

**BURLINGTON CITY COUNCIL LICENSE COMMITTEE
CITY HALL –1ST FLOOR, BUSHOR CONF. ROOM *OR*
ZOOM MEETING WITH CALL-IN
BURLINGTON, VERMONT
MINUTES OF MEETING
August 7, 2024
DRAFT**

MEMBERS PRESENT:

Joan Shannon, Chair (via Zoom)
Melo Grant (via Zoom)
Marek Broderick

OTHERS PRESENT:

Keaton Knowles
Lori Olberg
Caleb Manna
Hayley McClenahan
Christy Mitchell

1.0 AGENDA

1.1 motion to amend/adopt the agenda

Councilor Shannon called the meeting to order at 5:41 PM.

MOTION by Councilor Grant, SECOND by Councilor Broderick to adopt the agenda as amended as follows:

- **Add to the consent agenda item 2.6: Communication: BPD, re: UVM Convocation, Sunday, August 25, 2024, 3 pm – 11 pm, Multiple – see additional information for exact road closure locations;**
- **Add to the consent agenda item 2.7: Communication: BPD, re: Criterium Bike Race, Monday, September 2nd, 2024, 06:00 hrs – 17:00 hrs, Start at City Hall Park and finish at City Hall Park;**
- **Add to the consent agenda item 2.8: Communication: BPD, re: Block Party, Friday, August 23, 2024, 5 pm – 10 pm, 8 Convent Square – 28 Convent Square;**
- **Add to the agenda item 3.4 Special Event Outdoor Entertainment Permit Application (three days only): SEABA, Art Hop, South End Arts District.**

VOTING: unanimous; motion carries.

2.0 CONSENT AGENDA

2.1 motion to adopt the consent agenda as amended and take the actions as indicated

2.2 Communication: BPD, re: Block Party, Decatur Street, Saturday, July 27, 2024, 11:00 am – 4:00 pm – waive the reading, accept the communication, and place it on file.

2.3 Communication: BPD, re: Block Party for King Street Families, Thursday, July 11, 2024 (rain date of 7/18/24), King Street, 1:00 pm – 6:00 pm - waive the reading, accept the communication, and place it on file.

2.4 Communication: BPD, re: UVM First Year Student Move-in Days, Wednesday, August 21 & Thursday, August 22, 2024, University Heights, 6:30 am – 5:00 pm - waive the reading, accept the communication, and place it on file.

2.5 Communication: BPD, re: BTV Market Street Closure, City Hall Park, Every Saturday, June 1 – September 28, 2024, 8:00 am – 4:00 pm - waive the reading, accept the communication, and place it on file.

2.6 Communication: BPD, re: UVM Convocation, Sunday, August 25, 2024, 3 pm – 11 pm, Multiple – see additional information for exact road closure locations - waive the reading, accept the communication, and place it on file.

2.7 Communication: BPD, re: Criterium Bike Race, Monday, September 2nd, 2024, 06:00 hrs – 17:00 hrs, Start at City Hall Park and finish at City Hall Park - waive the reading, accept the communication, and place it on file.

2.8 Communication: BPD, re: Block Party, Friday, August 23, 2024, 5 pm – 10 pm, 8 Convent Square – 28 Convent Square - waive the reading, accept the communication, and place it on file.

MOTION by Councilor Grant, SECOND by Councilor Broderick, to adopt the consent agenda and take the actions as indicated for items 2.1-2.8.

VOTING: unanimous; motion carries.

3.0 DELIBERATIVE AGENDA

3.1 Indoor Entertainment Permit Application (2024-2025): Tap House & Beer Garden, 160 Flynn Avenue, Suite 1

MOTION by Councilor Grant, SECOND by Councilor Broderick, to approve the 2024-2025 Indoor and Outdoor Entertainment Permit Applications as a slate for Tap House & Beer Garden, 160 Flynn Avenue, Suite 1 with all standard conditions.

VOTING: unanimous; motion carries.

3.2 Outdoor Entertainment Permit Application (2024-2025): Tap House & Beer Garden, 160 Flynn Avenue, Suite 1
See above.

3.3 555 Shelburne Street – Gravel Wetland Encumbrance Permit Application South Meadow Upper Tier Condominium Association/Pomerleau Real Estate – DPW
Excavation Inspector Manna spoke to this item. He noted that this agreement focuses on the portion of the wetland that discharges into Potash Brook and that it is located on City property for Champlain Parkway. He said that due to this, the City found it prudent to formalize this agreement to authorize access in good faith for accepting this roadway with federal and state partners. He said that the agreement outlines access for the outfall and does not include other special conditions or clauses of note.

Councilor Grant asked if there is a fee associated with this lease. Excavation Inspector Manna replied that there is a fee that goes along with the encumbrance permit and that it is assessed according to square footage for the portion on City property, and is approximately \$2,000. He said he is not familiar with leases surrounding the agreement, though there are easements for Champlain Parkway.

Councilor Shannon asked about the current conditions for the area in question. Excavation Inspector Manna replied that there is an existing outfall pipe that has been there for quite some time, that the shared use path is under construction, and that it will be part of the final construction contract. He said that it is currently mostly grassy slope and vegetation that leads to Potash Brook. Councilor Shannon asked who designed and recommended the gravel wetland as the solution to upgrade the stormwater management for this area. Excavation Inspector Manna replied that this is the result of the State's new stormwater management requirements, which apply to developments with certain amounts of impervious surfaces near impacted waterways to reduce runoff and make improvements where feasible. He noted that this particular solution was part of an engineered environmental plan and was approved by the Conservation Board several weeks ago.

MOTION by Councilor Grant, SECOND by Councilor Broderick, to approve and recommend that the City Council approve the Encumbrance Permit Application for South Meadow Upper Tier Condominium Association, and Antonio B. Pomerleau, LLC, for the address located at 555 Shelburne Street and 1074 Pine, requesting use of City owned property for a stormwater outfall pipe, and to further recommend that the City Council authorize the Mayor to enter into a license agreement with the Applicant for use of the portion of the right-of-way outlined in the Application, subject to review by the City Attorney's Office.

VOTING: unanimous; motion carries.

3.4 Special Event Outdoor Entertainment Permit Application (three days only): SEABA, Art Hop, South End Arts District
Christy Mitchell spoke on behalf of the Applicant regarding this event. She noted that the festival will be similar to in prior years. She noted that for Friday's events they hire security, flaggers, EMTs, and the Fire Department to assist with street closures on Pine Street from Howard to Kilburn. She spoke about the various events throughout the weekend. Councilor Shannon asked if there are concerns about the construction activity and whether there is coordination to ensure that construction does not negatively impact the events. Ms. Mitchell replied that they are keeping an eye on that, and that they have been told by DPW that there shouldn't be construction during the times of the events. Councilor Grant noted that there are uneven road surfaces on Pine Street due to the construction and asked if additional lighting will be provided for pedestrians to safely move around the street for the events. Ms. Mitchell noted that in the past the street lights have done an adequate job of lighting the street, but that they also place cones at any kind of dips or holes to mark potential tripping hazards. She said that they will work with DPW and the construction team to highlight any areas that should be flagged.

MOION by Councilor Grant, SECOND by Councilor Broderick, to approve the three day only special event outdoor entertainment permit application for SEABA, Art Hop, South End Arts District, September 6-8, 2024, various locations and times.

VOTING: unanimous; motion carries.

4.0 ADJOURNMENT

4.1 Motion to adjourn

The meeting adjourned without objection at 6:02 PM.