



**CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS**

645 Pine Street, Suite A
Post Office Box 849
Burlington, VT 05402-0849
802.863.9094 VOICE
802.863.0466 FAX
802.863.0450 TTY
www.burlingtonvt.gov/dpw

Chapin Spencer
DIRECTOR OF PUBLIC WORKS

M E M O R A N D U M

To: Hannah Cormier, Clerks Office
From: Chapin Spencer, Director
Date: April 14, 2016
Re: Public Works Commission Agenda

Please find information below regarding the next Commission Meeting.

Date: **April 20, 2016**
Time: 6:30 – 9:00 p.m.
Place: **645 Pine St – Main Conference Room**

A G E N D A

ITEM

- 1 Call to Order – Welcome – Chair Comments
- 2 Agenda
- 3 10 Min Public Forum
- 4 5 Min Consent Agenda
 - A Traffic Request Backlog
 - B North Avenue “No Parking”
 - C Resident Parking Implementation & Standard Operating Procedure
 - D Resident Parking Ordinance Amendment for Maple Street
 - E Main/South Champlain Street Intersection Improvements

Non-Discrimination

The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status or genetic information. The City is also committed to providing proper access to services, facilities, and employment opportunities. For accessibility information or alternative formats, please contact Human Resources Department at 865-7145.

- 5 15 Min Towing Rate Changes
A Communication, J. King
B Commissioner Discussion
D Public Comment
E Action Requested – Vote
- 6 45 Min 40-42 Colchester Ave - Appeal
A Communication, W. Ward
B Commissioner Discussion
C Oral Presentation, Appellant
D Public Comment
E Action Requested – Vote
- 7 5 Min Draft Minutes of 3-8-16 & 3-16-16
- 8 10 Min Director's Report
- 9 10 Min Commissioner Communications
- 10 Executive Session For Appeal and Director, City Engineer Evaluations
- 11 **Adjournment & Next Meeting Date – May 18, 2016**

COMMISSION MEETING SIGN IN SHEET

Date: 20 April 2016

PLEASE PRINT NAME

ITEM #

EMAIL

PHONE

WARD #

Michelle Cunningham

Consent E

doughnutdilemma@gmail.com

802-923-6746

Jess Ackerman

ack.jesse@gmail.com

802-343-4720

Sharon Bushor

Consent

Sharon.Bushor@VAMEDNET.ORG

802-734-7000

1

Soon Kwon

42-42 Sol. Are
appeal

SoonKkwon@gmail.com

(802) 578-0457



**CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS**

645 Pine Street, Suite A
Post Office Box 849
Burlington, VT 05402-0849
802.863.6351 VOX
802.863.0466 FAX
802.863.0450 TTY
www.burlingtonvt.gov/dpw

William P. Burns
Traffic Foreman

To: Burlington Public Works Commission
From: Billy Burns, Traffic Foreman *W.P.B.*
Re: **Landscaping Services 2016**

On March 30, 2016, at 12:00 p.m. The Burlington Public Works Traffic Department opened the Landscaping Quotes for the 2016 summer season. Public Works had requested quotes for Landscaping Services for the City flowerbeds for one season of service. The Traffic Department sent the Request for Landscaping Services to six companies in the area and the Burlington Parks and Recreation Department.

We received two quotes back.

OrganiCare Landscapes total quote was \$23,650

Pinnacle Properties total quote was \$24,400

Background – On the two bids received this year; the incumbent Pinnacle Property and a new organization called OrganiCare. Pinnacle has been performing the work for the last 9 yrs, and has largely been the only submitter in the past. OrganiCare is a relatively new company that has previously focused on fertilizer and some house landscape work in developments.

In order to review the two submissions, we formed a source selection panel consisting of Pat Cashman, Dan Hill and myself. In the exercise of the selection panel we individually scored each proposal based on price, quality of prior like-work as per references, experience with projects of this scope, years' experience and prior work with the city.

Of the two submissions received the proposal from OrganiCare was at lower cost by \$750 in savings below the Pinnacle proposal (~\$24K), however their lack of like work experience, limited scope of prior work, and no work history with the city led us to select Pinnacle for this work. With a contract of this size and duration we felt the risk of a wholly new company working in a new area of work was significant, however encouraging OrganiCare to continue to bid on city contracts in order to build a reputation and work history would obviously serve us well in the long run by having more competitors for this contract in the future.

As stated we have worked with Pinnacle Properties in the past and they do quality work in a timely manner. We will offer the contract to Pinnacle Properties.

Last year's winning quote was \$24,400

Thank you.

An Equal Opportunity Employer

This material is available in alternative formats for persons with disabilities. To request an accommodation, please call 802.863.9094 (voice) or 802.863.0450 (TTY).

Code Enforcement DPW appeal hearing

40/42 Colchester Avenue



3 items
introduced
by CODE

Code Enforcement Timeline of inspections at this property

DATE	ACTION	INSPECTOR/STAFF	DEFICIENCIES
7/7/2015	Routine Housing Inspection	Tim Ahonen/Patti Wehman	24 Items
7/16/201	Order Sent	Sybil Thomas	
7/24/201	Follow-up Inspection	Tim Ahonen/Bill Ward	25 Items
7/29/201	Order Sent	Sybil Thomas	
8/12/201	2nd Follow-up Inspection	Tim Ahonen/Bill Ward	25 Items
8/14/201	Order Sent	Sybil Thomas	
8/31/201	3rd Follow-up Inspection	Tim Ahonen/Bill Ward	19 Items
1/8/2016	Order Sent for November	Sybil Thomas	UNDER APPEAL
1/27/201	Appeal received on 1/8/16 order		
1/28/201	6		
6	Inspection for compliance date 1-28-16		

There were 25 deficiencies at the November 2015 inspection

7 of those deficiencies are from Division 5 of the housing ordinance and are subject to appeal review by the Public Works Commission

- Item #6 of 25 –Missing handrails on stairs
- Item #7 of 25 –Unsafe egress path –hole in the ground in window well
- Item #8 of 25 –Unreasonable/excessive accumulations in storage closet
- Item #9 of 25 –Path of egress obstructed
- Item #13 of 25 –Smoke/CO detectors not interconnected – COMPLIED
- Item #19 of 25 – Fire alarm system tested with deficiencies – COMPLIED by Fire Marshall -2016
- Item #3 of 25 – Front door step

40 b (Item 6 of 25)
Missing handrails on stairs

Finding: Egress stairways without handrails in 40b. (See supplemental report dated December 30, 2015 attached)

Remedy: Install handrail to code: 34 to 38 inches above surface of tread, 1 1/4 to 2 inches in diameter. Building permit may be required.

Code Section: Means of egress

18-95 Egress paths shall be safe to use and shall conform to the requirements of the City building code.
Non Complied –Violation not corrected

Conditions observed
on 12-30-15–
Photo taken by
William Ward





Conditions observed on 3-16-16—
Photo taken by William Ward



Conditions observed on 4-20-16
Photo taken by William Ward

Unit/Area

40 b (Item 7 of 25)

Finding: Required egress path unsafe or unusable: egress window route on east side has a hole in the ground over one foot deep. The stairs are rickety and the shed roof impedes egress by being below the required clear headroom of 6 feet 8 inches. (See supplemental report dated December 30, 2015 attached)

Remedy: Repair and maintain safe and stable egress path to code at all times.

Code Section: Means of egress

18-95 Egress paths shall be safe to use. All required fire escapes shall be structurally sound and maintained safe and useable and free of snow and ice.

8-31-15 Inspection STATUS: Non Complied –Violation not corrected

Conditions observed
on 8-31-15 –
Photo taken by
William Ward

Photo depicts the view of the escape
window well on Northeast side of the
building



Conditions observed on 10-6-14
Photos taken by William Ward



Photos depict the interior of the escape window well on the northeast side of the building and a close up of the hole in the ground



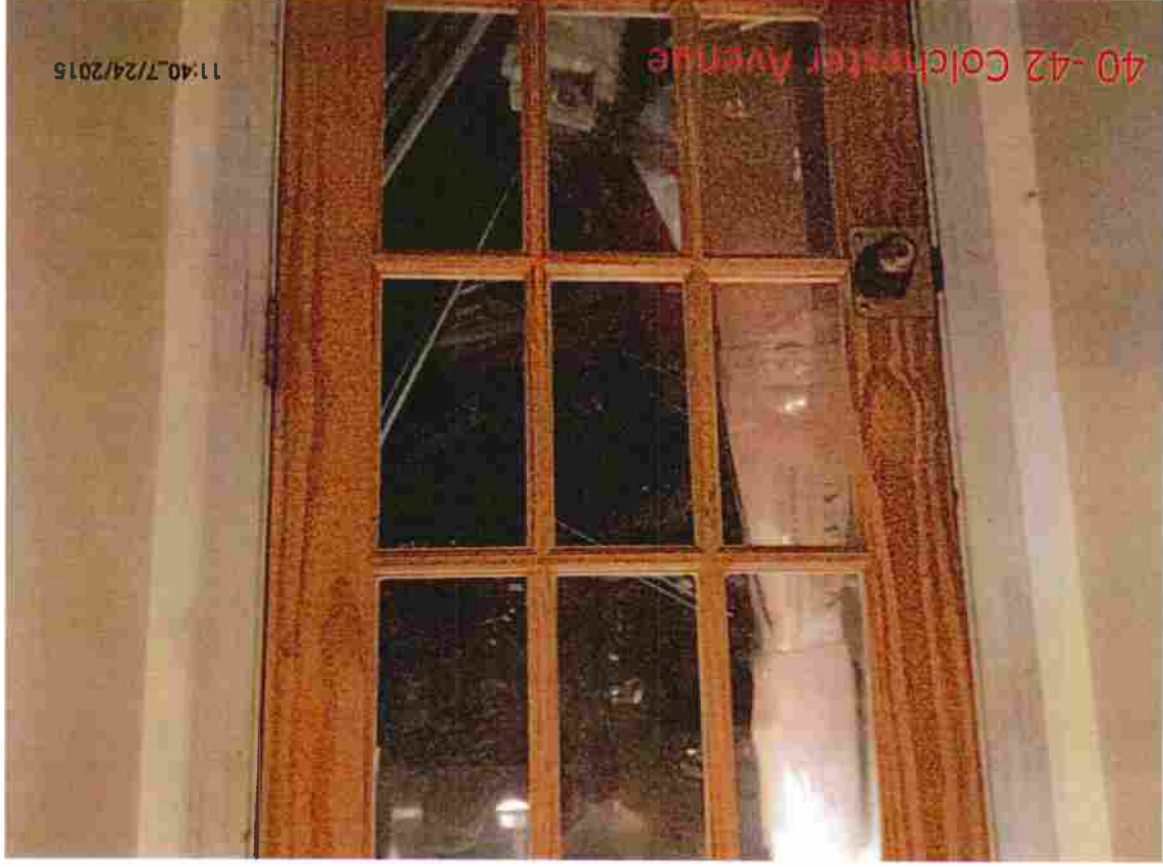
Photos depict the interior of the escape window well on the northeast side of the building. The photos were taken by Inspector Tim Ahonen and they are a fair and accurate representation of what I observed on 1-28-16.

Finding: Unreasonable quantities of accumulated and stored materials on premises; There is a closet in 40 b heaped with building supplies no space to walk. (See supplemental report dated December 30, 2015 attached)

Remedy: Reduce accumulations of stored materials. Maintain premises free of excessive accumulations. Storage area to be orderly and free of combustible or hazardous materials. Mr. Kwon a big pile of stuff with no order or any room to step through is not acceptable.
Code Section: Interior accumulations and storage
18-96 Highly flammable or explosive matter, such as paints, volatile oils and cleaning fluids, or combustible refuse, such as wastepaper, boxes and rags, shall not be accumulated or stored on residential premises except in reasonable quantities consistent with normal residential use.

8-31-15 Inspection STATUS: Non Complied—Violation not corrected

Conditions observed
on 7-24-15 -
Photo taken by
William Ward





Conditions observed on 1-28-16 -
Photo taken by William Ward



Conditions observed on 1-28-16 -
Photo taken by William Ward

40 b (Item 9 of 25)

Finding: Path of egress is obstructed or otherwise unsafe rear exit from 40b obstructed by storage in hallways, missing light bulbs, and passes through boiler room exterior door not proper size. (See supplemental report dated December 30, 2015 attached)

Remedy: Remove obstructions and maintain safe path of egress at all times. Building permit required to replace door.

Code Section: Means of egress

18-95 Each first and second floor dwelling unit shall have one safe, continuous and unobstructed means of egress from the interior of the unit to the exterior at a street or to a public open space or area at grade. Dwelling units on the third floor and above shall have at least two safe, continuous and unobstructed means of egress from the interior of the unit to the exterior at a street or to a public open area at grade.

8-31-15 Inspection STATUS: Non Complied –Violation not corrected

Conditions observed
on 8-31-15 -
Photo taken by
William Ward



Video taken by William Ward on 8-31-15
showing the exit path through the door
marked "Fire Door EXIT"





Conditions observed on 1-28-16
Photo taken by William Ward

Finding: Alarm units in apartment 42 not talking to each other. (See supplemental report dated December 30, 2015 attached)

Remedy: Electrician needed to diagnose and repair problem so that alarms meet code. Each alarm must signal all of the others.
Code Section: Smoke detectors

18-99 AC/DC interconnected smoke detectors shall be installed inside and outside every bedroom and on every level of the dwelling unit.
FINALIZED CITY OF BURLINGTON ELECTRICAL PERMIT REQUIRED.

Status: Complied on 8-31-15

Conditions observed
on 7-24-15 –
Photo taken by
William Ward



This issue was found in compliance on
8-31-15



Conditions observed on 8-31-2015 - Photo taken by William Ward

Unit/Area

fire alarm system

(Item 19 of 25)

Finding: Fire alarm system not maintained in proper operating condition- not inspected. (See supplemental report dated December 30, 2015 attached)

Remedy: Inspect required fire alarm system and maintain in proper operating condition at all times.

Code Section: Fire protection systems

18-98 All required fire protection systems and equipment including fire alarms and fire suppression systems shall be maintained in proper operating condition.

