the First Baptist Church, but do not see an active religious use.

Evan Gould: Can you expand on the prior use?

Scott Gustin: Previous use was an art gallery permitted with associated retail.

Sean McKenzie: Can you expand about other possible use categories for this?

Scott Gustin: There is something in the appeal documents about the present use being a crisis counseling center. If you read the definition, it is not a crisis counseling center.

Owen McClain: If the DRB approves an office use with an SSP, we would submit this is not an appropriate use under general office use, which is not similar. We would like to present evidence whether as SSP, which is much narrower definition than general office use.

Evan Gould: Are there any additional questions or comments from members of the Board? Hearing none, are there any questions or comments from members of the public in attendance in person or online?

Frank Von Turkovich: I am here to speak on the position and impact of this project on neighboring residents. This type of syringe program is contemplating a bylaw change, which would make it its own unique use, and not part of general office use. This is harmful and the SSP program on Clark Street shows the harmful circumstances this type of program creates. Please consider this carefully.

Evan Gould: Are there any additional questions or comments from members of the public in attendance in person or online?

Rena Koopman: I was not really prepared to speak, but then I saw pictures of my condo in the background. We have had a problem with people shooting up in the garage. The changes have been enormous, and I have thought seriously about moving due to increased noise and violence in the area. I do not support this type of program at the entrance of the newly established hotel.

Owen McClain: We represent Steven Schonberg and we would like the opportunity to extend the hearing to present additional evidence from what we have scheduled.

Evan Gould: We will consider those. Hearing no additional questions or comments, we will close the hearing on this item, and deliberate later on.

**3. ZAP-26-10; 48 Hoover Street (RM, Ward 6) Heidi Gnaedinger / Kelly Pierpont**

Appeal of administrative approval of ZPF-26-49. (Project Manager, Mary O'Neil)

Kelly Pierpoint: Sworn in.

Evan Gould: This item is an appeal of an administrative approval. Can you tell us about this project?

Kelly Pierpont: I am here, because my neighbor constructed a fence without permits, and the gate opens up onto my driveway to the point that I am fearful of parking my car in this area of my driveway. This neighbor hauling supplies across my driveway into their yard has extensively damaged my last two vehicles. In addition, there were plantings installed, which are now growing into my garage.

Miles Waite: When did this fence project begin?

Kelly Pierpont: Winter.

Sean McKenzie: Do you know where the property lines are?

Kelly Pierpont: I uploaded a picture with the property lines.

Mary O'Neil: I would alert you that the parcel boundaries with an overlay of aerial photography is not accurate for determining boundary lines.

Evan Gould: So there is no survey?

Mary O'Neil: I used prior records from this neighborhood's development. I would not be surprised if the garage is abutting the property line because most of the lots in this neighborhood are only 40-feet wide.

Miles Waite: Can you speak to the provisions in the Comprehensive Development Ordinance (CDO) regarding fencing?

Mary O'Neil: I uploaded all applicable codes regarding fences.

Miles Waite: The gate in the fence should not impact the neighboring property owner, which opens onto the adjacent property.

Evan Gould: This seems more like a trespass issue and not a zoning issue. Are there any additional questions or comments from members of the Board? Hearing none, are there any questions or comments from members of the public in attendance in person or online? Hearing none, we will close the hearing on this item, and deliberate later on.

## **VI. Certificate of Appropriateness**

### **1. ZP-26-216; 124-126 North Avenue (RC, Ward 2) Katie Chaucer / Michael Chaucer**

Continued review for demolition of existing duplex to construct a new four-story 16 unit residential building. (Project Manager, Mary O'Neil)

Michael Chaucer, owner, present, Corey Mims, Johanne Fradette: Sworn in.

Evan Gould: This is a continuance of the previous hearing to have additional discussion including the roofline and the Department of Public Works (DPW) right-of-way (ROW) curb cut. Are there any questions or comments from members of the Board? My understanding of the ordinance is that there shall be a break in elevation.

Mary O'Neil: This is a break in elevation on all four sides. It does not define to the extent on how this can be accomplished. The footnote does not define this. The Design Advisory Board (DAB) raised concerns about this, and they felt it should be a continuous roofline to keep the building tight. Under the footnote, there is no guidance.

Evan Gould: If the roofline was continuous, could it be notched?

Miles Waite: So if it notched, this eliminates the need for trim to truncate the roofline.

Evan Gould: From a contractor's standpoint, this is difficult to achieve.

Sean McKenzie: Notching the primary roofline would be difficult.

Michael Chaucer: This was part of the issue during the design process.

Mary O'Neil: We have an engineer from DPW to speak on this.

Evan Gould: We had a concern regarding loading and unloading.

Sean McKenzie: How people move in and out.

Corey Mims: We understand this. The limited parking and proximity to the fire station combined with a short frontage make it difficult to balance the constraints with the limited frontage. DPW does not feel that this can be easily accommodated.

Evan Gould: Delivery trucks are already blocking the existing bike lanes to make deliveries, so the further constraint on existing resources is a concern.

Corey Mims: Loading/unloading, combined with the intersecting streets, increases the restrictions on what the ROW can do to accommodate this proposal. I realize that this is part of the challenge, especially for newer development, and we can only operate on the facts that we are given.

Miles Waite: What is an on-site curb cut?

Corey Mims: This would allow properties to have private curb cuts off the ROW. This is seen for garage conversions to residential dwelling units.

Miles Waite: I have another question for the applicant. Was there ever a consideration to allow one parking spot?

Michael Chaucer: We did consider it, but the design did not work. We thought a new curb cut for short term access would assist with this development. Given the frequent number of door dash drivers present in this area, we understand the constraints.

Johanne Fradette: We have numerous concerns including the existing tree.

Evan Gould: At this time, if the tree is not removed, then it will be replaced.

Johanne Fradette: Our concern is in regard to setbacks and the changes created by this development. I am also concerned about location of the trash and recycling location and its impact to neighboring residents.

Julia Dipietro: This is a very large building jammed into a small space. It is a concern shared by the neighborhood. We would not be opposed if the building were shorter to fit with the character of the existing neighborhood.

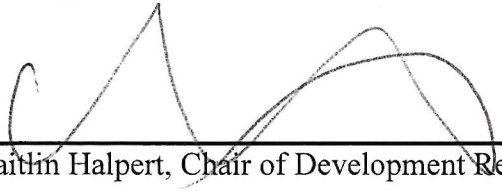
Evan Gould: Did you have anything else to add?

Michael Chaucer: We are compliant with all the required setbacks.

Evan Gould: Are there any additional questions or comments from members of the Board? Hearing none, are there any questions or comments from members of the public in attendance in person or online? Hearing none, we will close the hearing on this item to deliberate on this evening's agenda items.

## **VII. Adjournment**

Hearing closed at 6:15 PM.



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Caitlin Halpert, Chair of Development Review Board

9/15/25  
Date

Joseph H. Cava

9-15-26

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Joseph H. Cava, Permitting & Inspections Permit Technician

Date

Participation in the DRB proceeding is a prerequisite to the right to take any subsequent appeal. Please note that ANYTHING submitted to the 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 <https://burlingtonvt.portal.civicclerk.com/> or the office notice board, one week before the hearing for the order in which items will be heard.

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