8-31-15 Inspection STATUS: This condition is being referred to the Fire Marshal

Conditions observed
on 8-31-2015
Photo taken by
William Ward



Close up of previous
photo of the fire alarm
panel

Conditions observed
on 8-31-2015
Photo taken by
William Ward

**VERMONT FIRE & BUILDING
SAFETY CODE
PROOF OF INSPECTION**

INSP. NO. **14-23993**

W. Toher 2014
MONTH

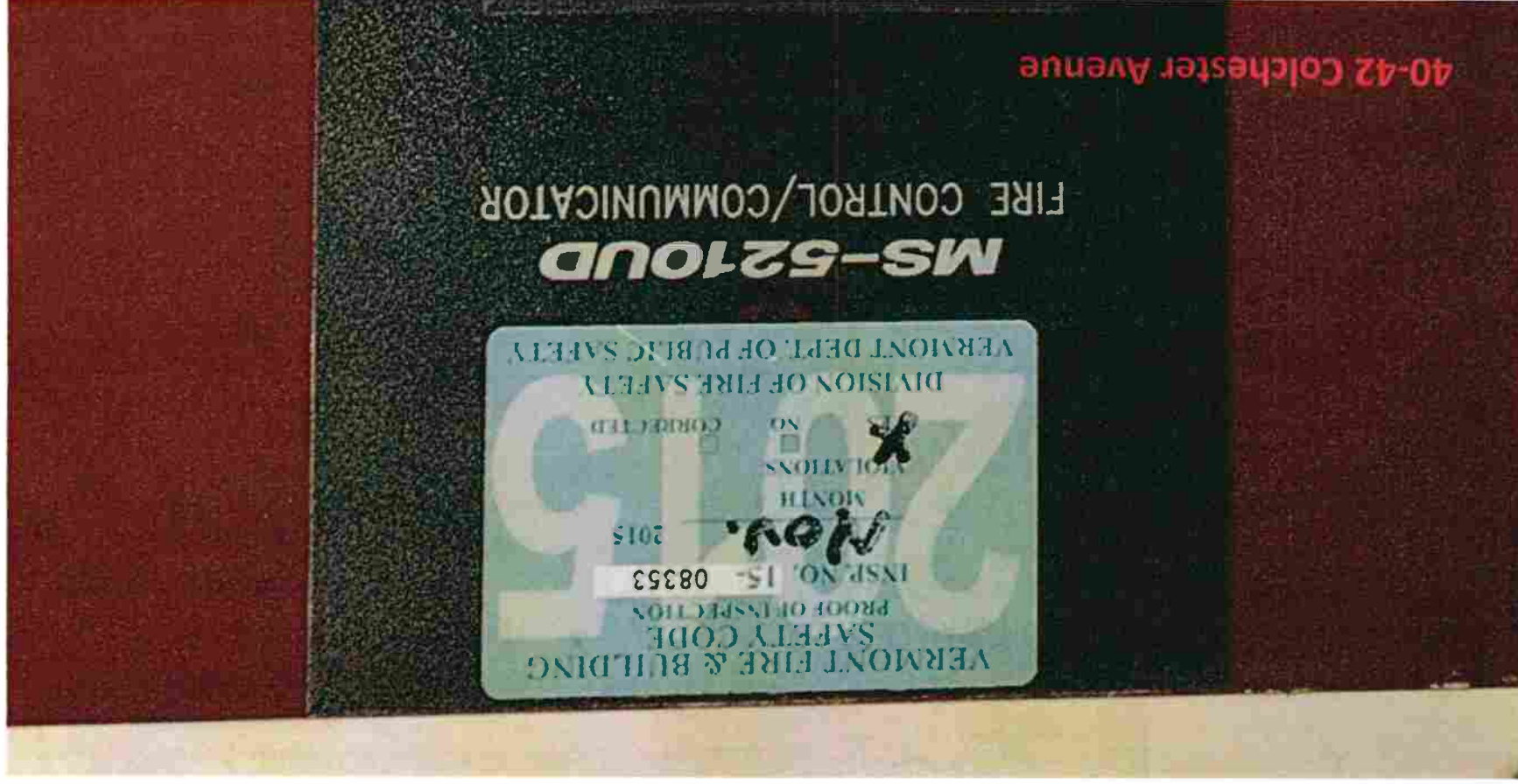
VIOLATIONS
☒ YES ☐ NO ☐ CORRECTED

**DIVISION OF FIRE SAFETY
VERMONT DEPT. OF PUBLIC SAFETY**

MS-5210UD
FIRE CONTROL/COMMUNICATOR

40 -42 Colchester Avenue

Conditions observed on 2-18-16 - Photo taken by William Ward



This item was determined to be in compliance on 1-28-16

E-mail received from Burlington Fire Marshal on 4-15-16

From: Barry Simays
Sent: Friday, April 15, 2016 7:34 AM
To: William Ward
Subject: 40-42 Colchester Ave fire alarm

Bill,

Permit FA 16-036-R-NC for fire alarm system deficiency repairs (from the annual test and inspection) was tested, inspected, and closed yesterday. All noted deficiencies were repaired and the proof of inspection sticker was updated as "corrected" by the technician.

Thank you,

BC Barry Simays, CFI, IAAI-FIT
Fire Marshal
Burlington Fire Department
132 North Avenue
Burlington, VT 05401
(802) 864-5577
(802) 658-7665 (Fax)
bsimays@burlingtonvt.gov

Unit 40 a, 42
(Item 3 of 25)
Steps to exterior Front Door

Finding: Exterior door not maintained in sound condition and good repair; cracked and loose concrete on stoops, the thresholds were improperly repaired. (See supplemental report dated December 30, 2015 attached)

Remedy: Replace or repair exterior door threshold/step. Maintain in sound condition and good repair to code.

Code Sections: Means of egress/Stairways and porches

18-95 Egress paths shall be safe to use and shall conform to the requirements of the City building code.

18-74 Stairways and porches: Every inside and outside stair, porch, railing and any appurtenance thereto shall be safe to use and capable of supporting the load that normal use may cause to be put thereon and shall be kept in sound condition and good repair. Specifically, all stairs and other exit facilities of every structure shall be maintained in sound condition and good repair by replacing treads and risers that are worn, broken, warped or loose.



Photo taken by
William Ward
on 7-24-15



Photo taken by William Ward on 7-24-14

Photo taken by William Ward on 8-01-15





Photo taken by William Ward on 1-28-16 with inset close up of the bubble on the level

Requested action from the Public Works Commission

1. Uphold the Code Enforcement decision that the deficiencies ordered to be corrected were valid.
2. Require that the order be complied with and the deficiencies that have not been corrected be corrected to meet code requirements.

Folder Property People Info Fee Process Document Insp. Request Comment Attachment

Violation

+ Add Query Refresh + Add to Links View

?

2016 217559 000 00 BP Building Permit

Type BP Building Permit

Status Issued

Sub Type (R) Multi-Family

Parent ID

Work Other

Row ID 304287

Group Construction Permits

Primary Property

Address 40-42 Colchester Avenue,

Burlington, Vermont, 05401, USA

Parcel ID 045-4-011-000

PropID 6358

Folder Unit

Location 4834 00

Tracking Dates and Reference Information

In Date Jan 29, 2016

Issue/Approve Jan 29, 2016

Expires Jan 28, 2019

Ref. No.

By Ned H. Holt

Final Date

Name 40-42 COLCHESTER AVE

Priority

Description

Replace window well stair sytem with approved fixed ladder system for egress in compliance with NFPA 101:7.2.9.2 AND ANSI A14.3. Ladders shall not interfere with the operation of the egress windows in any part thereof.

Conditions

Email

GUARDRAIL & HANDRAIL ON STAIRS

NFPA 101

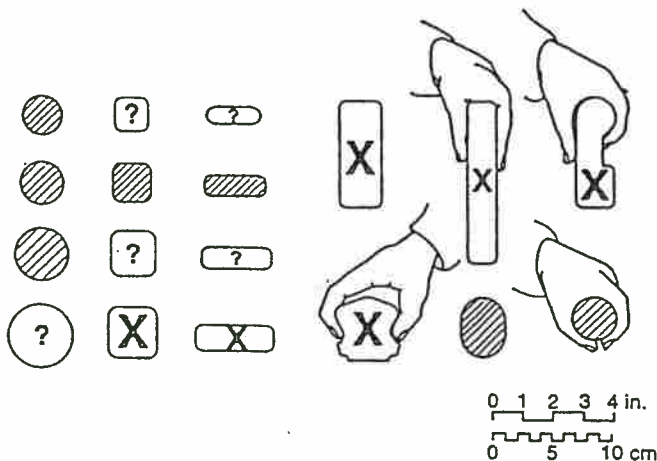


42 INCH GUARDRAIL
34-38 INCH HANDRAIL
(VERTICLE MEASUREMENTS ABOVE TOE OF TREAD)

**FIRE PREVENTION DIVISION****CODE INFORMATION SHEET****STAIRS / GUARDS AND HANDRAILS**

One or two handrails are required on all stairs. The handrail must not be less than 34 inches or more than 38 inches above the leading edge of treads.

Handrails shall have a circular cross section with an outside diameter of at least 1-1/4 inches and not greater than 2 inches. (NFPA 101 section 5-2.2.4.5)



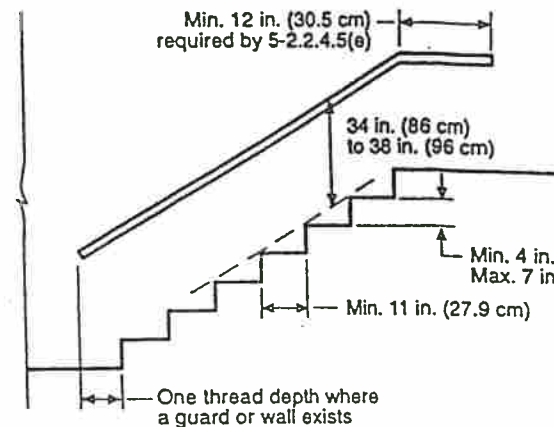
A guardrail is required on open side of stairs, landings, or elevated decks having a 30 " height above the ground or floor below.

The height of the guardrail must be not less than 42 inches measured from the adjoining walking surface. Intermediate rails or balusters are also required at 4-inch intervals (NFPA 101 Section 5-2.2.4.6)

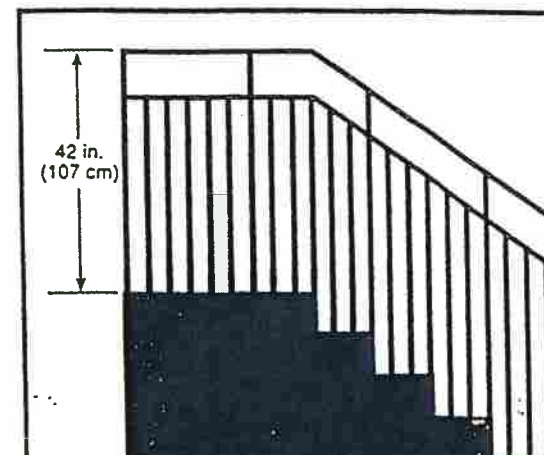
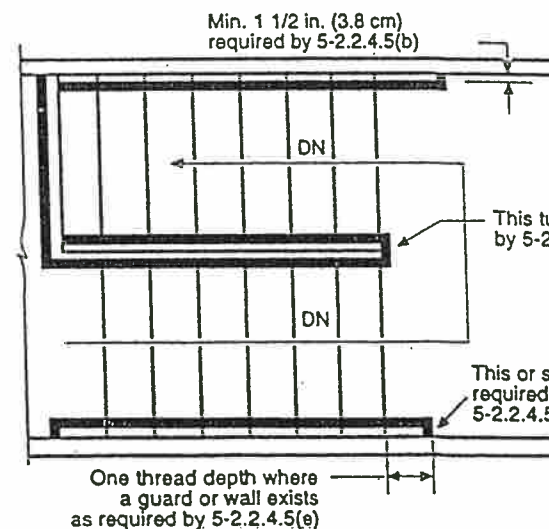
The maximum riser height for new residential stairs must be 7 3/4 -inches and the minimum tread depths, measured nose to nose, must be 10-inches. (NFPA 101 Section 21-2.5.1 Exception # 3)

The maximum riser height for new stairs in apartment buildings must be 7 -inches and the minimum tread depths, measured nose to nose, must be 11inches. (NFPA 101 Section 5-2.2.2.1 (a))

The minimum width of the stairs must be 36- inches, if the occupant load is fewer than 50. Also the minimum headroom must be 6 feet 8 inches.



Elevation (stairs)



WARD & BABB
ATTORNEYS-AT-LAW
A Trade Name for a Professional Corporation

EUGENE J. WARD, III
GUY L. BABB
WILLIAM B. TOWLE
CYNTHIA R. AMRHEIN (VT, NY)
AMBER L. THIBEAULT
DAVID R. WEIGEL (VT, MA)

REGISTERED LAW CLERK:
HETHBA FATNASSI
CATHERINE M. COLT

www.wardandbabb.com
Sender's e-mail: towle@wardandbabb.com

CLOSING COORDINATOR
DEBRA DENN

LEGAL ASSISTANT
TIFFANY R. PEZZIMEN
ELAINE M. SARKISIA

PARALEGAL
JO RICHIE

April 20, 2016

Chapin Spencer
Director of Public Works
Department of Public Works
PO Box 849
Burlington, VT 05402-0849

RE: 40-42 Colchester Avenue

Dear Mr. Spencer:

Mr. Kwon outlines the salient points he will make during his presentation on April 20, 2016 regarding to the re-inspection at 40-42 Colchester Avenue, including but not limited to inspection number 295388.

Mootness: We believe the exception to the doctrine of mootness relied upon by the Commission in its April 18, 2016 *Findings, Conclusions & Order* is incorrect. Specifically, the U.S. Supreme Court case of *Friends of the Earth, Inc. v. Laidlaw Env. Services*, 528 U.S. 167 (2000) involved an application for declaratory and injunctive relief, as well as civil penalties. The Supreme Court reversed the Fourth Circuit's finding of mootness, noting among other issues that the doctrine of mootness does control when the activity is "capable of repetition yet evading review." *Id.* at 190.

But this analysis does not apply to the case at bar. This is not an appeal of a municipal ticket which alleges certain infractions on a certain date. This is an appeal of an inspector's order to comply and this is a *de novo* hearing. The Commission's ruling is not an affirmation of the inspector's determination, it is instead the Commission's own ruling in which the Commission, as the quasi-judicial body, substitutes its order for the inspector's order. As such, any appeal is of the Commission's order, not of the underlying letter written by the inspector. See V.R.C.P. 74.

Under these circumstances, it makes little sense for the Commission to order things done which have already been done. That is the essence of mootness and we believe it applies to this case.

2 items
introduced
by Appellants

The Egress Stairs

Mr. Kwon purchased this property decades ago and converted a commercial building into these residences beginning in 1998. These existing window egresses have been continuously approved by the City for well over a decade. There have been no changes in the windows. These egresses are, and continue to be, safe.

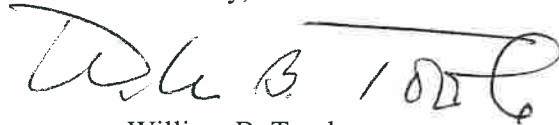
Nonetheless, Mr. Kwon has received a permit to change the existing stairs to ladders.

Each Bedroom Has Two Egress Routes

Each bedroom has both the standard egress (via the door) and an exit through the window and fire egress stairs. There is a third and extra egress for all apartments through the boiler room. We believe that this route is superfluous and could be kept locked but the City's fire officials have previously encouraged Mr. Kwon to keep it open for the increased safety to the tenants. As such, we do not believe that the "violations" are relevant for this third route.

We look forward to outlining our position in greater detail at the meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "W B Towle", with a long horizontal flourish extending to the right.

William B. Towle

Enclosures

cc: Client
Bill Ward
Gene Bergman

Sta_38 F:\Client Docs\Kwon Soon\Bill Ward\General\160420 letter to DPW.wpd

40-42 Colchester

Item #2 Light Well

Fire Egress Approved for 15 years



DISCLAIMER: This permit summary may not be an accurate reflection of all permits and/or the permit status on the property. A visit to the specific office to review the physical copies of any permits for the property should ALWAYS be undertaken to ensure accuracy of information. The full permit document can be found by contacting the department identified at the head of the document group. This permit summary is drawn from the records of The Departments of Planning & Zoning, Public Works, Code Enforcement and Clerk/Treasurers Office. The permit status reflects the actions of these departments only. The Assessor's Office conducts an independent review of permit activities for property use and data changes

Property Activity Summary Report as of 4/20/2016 3:39:35PM

Report generated at: property.burlingtonvt.gov

Grantee: City of Burlington
Parcel: 045-4-011-000
Owner: Vista K Properties LLC
Location: 40-42 Colchester AVE
Land Use: R3
COC Exp: 07/25/2014

Issue Date	Permit Type / Description	Folder No.	Permit No.	Grantor	Status
Document Type: Code Billing Folders		Contact: Code Enforcement Address: 645 Pine Street Phone: (802)863-0442			
	Code Enforcement Billing Folder	114364	04-103856	Vista K Properties LLC	Closed
	Code Enforcement Billing Folder	126598	05-102681	Vista K Properties LLC	Closed
2005 Rental Billing					
03/07/2006	Code Enforcement Billing Folder	138729	06-102796	Vista K Properties LLC	Closed
2006 Rental Billing					
	Code Enforcement Billing Folder	152200	07-102453	Vista K Properties LLC	Cancelled
2007 Rental Billing					
	Code Enforcement Billing Folder	164827	08-130959	Vista K Properties LLC	Cancelled
2008 Rental Billing					
	Code Enforcement Billing Folder	179270	09-102733	Vista K Properties LLC	Cancelled
2009 Rental Billing					
	Code Enforcement Billing Folder	193676	10-116965	Vista K Properties LLC	Cancelled
2010 Rental Billing					
	Code Enforcement Billing Folder	208904	11-132039	Vista K Properties LLC	Cancelled
2011 Rental Billing					
	Code Enforcement Billing Folder	225087	12-147260	Vista K Properties LLC	Cancelled
2012 Rental Billing					
	Code Enforcement Billing Folder	242295	13-164224	Vista K Properties LLC	Cancelled
2013 Rental Billing					

Grantee: City of Burlington
Parcel: 045-4-011-000
Owner: Vista K Properties LLC
Location: 40-42 Colchester AVE
Land Use: R3
COC Exp: 07/25/2014

Issue Date	Permit Type / Description	Folder No.	Permit No.	Grantor	Status
2014 Rental Billing	Code Enforcement Billing Folder	264665	14-181841	Vista K Properties LLC	Cancelled
	Code Enforcement Billing Folder	289593	15-204898	Vista K Properties LLC	Cancelled
2015 Rental Billing					
Lien placed 9/8/15, recorded 9/18/15 book 1287 page 623					
2016 Rental Billing	Code Enforcement Billing Folder	310746	16-224006	Vista K Properties LLC	Open
Document Type: Code Enforcement			Contact: Code Enforcement Address: 645 Pine Street Phone: (802)863-0442		
Anonymous complaint regarding a claimed illegal basement apartment. Assigned to DCR to investigate, take pictures and issue ticket if appropriate.	Code Complaint Investigation	108382	03-041069	Vista K Properties LLC	Closed
	Lack of Permit - Zoning Violation	135596	05-120099	Vista K Properties LLC	Closed
Additional unit without zoning approval					
Trash accumulation at rear of property	Code Complaint Investigation	159779	07-126648	Vista K Properties LLC	Closed
	Code Complaint Investigation	169732	08-135864	Vista K Properties LLC	Closed
Furniture and trash around the dumpster. 6/2/08. New Item: Overflowing dumpster. Large heap of trash and waste (including food waste) behind this property and reaching into neighboring property under same owner (Soon Kwon), 34 Colchester Ave. 6/3/08 Violation resolved, trash picked up.					
Couch at rear	Code Complaint Investigation	173117	08-139247	Vista K Properties LLC	Closed
	Code Complaint Investigation	198821	10-122079	Vista K Properties LLC	Closed
Complaint about stinking rug					
Apt 40B Multiple issues - see comment Extension requested 8/29/30 Granted> 9/27/13 @ 1:30 pm 2nd Extension requested 9/16/13 See comment	Code Complaint Investigation	252722	13-172485	Vista K Properties LLC	Violation
	Code Complaint investigation	274335	14-191399	Vista K Properties LLC	Closed
Exterior Issues - see comment and attached order and report					
Document Type: Construction Permits			Contact: Department of Public Works Address: 645 Pine Street Phone: (802)863-9094		
09/01/1982	Building Permit	15004	257	Soon K. Kwon	Closed
Relocate Offices by installing partitions from floor to ceiling within the bldg.					

Grantee: City of Burlington
Parcel: 045-4-011-000
Owner: Vista K Properties LLC
Location: 40-42 Colchester AVE
Land Use: R3
COC Exp: 07/25/2014

Issue Date	Permit Type / Description	Folder No.	Permit No.	Grantor	Status
07/10/1991	Electrical Permit Relocate Wire & Switches For Stairway Installing	2811	154900	Soon K. Kwon	Closed
07/16/1996	Building Permit Remodel First Floor Out-Patient Office Suite. There Was An Effort To Make This Office Handi-Cap Accessible But Was Not	25461	29314	Soon K. Kwon	Closed
07/16/1996	Mechanical Permit Install Hydronic Boiler And Three Zones With Domestic Hot Water	34321	29307	Soon K. Kwon	Closed
07/16/1996	Plumbing Permit Install New Handicap Bathroom-Waste Vent Waterlines Toilet And Lavatory. Other Area Install Lavatory And Related	13144	29306	Soon K. Kwon	Closed
07/23/1996	Electrical Permit Doctor'S Office- 2 Treatment Rooms With Hcf Cable Offices Waiting Room Utility Room Bathroom.	5397	29347	Soon K. Kwon	Closed
09/24/1996	Mechanical Permit Install Gas Piping For Existing Boiler.	34402	29745	Soon K. Kwon	Closed
12/28/1998	Building Permit Convert Existing Business Into 2 Residential Units. ===== N O T E ===== New Contractor Is Doing Work By Owner's Letter Of Statement From Mikyung Kwon, As Of 6/7/99	27375	34587	Soon K. Kwon	Closed
06/07/1999	Building Permit This Permit Is An Addition To Permit #34587 (Both Permits By Campbell Bros) ===N O T E=== No Change In Conditions From	27716	990594	Soon K. Kwon	Closed
06/28/1999	Building Permit North Wall Window Changes W/Trenching To Provide Access	27769	990721	Soon K. Kwon	Closed
07/28/1999	Electrical Permit Existing Service- 2apt.And Storage Area-Completely Rewire 2 Apts.And Install New Panels In Spaces. Misc. Wiring In	6901	990932	Soon K. Kwon	Closed
08/17/1999	Plumbing Permit Under Ground Plumbing For New Units. Ug Only. 4 Pvc Material W/ Some 3.	13807	991061	Soon K. Kwon	Closed
08/27/1999	Plumbing Permit Install New Plumbing System And Finish For 3 New Living Unit	13815	991138	Soon K. Kwon	Closed
11/23/1999	Mechanical Permit Install 2 Boilers To Supply Heat To 2 New Living Spaces. Includes Basboard Rad.	35512	991680	Soon K. Kwon	Closed
03/15/2000	Historical Fire Systems Fire Alarm System For A Mixed Use =====This Work Is Inspected And Approved By The City	37805	2000413	Soon K. Kwon	Closed

Grantee: City of Burlington
Parcel: 045-4-011-000
Owner: Vista K Properties LLC
Location: 40-42 Colchester AVE
Land Use: R3
COC Exp: 07/25/2014

Issue Date	Permit Type / Description	Folder No.	Permit No.	Grantor	Status
04/24/2000	Plumbing Permit Install Fixtures Only. Plumbing System Was Done By Other Plumber.	13976	2000614	Soon K. Kwon	Closed
11/03/2000	Building Permit Convert East Side Of First Floor Into Four Bedroom Apartment	29051	2001873	Soon K. Kwon	Closed
04/19/2001	Electrical Permit Wiring Conversion From Office Space Into A 4 (Four) Bedroom Apartment	7919	2010726	Soon K. Kwon	Closed
04/24/2001	Plumbing Permit Install New Plumbing System To Serve (2) New Baths In New Living Unit. (Right Side).	14264	2010762	Soon K. Kwon	Closed
10/25/2005	Building Permit alteration of windows on lowest level of East side of building to comply with fire and habitability requirements for future conversion of the are into an apartment expansion	134555	05-119058	Vista K Properties LLC	Closed
11/28/2005	Building Permit New 2 bdrm living unit.	135362	05-119865	Vista K Properties LLC	Closed
03/21/2006	Electrical Permit Install new wiring to add 2 bedrooms, 1 bath and living area to an existing apt. (40B) Including lights, receps, switches, AFCI< GFCI protection, smoke and CO detection. per NEC 2005. Will be using existing panel and metering equipment	140153	06-104220	Vista K Properties LLC	Closed
05/09/2007	Electrical Permit Install new wiring to add 1 newly installed ac/dc interconnected smoke and co detector outside of bedroom in lower level apt. per city code of ordinance	155356	07-122226	Vista K Properties LLC	Closed
08/21/2007	Mechanical Permit Install two new RINNAI space heaters to serve new living unit on the first flir front and facing colchester ave. Install per manufactures installation instructions and NFPA 54	158630	07-125500	Vista K Properties LLC	Cancelled
06/15/2009	Building Permit Interior remodel of existing living unit to accomodating the reassignment of 2 bdrms to one living unit for a total of 6 bdrms per NFPA 101 and IBC. the scope includes reolocating the 2nd means of egress and maintain hour seperation between units. No change in use of the existing structure and no increase of living space.	183974	09-107434	Vista K Properties LLC	Closed
	Electrical Permit	183976	09-107436	Vista K Properties LLC	Cancelled
01/05/2010	Fire Alarm Systems Insall new wiring to add a dialer and module to tie in existing smoke and CO detectors into existing FACP and add one 120 volt CO detector to existing. per order of the City Fire Marshall NOTE: Separate permits, testing, and inspections from the City Fire Marshal's Office must be secured and conducted in addition to this permit issued by DPW/ISD.	190802	10-114092	Vista K Properties LLC	Closed

Grantee: City of Burlington
Parcel: 045-4-011-000
Owner: Vista K Properties LLC
Location: 40-42 Colchester AVE
Land Use: R3
COC Exp: 07/25/2014

Issue Date	Permit Type / Description	Folder No.	Permit No.	Grantor	Status
05/04/2010	Building Permit Alteration to existing 2nd living space to include adding partition and creating new bedroom. All per 06 IBC & 06 NFPA 101	196959	10-120248	Vista K Properties LLC	Cancelled
09/07/2010	Electrical Permit Install new wiring to relocate devices for wall relocation. per NEC 2008	196960	10-120249	Vista K Properties LLC	Closed
08/24/2010	Fire Alarm Systems Replace shorted fire alarm wire, relocate boxes and devices for wall relocation. NOTE: Separate permits, testing, and inspections from the City Fire Marshal's Office must be secured and conducted in addition to this permit issued by DPW/ISD.	201117	10-124341	Vista K Properties LLC	Closed
	Building Permit Building Permit is not required per Chapter 8 Building Ordinance and as approved by the City of Burlington Building Official.	205458	10-128607	Vista K Properties LLC	Closed
	Building Permit Work conducted under parent ZP was done under Building Permit RSN 29051. Approved by the City of Burlington Building Official.	205459	10-128608	Vista K Properties LLC	Closed
12/30/2010	Building Permit Construct a small retaining wall, install 2 windows for natural light to the proposed two bedrooms of finished area to be added to the basement and removal of fuel tank.	205516	10-128663	Vista K Properties LLC	Issued
12/30/2010	Building Permit Remove two doors and replace with siding.	205518	10-128665	Vista K Properties LLC	Closed
	Building Permit	206981	11-130116	Vista K Properties LLC	Application Pending
01/13/2012	Electrical Permit Install new wiring for an exterior light over door, per Zoning approval.	223279	12-145457	Vista K Properties LLC	Cancelled
01/29/2016	Building Permit Replace window well stair sytem with approved fixed ladder system for egress in compliance with NFPA 101:7.2.9.2 AND ANSI A14.3. Ladders shall not interfere with the operation of the egress windows in any part thereof.	304287	16-217559	Vista K Properties LLC	Issued
03/18/2016	Fire Alarm Systems Repair of devices due to Fire Alarm inspection. Final inspections will be conducted by the City Fire Marshal's Office. NOTE: Separate permits, testing, and inspections from the City Fire Marshal's Office must be secured and conducted in addition to this permit issued by DPW/ISD.	312249	16-225508	Vista K Properties LLC	Closed
Document Type: Routine Inspections		Contact: Code Enforcement Address: 645 Pine Street Phone: (802)863-0442			
	Routine Inspections Sent routine inspection due ltr. for JPR 6/9/05, due 6/24/05.	119884	04-109374	Vista K Properties LLC	Closed

Grantee: City of Burlington
Parcel: 045-4-011-000
Owner: Vista K Properties LLC
Location: 40-42 Colchester AVE
Land Use: R3
COC Exp: 07/25/2014

Issue Date	Permit Type / Description	Folder No.	Permit No.	Grantor	Status
	Routine Inspections	139904	06-103971	Vista K Properties LLC	Closed
RI due w/JPR - ltr sent 3/8/06. RI sched 3/22/06 @ 3pm w/JPR. Order issued, signed and mailed 3/29/06. FU scheduled for 5/1/06 at 1:30 p.m. Found in compliance, COC issued, signed and mailed 5/15/06. Ext Req received 5/17/06. Copy to KB & JPR.					
02/06/2007	Minimum Housing Inspection	144833	06-108899	Vista K Properties LLC	Closed
	Minimum Housing Inspection	191808	10-115097	Vista K Properties LLC	Closed
Per reqst for compliance ltr from Mr. Kwon, COC expired.					
	Minimum Housing Inspection	205521	10-128668	Vista K Properties LLC	Closed
Close MH Folder 191808 once this MH has begun					
	Minimum Housing Inspection	274331	14-191395	Vista K Properties LLC	Closed
	Minimum Housing Inspection	295388	15-210670	Vista K Properties LLC	Inspection Due
Document Type: Zoning Review Contact: Planning and Zoning Address: 149 Main Street Phone: (802)865-7188					
02/17/1998	Zoning Permit - COA Level II	44080	98-333	Soon K. Kwon	Permit Indeterminate 3
Change of use from commercial into two residential units. Proposal includes removing two windows on the west elevation, infilling with matching materials, And constructing a retaining wall surrounding the mixed use structure.					
07/09/1998	Zoning Permit - COA Level I	44387	99-018	Soon K. Kwon	Final CO Issued
Renovations to the north side of the existing mixed use structure. No change in coverage as this is existing pavement.					
04/27/2000	Zoning Permit - COA Level I	45464	00-497	Soon K. Kwon	Final CO Issued
Misc amendments to zp #99-018, Renovations to the existing mixed (Commercial & 2 units) Use building that include window and door alterations.					
09/06/2000	Zoning Permit - COA Level I	45782	01-120	Soon K. Kwon	Final CO Issued
Replace window in-Fill materials with siding to match the existing mixed use (Commercial & 2 residential units) On the western elevation. No change in footprint or use.					
10/17/2000	Zoning Permit - COA Level I	45854	01-198	Soon K. Kwon	Final CO Issued
Change in use from office to one residential unit, For a total of three units. Add one window on south elevation and replace one window on the north elevation.					
09/12/2005	Zoning Permit Not Applicable	133323	06-205NA	Vista K Properties LLC	Review Complete
Repair the non-functional rainwater drainage system.					
10/06/2005	Zoning Permit - COA Level I	133868	06-251CA	Vista K Properties LLC	Final CO Issued
Enlarge two existing windows to 5 ft. x 4 ft. to meet egress requirements.					

Grantee: City of Burlington
Parcel: 045-4-011-000
Owner: Vista K Properties LLC
Location: 40-42 Colchester AVE
Land Use: R3
COC Exp: 07/25/2014

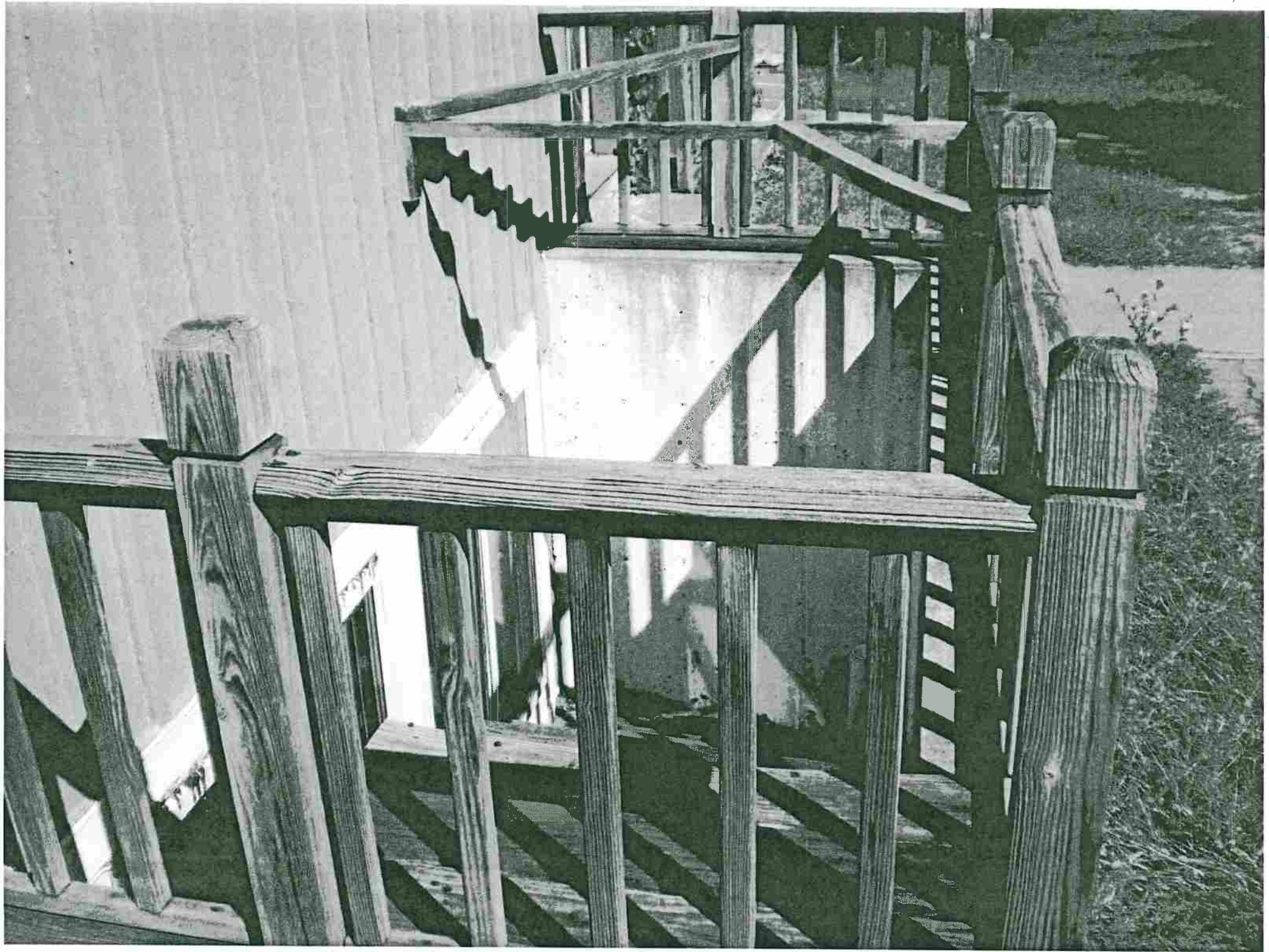
Issue Date	Permit Type / Description	Folder No.	Permit No.	Grantor	Status
01/12/2006	Zoning Permit - COA Level I Construct a small retaining wall for repair and maintenance of the groundwater problem and to provide natural light to the proposed two bedrooms of finished area to be added to the basement. This increased living area will be related to the apartment on the first floor. Installation of bathroom sink, commode, and shower on lower level. Removal of fuel tank.	135961	06-436CA	Vista K Properties LLC	Final CO Issued
05/20/2009	Zoning Permit - COA Level I Add new rear door and relocate existing rear window.	182866	09-819CA	Vista K Properties LLC	Permit Indeterminate 3
07/29/2010	Zoning Permit - COA Level I Remove two doors and replace with siding.	199946	11-0059CA	Vista K Properties LLC	Permit Indeterminate 3
02/15/2011	Zoning Permit Not Applicable Construct temporary roof over window well for up to ten days.	206980	11-0611NA	Vista K Properties LLC	Review Complete

Key to Permit Status

Below is a list of common permit states and what they may mean for you:

- Application - An application has been made that has not been processed yet.
- C of O Requested - A zoning Certificate of Occupancy has been requested but has not been finalized yet. Contact the Code Enforcement Office to enquire.
- Closed - No further action required.
- Closed with Final - The permit has had its final inspection, is complete and no further action is required.
- CO Noncompliant - A zoning Certificate of Occupancy has been requested but cannot be completed due to issues. Contact the Code Enforcement Office to enquire.
- Final CO Issued - The permit has a Final Zoning Certificate of Occupancy (CO) and is complete.
- Issued - The permit has been issued by the City but has not had its final inspection. This will be required.
- Permit Expired - The permit was never undertaken and the permit has expired.
- Permit Indeterminate 1 - The permit is more than 1 year old, still valid and has not had its final zoning inspection. You will need to request the Final Zoning Certificate of Occupancy (CO).
- Permit Indeterminate 3 - The permit is more than 2 years old, is outside the allowed construction period and has not had its final zoning inspection. You will need to request the Final Zoning Certificate of Occupancy (CO). There may be additional After the Fact fees.
- Permit Relinquished - The permit was never undertaken and was relinquished by the owner while it was still valid.
- Released - The permit has been picked up from the Planning and Zoning office but has not had its final zoning inspection. You will need to request the Final Zoning Certificate of Occupancy (CO).
- Review Complete - The permit has been reviewed and no further action is required.
- Superseded - This permit has been replaced by a subsequent permit, and no further action is required.

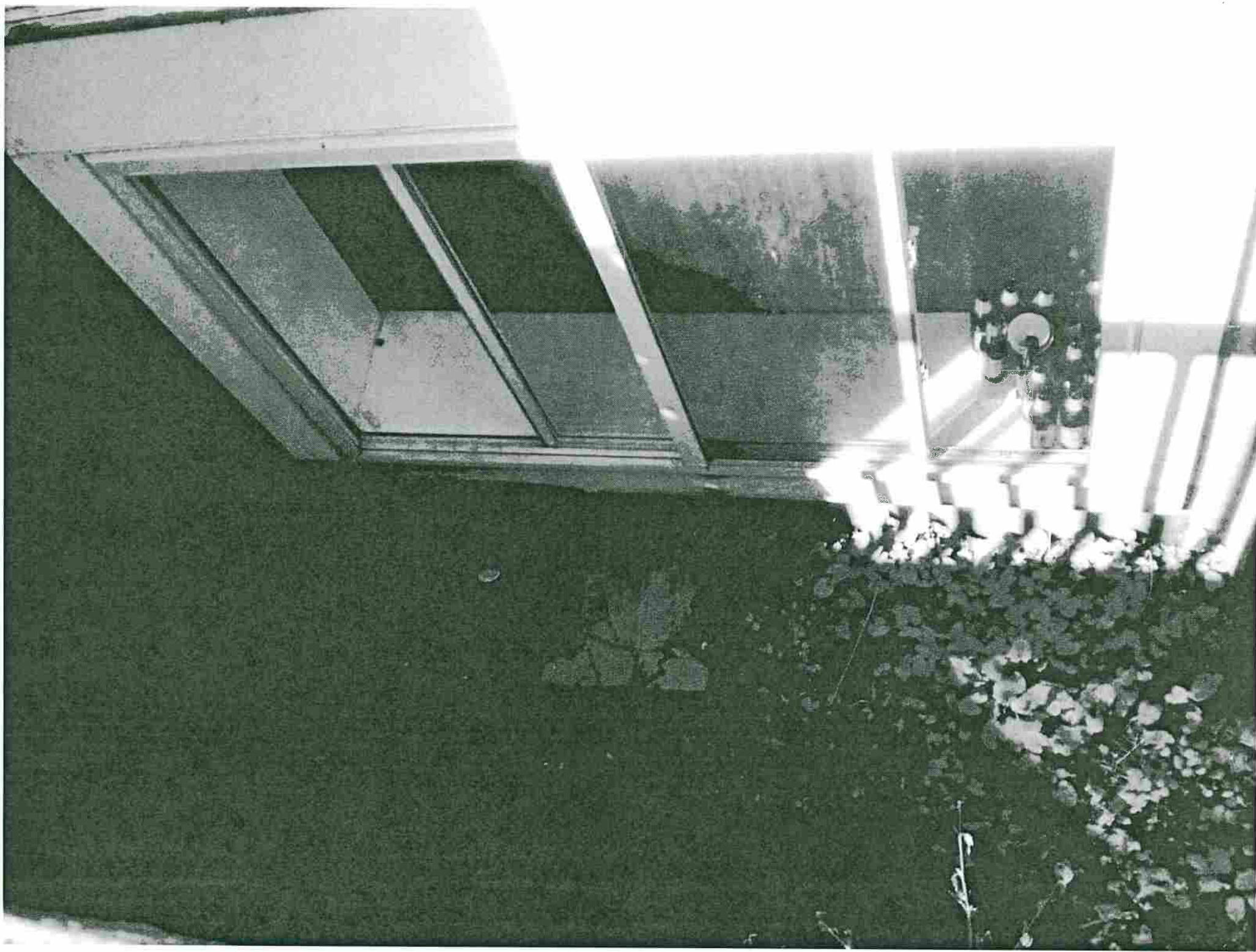
<< End of Report >>

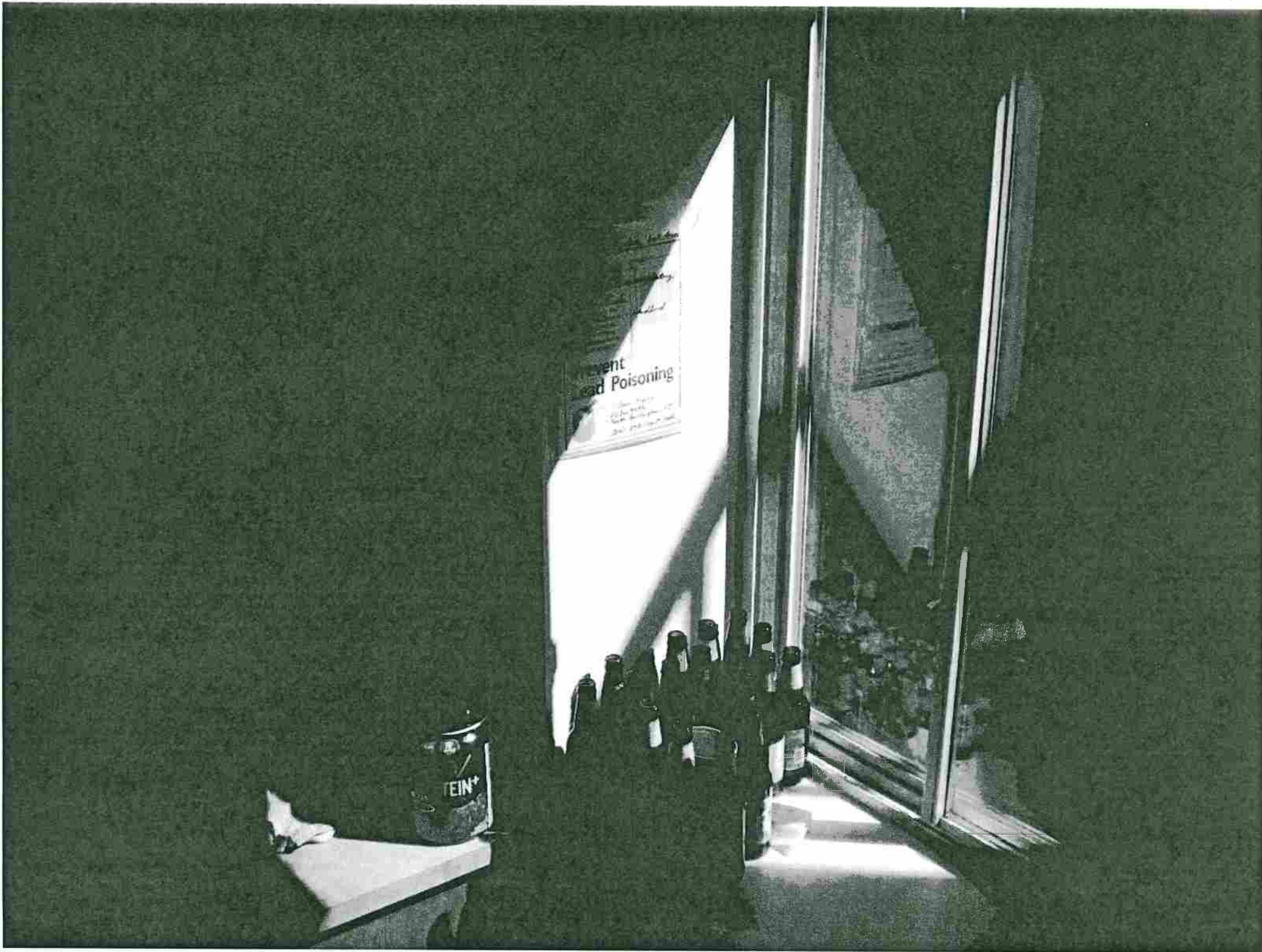




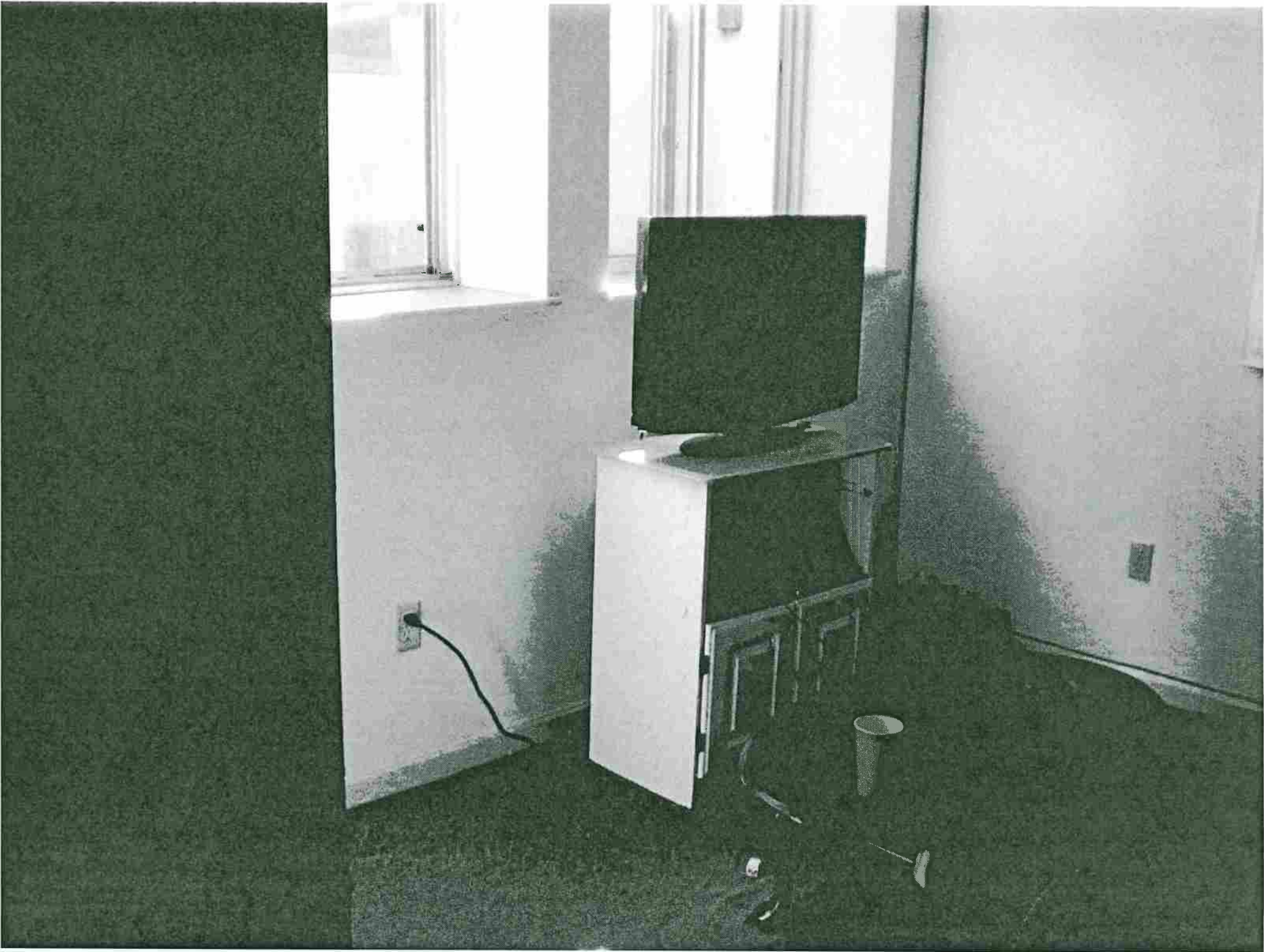


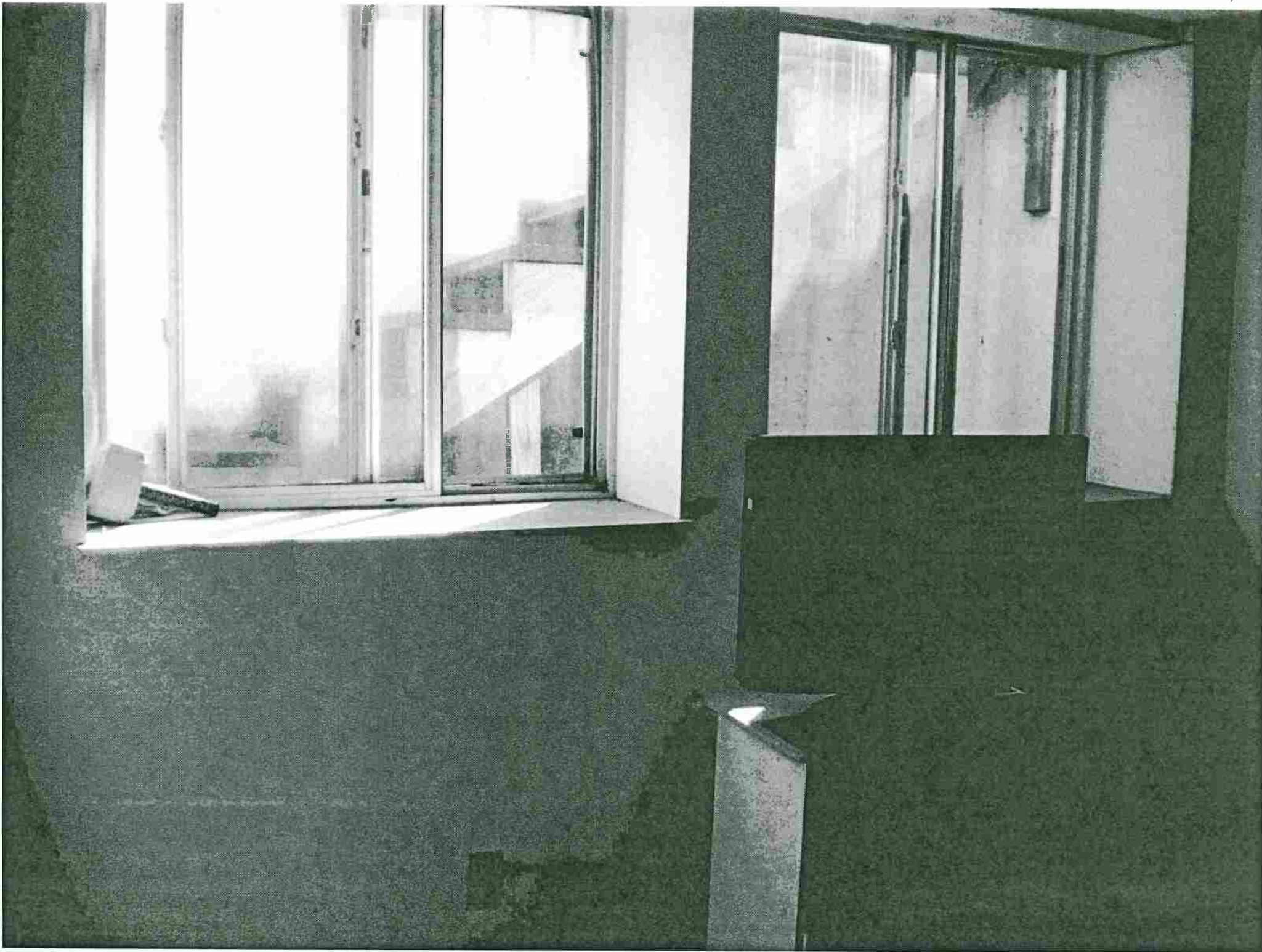










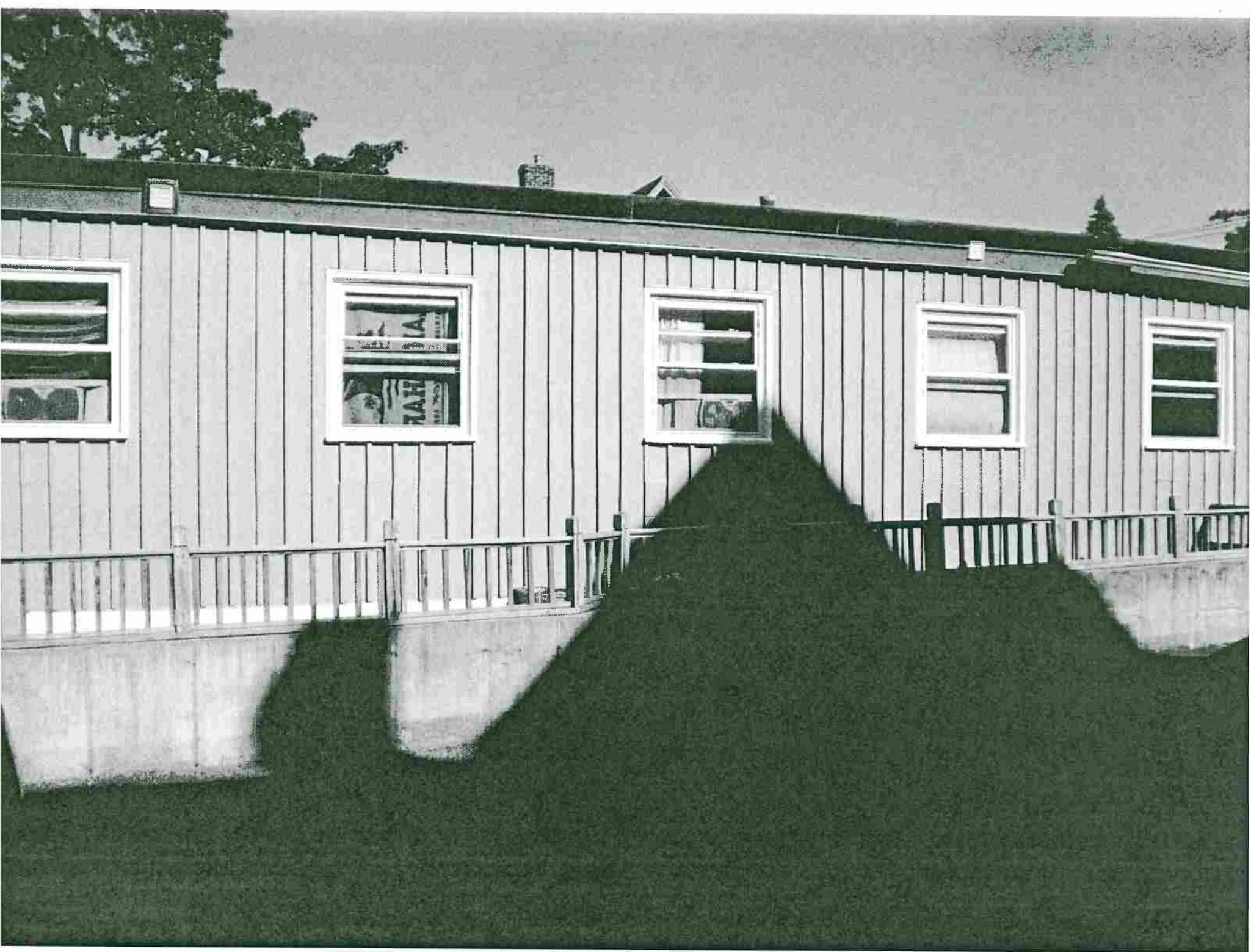


Item #3 Exterior Step



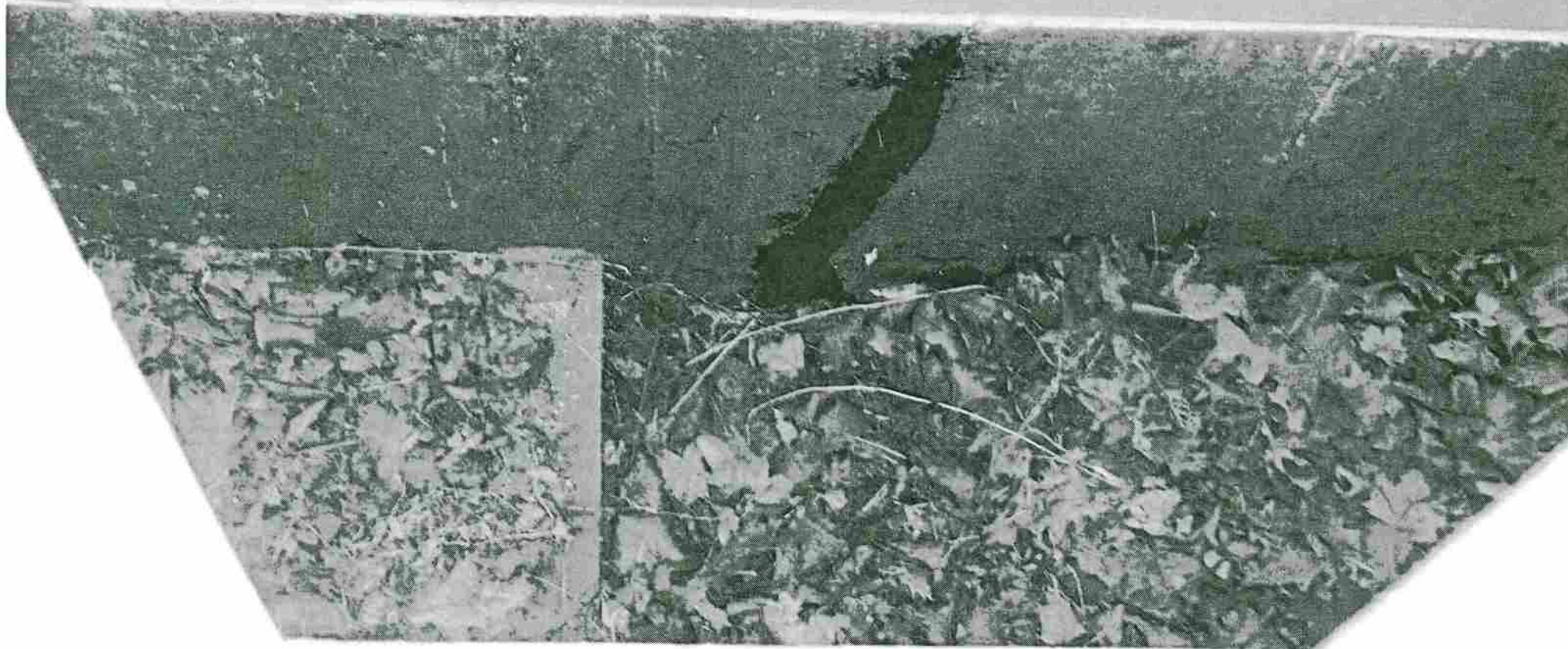
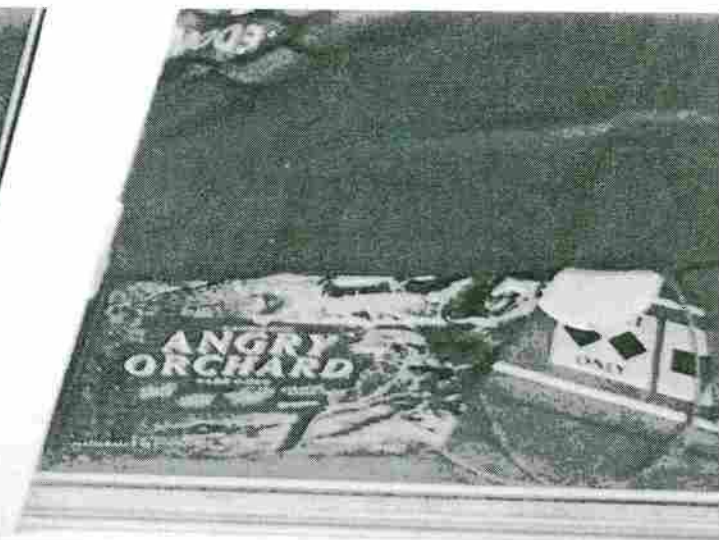
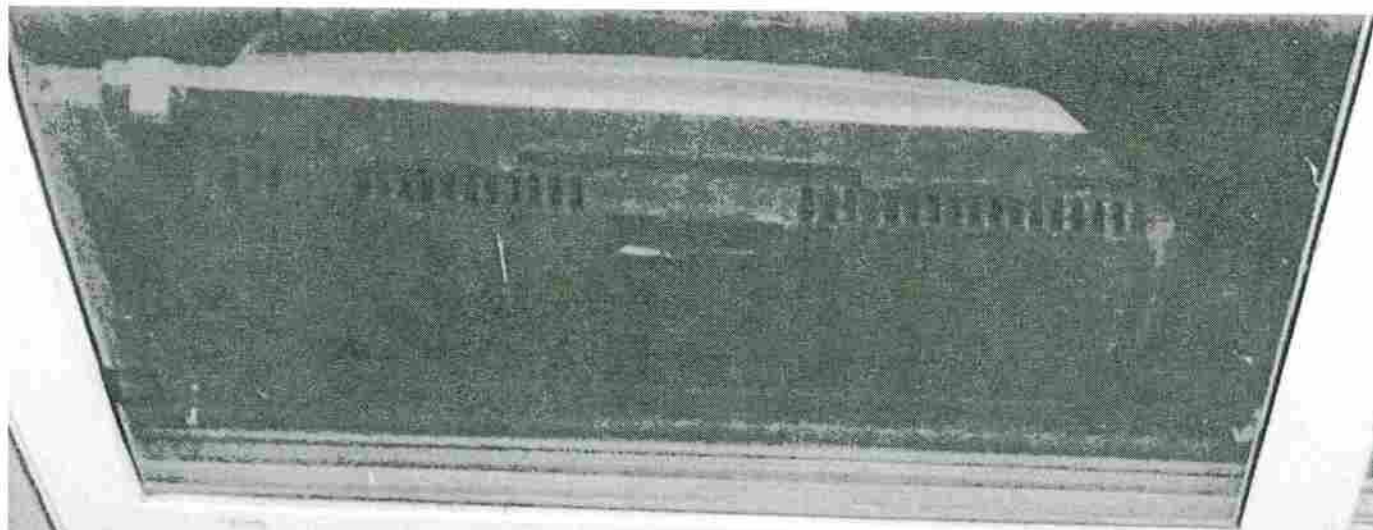


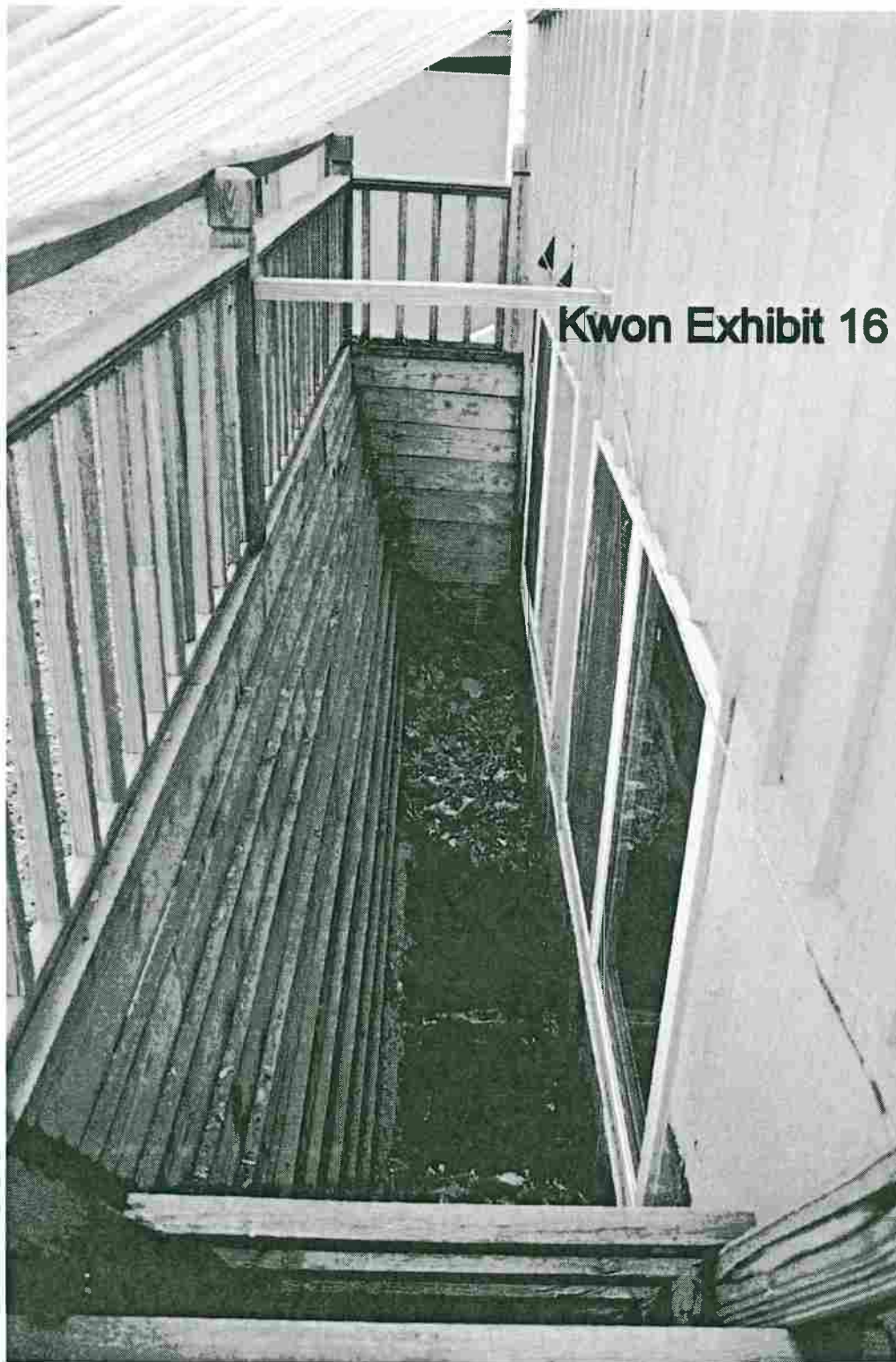
Item # 6: Stairway



Item # 7 Stairwell







Item #8: Locked Storage Closet



Mr. William Ward, Director
City of Burlington Code Enforcement Office
645A Pine St. P.O. Box 849
Burlington, VT 05402-0848

(file copy)

August 18, 2015

Re: Routine Inspection Report dated 8/12/2015 at 40-42 Colchester Ave

Dear Director William Ward:

This is my response to the routine inspection report dated 8/12/2015 referenced above.

I reviewed the routine inspection report of August 12, 2015 which I picked up on 8/17/2015 at the South Burlington Post Office as soon as I returned from my pre-planned trip.

You proceeded with the scheduled inspection on August 12, 2015 at 12:00AM without my presence, the property owner, despite the fact that I had requested an extension of the scheduled routine inspection for about two weeks due to my planned trip overseas that I planned about 1 year ahead. I had also informed, in writing, my tenants as well as the Code Enforcement Office about my absence timely and appropriately as the Code Enforcement Office procedural rules require that "Please contact me at 802-863-0442, at least 24 hours in advance, sooner if possible, if this needs to be rescheduled **for any reason.**" (Emphasis added).

This kind of mishap took place at least twice during last two years. As you are well aware of, the first episode was when I had a heart attack resulting in having two stents implanted in the emergency room and receiving an extensive cardiac rehabilitation physical therapy. The second episode was that about three months ago I had a heart problem when my heart beat rate climbed to about three times of normal rate and my blood pressure was extremely high, causing severe chest pain and dizziness, so that the receiving nurse at the emergency room was unable to measure my heart beat rate and my blood pressure. After stabilizing my heart condition, the attending cardiologist doctor prescribed medication that stabilized my heart condition. Later on, I discovered that my primary cardiologist had prescribed the same medication before but he dropped it probably because he was confident that my heart condition was stable enough. Both cases were extremely acute.

In either case, you never responded to my request for the extensions of the routine inspection dates. I do not have to emphasize that the routine inspections are not emergency cases. There is no life and death issue here. Therefore such routine inspections can be carried out on any reasonable dates.

I have other numerous episodes, but I would like to skip them at this point.

I would like to remind you that, as I stated before, you never responses to my written request for the routine inspection date extensions for good reasons such as critical health issues and pre-planned trips. I would also like to inform you that, as an example, the City

of Winooski is doing its city affairs in a very civilized manner by asking the property owners to pick a mutually agreeable dates for routine inspections.

Before you came to the Burlington Code Enforcement Office, the Code Enforcement Office used to set the inspection dates based upon the mutually agreeable dates. Not any more. Further, the Public Works Department of the City of Burlington has been setting mutually agreeable inspection dates ever since I have been working with them for over 32 years.

Ever since you came to the City of Burlington Code Enforcement Office, I feel that the working relationship became very strenuous to the point that something has to be done very soon. **I feel strongly that the exercising fairness and reasonableness of the services and roles of the City of Burlington Code Enforcement Office are in question. I wish I could work much more comfortably under the umbrella of the City of Burlington.** I do work comfortably with the Public Works Department. Also I would like to say that I have never received any serious notice of the code violation or any other law violation in 32 years of ownership of properties in Burlington.

When Mr. Eugene Bergman was acting director of the Burlington Code Enforcement Office, I had a chance to chat with him about the direction of the City of Burlington Code Enforcement Office. Once he pondered whether the enforcement of the City Code should be carried out with the spirit of “safety” and “health”. I admired him, and am still believe that Mr. Bergman was on the right track.

I, as a tax paying citizen, I am copying this letter to the mayor since I understand that the Burlington Code Enforcement Office reports directly to the mayor.

I am also copying this letter to the Office of the City Council since I am well aware of the fact that at least one city council member is very much interested in this matter and looking into this.

As a matter of fairness and openness, I am also copying this letter to the Free Press reporter with whom you made an initial contact as I understand, and he eventually contacted me. And I naturally informed my attorney.

In sum, I feel strongly that we need a new director with reasonable common sense and the mind set of exercising fairness to the owners of properties in Burlington as well as who can work with the property owners fairly and reasonably.

* * *

Following is my item-by-item response to the routine inspection report dated August 12, 2015. Clearly this report is a copy of the previous inspection report of July 7, 2015 and added some more. Does this mean that you find more violations every time you inspect? Does this mean that the first inspection was not complete? This has happened every time I went through the routine inspections in the past.

(Locations?) (Item 1 of 25)

I found that some light gloves are missing. I will have my maintenance person to take care of these, if any.

40A (Item 2 of 25)

The light well for Unit 40A in the kitchen area was neither intended nor designed as an emergency egress; it was intended and designed for bringing in lights only into the kitchen area. The emergency egress is the pair of large windows in the living room in the same area about two feet away. Please review the original zoning and building permits as well as the subsequent inspection reports. Also note that the Burlington fire department has inspected the structure numerous times during the past 20 years or so, long before the Burlington Code Enforcement Office was created.

40A, 42 (Item 3 of 25)

The exterior doors are solid and all functional. The steps are solid stones/concrete mixed with small stones and there are no "cracks". The previous Code Enforcement inspectors approved it. The door is not falling apart, therefore I do not see unfitness to use the doors. As you know, I had the building inspected thoroughly by the HouseCheck inspection service that is providing such service primarily for potential real estate buyers. Their report has no mention about the need for replacement of the doors.

40B (Item 4 of 25)

When I hired two inspection service companies, DARDNO and HouseCheck, they inspected the large window area in 40B, and found no signs of leak. In fact my tenants in Unit 40B informed me that there has not been any leak recently. Last month I hired a new painting contractor to have the entire building painted and I provided them with 10 tubes of chalking and asked them to fill every crack above the windows and paint them, and they did. I inspected it also. Apparently you did not inspect the windows from outside carefully. Today I inspected it again and the entire area above the windows outside have been sealed completely and painted. They look very good to me.

40B (Item 5 of 25)

Water leak in two bedrooms in Unit 40B. This is a very old story. Did you actually see the water leak at the time of inspection? Ever since my previous tenants(who have not paid rents for 9 months and this case is now in court.) "complained", I hired CARDINO consultants and HouseCheck Inspection Services, and received two clean bills of health. I sent you copies of both reports. Also when my Professional Carpet Steam Cleaners(US Steamers) came to steam clean the carpets, I specifically asked him to inspect the condition of the carpets very carefully, and they did and they found no sign of moisture or mold at all. Therefore, I have to say that your findings of "water leak in two bedrooms

in Unit 40B” are totally false. Please send me your proof since the burden of proof is again on your side. If not, this case will be at court.

40B (Item 6 of 25)

“Egress stairways without handrails in Unit 40B” is another “old story”. Please see my response for (Item 2 of 25 above). I would like to remind you that we have an agreement to have a four way discussion with the building inspector and the Burlington fire chief on this issue. Please arrange for one. Also, please see the appropriate zoning and building permits as well as the inspection reports I had gone through about 20 years ago.

40B (Item 7 of 25)

Not clear. Where is the location? And what is the problem? I am unable to find a “hole” anywhere.

40B (Item 8 of 25)

As I explained numerous times in the past, **this storage room is not part of the rental space. This room is always kept locked. Tenants do not have access to it. I am the only one who has the key for it. This room has been like this for years.**

40B (Item 9 of 25)

About 30 some years ago, I made an agreement with the then building inspector and Burlington fire department that I maintain this extra egress passage way as an additional fire egress way. I am not required to have this to meet the code requirement. **If the Code Enforcement Office considers this as a normal egress way, I am more than happy to close it for good. I will simply post a sign “NOT AN EXIT”.**

40A (Item 10 of 25)

As you tested and verified, the wire is “dead” and the light fixture is “non-functional”. I will “cap” it whenever my licensed electrician becomes available. He said that he does not need a permit for this.

42 (Item 11 of 25)

The large beams in the kitchen area in the Unit 42 have been there for over 20 years. We left them there, as is, as decorative beams after discussing it with then building inspector. If the Code Enforcement Office does not like this “naturally exposed beams”, I will have these painted in the same antique white color to match with the rest around them. Please let me know.

42 (Item 12 of 25)

Not clear. Please be more specific so that my contractor can understand it. If you talk about the leak I had due to the dishwasher several years ago in the Unit 42, the problem has been solved years ago and currently there is no leak. You may confirm this with the current tenants in Unit 42 as well as the current tenants in Unit 40B downstairs.

42 (Item 13 of 25)

In your previous report dated July 7, 2015, this particular item drew my attention, and I hired a professional service person to test all three smoke alarm systems, he tested all three, and they found that all three smoke alarm systems are functioning properly. It is clear that you failed to verify them. Please, re-test them.

All (Item 14 of 25)

I did not find anything missing, even though I found some broken ones. I will take care of these minor details as soon as possible. Is really the missing thermostat "cover" a serious "health/safety" issue?

Baseboards (Item 15 of 25)

This building was built in mid 1960's. I am finding it difficult to find parts for them. What do you expect? Are the left overs of the "accumulated dirt, lint, hair, corrosion, dirt", whatever else are part of the requirements of Minimum Housing? What is happening to the two key "safety" and "health" issues for Minimum Housing?

Carpets (Item 16 of 25)

Because of lack of detailed description of the "white paint stains", I suppose that this "stains" is on the front carpet in the back bedroom past the 3rd bathroom in the back of Unit 42. My former tenant who stayed in this bedroom wished to paint his room with reddish paint in unique geometric design under the condition that the walls and ceiling would be re-painted in original antique white upon vacating his bedroom. Since he left some white paint stains on the carpet, I am holding the cost for removing the stains from his security deposit money. This case is still un-resolved. Maybe I can use your "citation" for justifying my reasoning for holding the repair cost. I gave my tenant three options; (1) pay for it, (2) hire someone who is willing to do it and pay for it, or (3) do it by himself, and receive his money back.

Cleaning Dryer Vents(All) (Item 17 of 25)

All dryer vents are solid metal tubes with the exception of the new one in Unit 42, where Lowe's used a flexible tube, if I recall correctly, upon delivering a new dryer last year. Yesterday my plumber installed a solid metal tube as required by the City Plumbing

Code. We have an annual dryer vent cleaning schedule, done at the end of each lease period.

Exterior(Unpainted plywood) (Item 18 of 25)

As far as I remember, my painting contractor painted the shed and the phone box with the matching color with the house. Yesterday I confirmed that my painter did his job properly. Incidentally, the phone/cable box belongs to the phone/cable companies. I maintain it as a matter of courtesy. I had explained it to you in my July 7, 2015 report.

Fire Alarm System (Item 19 of 25)

According to my fire alarm contractor's records, the fire alarm control box has been tested, inspected, put a valid inspection sticker and reported it to Burlington Fire Department last year October. According to the same records, all smoke alarm systems have been also tested at the same time and this should be good until October 2015. Please read the inspection sticker carefully.

I have given this same explanation in my previous response dated August 6, 2015 to the previous inspection report of July 7, 2015.

Heater Units (Item 20 of 25)

I will ask my contractor, VT Gas Systems, to inspect all three heaters again and to issue new inspection stickers. Incidentally, as far as I remember the inspection stickers are good until the end of August 2015 since they go by the month.

Light Wells (Item 21 of 25)

My contractor, CARDINO, has been unable to find paint "chips", and I asked my recently hired EMP certified painting contractor to clean the residue paint chips using EMP certified special (CAPAVACUUM?) vacuum cleaner to clean the entire area. I inspected the entire area yesterday. I will figure out how I can record it in the compliance statement to close this case.

Sewage Drain (Item 22 of 25)

This is another "old issue" in Unit 40B. As late as two weeks ago, I visited Unit 40B to repair the toilet water tank valve problem. Afterwards, I chatted with several of my current tenants about the general condition of Unit 40B. They all voiced that there have not been any leaks or sewer back up except the water drips from the shower head in the bathroom near the kitchen. I tightened the shower control knob as best as I could.

Please be reminded that not so long ago, I hired HouseCheck Inspection Service and they came up with a clean report particularly the issues on the leak in the bedrooms and sewer

back up in the bathroom near the kitchen. Also, I mailed you a copy of his inspection report.

Sheetrock Interior (Item 23 of 25)

Are these serious “health and safety” issues? I have patched and painted the entire interior with some of my tenants help last year.

Please be more specific in terms of locations and nature of your concerns so that I can take care of these minor issues in the future.

Skylights (Item 24 of 25)

I will look for the right replacement parts. If not, I will board them up. I will contact my carpenter.

Behind Building (Item 25 of 25)

Based upon my experience of managing the building, I have more than adequate capacity of the trash dumpster. My best estimate is that more than 90% of the time the dumpster is not full. Out of the full dumpster, more than 90% of the time, the cause has been careless dumping of recycle able card board boxes.

The only time I have some problem with over-loaded trash dumpster is when the tenant changeovers take place, in which time I ask the trash trucking company for extra-pickup service within 24 hours.

* * *

I have owned and managed my buildings for over 32 years. During those years, the City scenes have been changing every year. More “street people” are looking for anything worth something. I have developed habit of gathering cans, bottles, metals and other “valuables” for them. I leave them next to the dumpster for several days. Most of the time, the “valuables” disappear in several hours.

By reading the 2nd routine inspection report dated August 12, 2015, I am convinced that you have not read my first response of August 6, 2015. In particular, I am speaking of the Item #19 as an example. Please read my reports carefully and treat them appropriately.

Note:

There is still a small leak in the ceiling in front of Unit 40B storage room door downstairs. I will look into this further. Even after having a decent shower glass door unit is installed by ACME Glass, apparently there is still a potentially small crack in the shower base unit upstairs. I will take care of this problem even though there are three bathrooms in Unit 42 upstairs.

Sincerely,



Soon Kwon
P.O. Box 9492

South Burlington, VT 05407-9492

- cc:
- 1) The City of Burlington, Mayor's Office
 - 2) The City of Burlington, Office of the City Councils
 - 3) The Burlington Free Press reporter(name withheld)
 - 4) Mr. Will Towle, Esq, Ward and Babb

(40-42 routine insp – 1st-8-18-2015/letters to code enforcement-----)

FY'17 Key Initiatives -- Burlington DPW

	DIVISION	KEY INITIATIVE	Operational Excellence	Exemplary Cust. Serv.	Culture of Innovation	EXPECTED OUTCOMES & NOTES	COMMISSION ROLE	METRICS
1	DPW-wide, CIO	Conduct Project Management pilot across City government with support of a PM consultant.	✓			Completion of pilot. Determination of next investment to strengthen City's PM capabilities and systems across City.		Updated policies.
2	DPW-wide	Complete asset management plan to advance City's capabilities and begin implementation of a CMMS (computerized maintenance management system) with geo-referenced in-field data collection functionality	✓	✓	✓	Create asset mgmt plan mainly for the Water Resources that also includes a city-wide needs assessment. Procure CMMS tool in FY'17.	Provide feedback on draft plan	Completion of plan. Number of service interruptions. % of water loss. Electricity/fuel use. City assets are better maintained. Will develop and refine operational metrics through plan development.
3	DPW-wide	Continue to close capital funding gaps across asset classes (Water, WW, Stormwater, Fleet, Streets, Sidewalks, Signals, Facilities) by developing and implementing strategies with stakeholders	✓			The city-wide capital plan shows optimal funding targets. Adequate capital funding levels will replace assets on schedule, increase service reliability and reduce costly emergency repairs. Advance strategies to close the funding gap between the capital plan and actual annual expenditures.	Evaluate and recommend funding sources	Annual capital expenditures vs.the total annual capital needs for each asset class
4	DPW-wide	Manage finances within policy and budgetary parameters	✓	✓		Budget targets are met and there are no major audit findings.		Financials meet or exceed budgeted targets across all funds, Fund balances % of goal
5	DPW-wide	Strengthen operational policies and procedures	✓		✓	All DPW operational policies located in central folder. Smooth internal operations with clear policies and procedures. Clear expectations about engaging other divisions and departments.		At least 10 new written policies / procedures approved by Director or Assistant Directors
6	DPW-wide	Have 90% of staff take advantage of a professional development opportunity during FY'17	✓	✓	✓	Further increase productivity of workforce, staff morale and internal promotions. Expectation is that every employee will take advantage of at least one prof. development opportunity each year.		% of staff that took advantage of professional development opportunity over last year
7	DPW-wide	Refine key performance indicators (KPI's) and summarize results in annual report.	✓	✓		Staff managing to metrics and a public that is aware of our successes. Initial KPI's developed at end of FY'15. Small professional services contract to develop annual report.	Review, modify and monitor KPI's	Existence and use of KPI's
8	DPW-wide	Increase commitment to the City's diversity and equity goals	✓	✓	✓	DPW staff, Commission, and engaged community members reflect the diversity of our city. Staff continues to serve on City's Core Team for diversity and equity issues.	Help diversify commission	Utilize metrics developed by City's Diversity & Equity Core Team
9	DPW-wide	Strengthen safety program	✓	✓		Safety Manual completed in FY'16 and printed in FY'17. Actively participate in citywide risk management effort. DPW Safety Team meets at least every other month. Host voluntary Project Worksafe Audit.		Number of workdays lost to work-related injuries
10	CEDO, CIO, DPW-wide	Participate in city-wide public engagement and communications plan		✓	✓	Assist City in developing Civic Engagement Plan (incl. social media) to achieve a more informed and engaged community. May wait until FY'18, dependant on other dept's.	Recommend Commission-related communication improvements	Completion of plan (may be in FY'17)
11	DPW-wide	Begin to measure department-wide customer service		✓	✓	More responsive department. Goal is to begin customer service surveys in FY'17.		Response time for a subset of Request For Service categories
12	IT, P&Z, Asessor, DPW	With CIO, develop document retention policy and document management system that enables DPW to efficiently store and retrieve plans, permits, documents	✓			Greater protection of city records. Reduced staff time spent filing and searching.		Electronic document management system for plans, permits

FY'17 Key Initiatives -- Burlington DPW

13	ROW, Tech Services	Expand preventative maintenance program of pavement, sidewalk, guardrails, railings, fences and other infrastructure that has not been traditionally funded	✓			Better maintenance of all infrastructure within the ROW. Reference costs in the city-wide capital plan.		Activities are budgeted for and completed
14	Tech Services, Water Res.	Develop engineering standards and street design guidelines	✓		✓	Contract out development of standards, guidelines that will efficiently direct future investments. May initially focus on downtown for TIF streetscape investments.	Recommend adoption of standards to Council	Adoption of standards
15	Tech Services	Complete division re-organization and support teams through transition to best position Division to respond to current and future needs	✓	✓	✓	High performing department effectively delivers projects and services. Be an employer of choice. Revised job descriptions and org charts go to Board of Finance and Council for approval.		Re-organization accomplished.
16	Tech Services, Water Res.	Increase technical staff capacity in Technical Services and Water Resources	✓	✓		Teams have resources to tackle additional capital projects (incl downtown TIF) identified in the City's capital plan.		Staffing needs met with appropriate staff resources. Additional metric forward could include report on projects completed.
17	Traffic	Substantially complete Phase II of major capital repairs in garages	✓	✓		Assessment-recommended capital repairs underway to extend lifespan of aging municipal garages. Complete \$6M+ investments by end of FY'17.	Review and provide input on funding strategy	Short term capital repairs completed
18	Traffic	Implement comprehensive upgrade to garage operations including an enhanced PARCS system				New PARCS system allows for greater automation of garages, transition of attendants to ambassadors, new validation program, and new lease options for customers.	Review and approve new lease and rate changes	Increased net income from the garages.
18	Traffic	Implement downtown parking improvements -- Phase II policy and funding recommendations from Downtown Parking Study	✓	✓		Improve the customer experience while also enhancing the sustainability of our parking system. Replace / upgrade PARCS system. Charter change for broader transportation uses of Traffic Fund.	Review and approve changes	Phase II policy and rate changes implemented
19	CIO, Tech Services	Assist completion of permit reform report and begin implementation	✓	✓	✓	Led by CIO. Inspection Services will be actively engaged.		Plan substantially complete
22	Maintenance, CT, Parks	Explore City-wide fleet model for managing City's vehicles			✓	Launch pilot to share DPW and Parks administrative fleet. Consultant reviews existing structure and makes recommendations for future to Administration & Council. May also include review of City's facility maintenance structure and BSD fleet.	Review provide feedback on study	Study of fleet (and facility?) structure underway in FY'16
23	Traffic, Water Resources, CT office, Schools	Improve cost allocations between DPW and other departments (ie. have Water credited for fire protection service, end payment for parking enforcement, transfer crossing guard program to schools)	✓			More appropriate cost allocations between departments / funds. Would enable Traffic and Water divisions to better reinvest in their systems.		FY'17 budget has fairer allocation of costs
24	Water Resources	Revise Chapter 26 Ordinance and Stormwater manual -- will likely be a targeted strategy under Integrated Plan	✓			Be transparent, fair and flexible with development, without missing op's for capture and mitigation; incentivize management on private properties. Adoption of stormwater standards, with alternative compliance mechanisms; creation of Stormwater Manual.		Manual updated
25	Water Resources	Develop capital plans for stormwater and wastewater infrastructure -- including a comprehensive assessment of existing assets and future biosolids handling/processing needs	✓			This will allow project, rate planning and coordination of work for collection system with capital street program. Procure consultant to determine how best to deal with sludge (in partnership with CSWD).	Review as part of City capital plan	Capital plans complete for Wastewater and Stormwater

FY'17 Key Initiatives -- Burlington DPW

27	Water Resources	Integrated Water Quality Management Plan development	✓	✓	✓	Advance planning necessary to develop an Integrated Water Quality Management Plan which outlines how the City will meet its various Clean Water Act regulatory obligations and its local water quality priorities. Continue conversations with VTDEC related to near term permitting needs.	Review interim elements and final Integrated Plan	Obtain SRF funding. Completion of interim project milestones such as: Wet weather/stormwater master plan, selection of 35 high priority projects, completion of financial capability analysis. Completion and submission of Integrated Plan to VTDEC. Possible acquisition of Integrated Permit as appropriate.
29	Water Resources	Project and establish sustainable rate structure for Water, Wastewater and Stormwater	✓	✓		Develop a multi-year rate structure that will balance future budgets while accomplishing the division's goals.	Review proposed rate structure, recommend to Council	Rates clearly tied to need and adopted.
30	Water Resources	Comply with TMDL (Total Maximum Daily Load) regulations -- continue chemical trial at Main & North WW for compliance in advance of new permits to comply with TMDL regulations for phosphorous reduction	✓		✓	Obtain reasonable Main WW discharge permit in early FY'17. Continue optimization efforts to help us reach compliance.	Monitor policy and understand cost impact	Track/develop cost per pound of P removed via Ferric versus Alum.
31	Water Resources (tentative)	Improve compliance with Stormwater sections of Chapter 26 ordinance through increased site inspections of construction sites and post-construction practices.	✓	✓		Through a possible increase of staff resources, increase compliance inspections for construction erosion prevention and sediment control practices and post-construction practices. Complete development of formal process of recording maintenance and access agreements for post-construction stormwater practices. Ensure that public projects are also compliant with Chapter 26. Increase # of contractor trainings. This will key to our "taking credit" for our local stormwater program in a number of regulatory venues.		# of construction and post-construction compliance inspections.
32	Water Resources (tentative)	Achieve delegated authority for local administration of Wastewater, Water Supply permits and possibly State Stormwater permits (if State drops threshold to 0.5 acre)		✓		This will result in improved customer service if Burlington is able to serve as more of a "one stop shop" for permits that otherwise are administered by a State office. Additionally, much of the work/review is <u>already performed by city staff</u> - this would provide a mechanism for collecting revenue (application fees) to support that review. It may also provide a mechanism for the re-establishment of connection fees/impact fees and would provide for staff resources to do technical inspection of connections to our sewer collection system (which is not currently occurring) This would require an additional staff person, but this function might be able to be combined with Chapter 26 improvement efforts (see Metric #31)	Review creation of "program" and request for delegation to the State.	Ability to issue Water and Wastewater permits directly to property owners.

Burlington Department of Public Works Commission Meeting
Draft Minutes, 20 April 2016
645 Pine Street

Commissioners Present: Robert Alberry; Tiki Archambeau (Vice Chair); Chris Gillman; Solveig Overby; Jeff Padgett (Chair). **Commissioners Absent:** Jim Barr; Tom Simon.

Item 1 – Call to Order – Welcome – Chair Comments

Chair Padgett calls meeting to order at 6:31pm and makes opening comments.

Item 2 – Agenda

Vice Chair Archambeau makes motion to approve Agenda and is seconded by Commissioner Alberry.

Action taken: motion approved;

“Ayes” are unanimous.

Chair Padgett summarizes items on the Consent Agenda Item 4 – prior to Item 3 – Public Forum

Item 3 – Public Forum

Michelle Cunningham, Ward 3 business owner, speaks on Consent Agenda Item E.

Jess Ackerman, Ward 3 business owner, speaks on Consent Agenda Item E.

Sharon Bushor, Ward 1, speaks on Consent Agenda Item C.

Item 4 – Consent Agenda

A. Traffic Request Backlog

B. North Avenue “No Parking”

C. Resident Parking Implementation & Standard Operating Procedure

D. Resident Parking Ordinance Amendment for Maple Street

Vice Chair Archambeau makes motion to move Item E off Consent Agenda and make it Agenda Item 4.5 and is seconded by Commissioner Gillman.

Action taken: motion approved;

“Ayes” are unanimous.

Commissioner Alberry makes motion to approve Consent Agenda and is seconded by Vice Chair Archambeau.

Action taken: motion approved;

“Ayes” are unanimous.

Item 4.5 – Main/South Champlain Street Intersection Improvements

A) Staff Presentation by Engineering Technician Damian Roy who speaks on staff’s recommendation for the intersection improvements.

B) Commission Questions

Vice Chair Archambeau and Commissioner Gillman ask questions on Item 4.5 with Director Spencer and Technician Roy answering.

C) Public Comment

D) Commissioner Discussion

Chair Padgett, Vice Chair Archambeau, and Commissioner Overby engage in a discussion over Item 4.5 with Technician Roy.

E) Motion made by Commissioner Overby to accept staff’s recommendation.

Seconded by Commissioner Alberry.

Discussion

Action taken: motion approved;

“Ayes” are unanimous.

Item 5 – Towing Rate Changes

A) Communication by Parking Enforcement Manager John King who speaks on the city’s review of towing rates.

B) Commission Questions

Commissioner Overby asks questions on Item 5 with Manager King answering.

C) Public Comment

D) Commissioner Discussion

E) Motion made by Commissioner Alberly to approve.

Seconded by Vice Chair Archambeau.

Discussion

Action taken: motion passed;

“Ayes” are unanimous.

Item 6 – 40-42 Colchester Ave – Appeal

A) Staff Written Presentation to Commission by City Engineer and Assistant Director for Technical Services Norm Baldwin (*who is not present*) which introduces the appeals of the property.

B) Communication by Code Enforcement Director William Ward who presents the city’s case concerning the appeal of the 40-42 Colchester Ave inspection findings, item by item, introducing Code Enforcement’s “40/42 Colchester Avenue” exhibit (via Power Point Presentation), Building Permit 16-217559 print screen from the Amanda database, and “Guardrail & Handrail on Stairs” handout for the record – Appellant Attorney William Towle, Appellant Soon Kwon, and Senior Assistant City Attorney Gene Bergman reply.

C) Oral Presentation by Appellant Attorney Towle and Mr. Kwon who respond to the city’s case, item by item, introducing Appellant’s “40-42 Colchester” exhibit (via Power Point Presentation) and Mr. Kwon’s letter dated 18 August 2015 for the record – Director Ward and City Attorney Bergman reply.

D) Commissioner Discussion

Chair Padgett, Vice Chair Archambeau, and Commissioner Gillman ask questions on the city’s case with Director Ward answering.

Chair Padgett, Vice Chair Archambeau, and Commissioners Alberly, Gillman and Overby ask questions on the appeal with Appellant Attorney Towle and Mr. Kwon answering – City Attorney Bergman and Director Ward reply.

E) Public Comment

None

F) Action Requested – Vote

No action taken in open session

Item 7 – Draft Minutes of 3-8-16 & 3-16-16

Commissioner Alberly makes motion to accept draft minutes of 3-8-16 and is seconded by Vice Chair Archambeau.

Action taken: motion approved;

Commissioner Alberly: Aye

Vice Chair Archambeau: Aye

Commissioner Gillman: Aye

Commissioner Overby: abstained (*due to absence at 3-8-16 meeting*)

Chair Padgett: Aye

Commissioner Alberly makes motion to accept draft minutes of 3-16-16 and is seconded by Vice Chair Archambeau.

Action take: motion approved;

“Ayes” are unanimous.

Item 8 – Director’s Report

Director Spencer reports on and introduces the New Assistant Director for Traffic and Parking, Patrick Cashman, the 30-day driveway encroachment pilot program, the ongoing development process of the new City Market, proposing that during one of upcoming commission meetings having the Vermont Agency of Transportation update the commission on the Shelburne Road roundabout project, upcoming Agenda Items for the next commission meeting (sidewalk projects, PlanBTV Walk Bike, and the Shelburne Rd roundabout), and introduces the “FY’17 DPW Key Initiatives working draft v3” for the record; Chair Padgett and Commissioner Alberry respond to the proposed Vermont Agency of Transportation update with Director Spencer answering.

Item 9 – Commissioner Communications

Commissioner Overby comments on people writing to the commission and what the process is for getting it to the commissioners with Director Spencer responding; Chair Padgett comments on the 184 Church Street clean up and asks about any possibility of reimbursement for the city’s services, the Burlington Free Press story on the decrease in potholes, and moving the Executive Session agenda item to after the Adjournment agenda item on the agenda going forward with Director Spencer responding; Chair Padgett and Commissioners Alberry, Gillman, and Overby comment on the structure of the Consent Agenda.

Item 10 – Executive Session For Appeal and Director, City Engineer Evaluations

Vice Chair Archambeau makes motion to go into Executive Session and is seconded by Commissioner Gillman.

Action taken: motion approved;

“Ayes” are unanimous.

Item 11 – Adjournment & Next Meeting Date – May 18, 2016

Motion to adjourn made by Commissioner Gillman and seconded by Vice Chair Archambeau.

Action taken: motion approved;

“Ayes” are unanimous.

Meeting adjourned at 10:15pm.

Burlington Department of Public Works Commission Meeting
Final Minutes, 20 April 2016
645 Pine Street

Commissioners Present: Robert Alberry; Tiki Archambeau (Vice Chair); Chris Gillman; Solveig Overby; Jeff Padgett (Chair). **Commissioners Absent:** Jim Barr; Tom Simon.

Item 1 – Call to Order – Welcome – Chair Comments

Chair Padgett calls meeting to order at 6:31pm and makes opening comments.

Item 2 – Agenda

Vice Chair Archambeau makes motion to approve Agenda and is seconded by Commissioner Alberry.

Action taken: motion approved;

“Ayes” are unanimous.

Chair Padgett summarizes items on the Consent Agenda Item 4 – prior to Item 3 – Public Forum

Item 3 – Public Forum

Michelle Cunningham, Ward 3 business owner, speaks on Consent Agenda Item E.

Jess Ackerman, Ward 3 business owner, speaks on Consent Agenda Item E.

Sharon Bushor, Ward 1, speaks on Consent Agenda Item C.

Item 4 – Consent Agenda

A. Traffic Request Backlog

B. North Avenue “No Parking”

C. Resident Parking Implementation & Standard Operating Procedure

D. Resident Parking Ordinance Amendment for Maple Street

Vice Chair Archambeau makes motion to move Item E off Consent Agenda and make it Agenda Item 4.5 and is seconded by Commissioner Gillman.

Action taken: motion approved;

“Ayes” are unanimous.

Commissioner Alberry makes motion to approve Consent Agenda and is seconded by Vice Chair Archambeau.

Action taken: motion approved;

“Ayes” are unanimous.

Item 4.5 – Main/South Champlain Street Intersection Improvements

A) Staff Presentation by Engineering Technician Damian Roy who speaks on staff’s recommendation for the intersection improvements.

B) Commission Questions

Vice Chair Archambeau and Commissioner Gillman ask questions on Item 4.5 with Director Spencer and Technician Roy answering.

C) Public Comment

D) Commissioner Discussion

Chair Padgett, Vice Chair Archambeau, and Commissioner Overby engage in a discussion over Item 4.5 with Technician Roy.

E) Motion made by Commissioner Overby to accept staff’s recommendation.

Seconded by Commissioner Alberry.

Discussion

Action taken: motion approved;

“Ayes” are unanimous.

Item 5 – Towing Rate Changes

A) Communication by Parking Enforcement Manager John King who speaks on the city’s review of towing rates.

B) Commission Questions

Commissioner Overby asks questions on Item 5 with Manager King answering.

C) Public Comment

D) Commissioner Discussion

E) Motion made by Commissioner Alberly to approve.

Seconded by Vice Chair Archambeau.

Discussion

Action taken: motion passed;

“Ayes” are unanimous.

Item 6 – 40-42 Colchester Ave – Appeal

A) Staff Written Presentation to Commission by City Engineer and Assistant Director for Technical Services Norm Baldwin (*who is not present*) which introduces the appeals of the property.

B) Communication by Code Enforcement Director William Ward who presents the city’s case concerning the appeal of the 40-42 Colchester Ave inspection findings, item by item, introducing Code Enforcement’s “40/42 Colchester Avenue” exhibit (via Power Point Presentation), Building Permit 16-217559 print screen from the Amanda database, and “Guardrail & Handrail on Stairs” handout for the record – Appellant Attorney William Towle, Appellant Soon Kwon, and Senior Assistant City Attorney Gene Bergman reply.

C) Oral Presentation by Appellant Attorney Towle and Mr. Kwon who respond to the city’s case, item by item, introducing Appellant’s “40-42 Colchester” exhibit (via Power Point Presentation) and Mr. Kwon’s letter dated 18 August 2015 for the record – Director Ward and City Attorney Bergman reply.

D) Commissioner Discussion

Chair Padgett, Vice Chair Archambeau, and Commissioner Gillman ask questions on the city’s case with Director Ward answering.

Chair Padgett, Vice Chair Archambeau, and Commissioners Alberly, Gillman and Overby ask questions on the appeal with Appellant Attorney Towle and Mr. Kwon answering – City Attorney Bergman and Director Ward reply.

E) Public Comment

None

F) Action Requested – Vote

No action taken in open session

Item 7 – Draft Minutes of 3-8-16 & 3-16-16

Commissioner Alberly makes motion to accept draft minutes of 3-8-16 and is seconded by Vice Chair Archambeau.

Action taken: motion approved;

Commissioner Alberly: Aye

Vice Chair Archambeau: Aye

Commissioner Gillman: Aye

Commissioner Overby: abstained (*due to absence at 3-8-16 meeting*)

Chair Padgett: Aye

Commissioner Alberly makes motion to accept draft minutes of 3-16-16 and is seconded by Vice Chair Archambeau.

Action take: motion approved;

“Ayes” are unanimous.

Item 8 – Director’s Report

Director Spencer reports on and introduces the New Assistant Director for Traffic and Parking, Patrick Cashman, the 30-day driveway encroachment pilot program, the ongoing development process of the new City Market, proposing that during one of upcoming commission meetings having the Vermont Agency of Transportation update the commission on the Shelburne Road roundabout project, upcoming Agenda Items for the next commission meeting (sidewalk projects, PlanBTV Walk Bike, and the Shelburne Rd roundabout), and introduces the “FY’17 DPW Key Initiatives working draft v3” for the record; Chair Padgett and Commissioner Alberry respond to the proposed Vermont Agency of Transportation update with Director Spencer answering.

Item 9 – Commissioner Communications

Commissioner Overby comments on people writing to the commission and what the process is for getting it to the commissioners with Director Spencer responding; Chair Padgett comments on the 184 Church Street clean up and asks about any possibility of reimbursement for the city’s services, the Burlington Free Press story on the decrease in potholes, and moving the Executive Session agenda item to after the Adjournment agenda item on the agenda going forward with Director Spencer responding; Chair Padgett and Commissioners Alberry, Gillman, and Overby comment on the structure of the Consent Agenda.

Item 10 – Executive Session For Appeal and Director, City Engineer Evaluations

Vice Chair Archambeau makes motion to go into Executive Session and is seconded by Commissioner Gillman.

Action taken: motion approved;

“Ayes” are unanimous.

Item 11 – Adjournment & Next Meeting Date – May 18, 2016

Motion to adjourn made by Commissioner Gillman and seconded by Vice Chair Archambeau.

Action taken: motion approved;

“Ayes” are unanimous.

Meeting adjourned at 10:15pm.



**CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS**

645 Pine Street, Suite A
Post Office Box 849
Burlington, VT 05402-0849
802.863.9094 x3 VOICE
802.863.0466 FAX
802.863.0450 TTY
www.burlingtonvt.gov/dpw

Chapin Spencer
DIRECTOR OF PUBLIC WORKS

MEMORANDUM

TO: PUBLIC WORKS COMMISSION
FM: CHAPIN SPENCER, DIRECTOR
DATE: APRIL 14, 2016
RE: PUBLIC WORKS COMMISSION MEETING

Enclosed is the following information for the meeting on April 20, 2016 at 6:30 PM at **645 Pine St – Main Conference Room**

1. Agenda
2. Consent Agenda
3. Towing Rate Changes
4. 40-42 Colchester Ave - Appeal
5. Draft Minutes of 3-8-16 & 3-16-16

Non-Discrimination

The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status or genetic information. The City is also committed to providing proper access to services, facilities, and employment opportunities. For accessibility information or alternative formats, please contact Human Resources Department at 865-7145.



**CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS**

645 Pine Street, Suite A
Post Office Box 849
Burlington, VT 05402-0849
802.863.9094 VOICE
802.863.0466 FAX
802.863.0450 TTY
www.burlingtonvt.gov/dpw

Chapin Spencer
DIRECTOR OF PUBLIC WORKS

M E M O R A N D U M

To: Hannah Cormier, Clerks Office
From: Chapin Spencer, Director
Date: April 14, 2016
Re: Public Works Commission Agenda

Please find information below regarding the next Commission Meeting.

Date: **April 20, 2016**
Time: 6:30 – 9:00 p.m.
Place: **645 Pine St – Main Conference Room**

A G E N D A

ITEM

- 1 Call to Order – Welcome – Chair Comments
- 2 Agenda
- 3 10 Min Public Forum
- 4 5 Min Consent Agenda
 - A Traffic Request Backlog
 - B North Avenue “No Parking”
 - C Resident Parking Implementation & Standard Operating Procedure
 - D Resident Parking Ordinance Amendment for Maple Street
 - E Main/South Champlain Street Intersection Improvements

Non-Discrimination

The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status or genetic information. The City is also committed to providing proper access to services, facilities, and employment opportunities. For accessibility information or alternative formats, please contact Human Resources Department at 865-7145.

- 5 15 Min Towing Rate Changes
A Communication, J. King
B Commissioner Discussion
D Public Comment
E Action Requested – Vote
- 6 45 Min 40-42 Colchester Ave - Appeal
A Communication, W. Ward
B Commissioner Discussion
C Oral Presentation, Appellant
D Public Comment
E Action Requested – Vote
- 7 5 Min Draft Minutes of 3-8-16 & 3-16-16
- 8 10 Min Director's Report
- 9 10 Min Commissioner Communications
- 10 Executive Session For Appeal and Director, City Engineer Evaluations
- 11 **Adjournment & Next Meeting Date – May 18, 2016**



MEMORANDUM

April 12, 2016

TO: Public Works Commission
FROM: Damian Roy, DPW Engineering Technician *DR*
CC: Norman Baldwin, City Engineer
RE: State of Traffic Request for Service Backlog

STATE OF TRAFFIC RFS BACKLOG

RFS BREAKDOWN BY TYPE

Accessible Space:	3
Resident Only Parking:	14
Crosswalks:	18
Driveway Encroachments:	16
Signage:	23
Loading Zone:	5
Area/Intersection Study:	3
Parking Prohibition:	10
Bus Stop:	
Geometric Issues:	2
Parking Meters:	2
Other:	
TOTAL:	96



Memo

Date: April 13, 2016

To: Public Works Commission

From: Nicole Losch, Senior Planner

Subject: North Avenue Pilot Project Parking Prohibitions

Background

The North Avenue Pilot Project is the first initiative to implement the 2014 North Avenue Corridor Study. To install the preferred pilot treatments, on-street parking needs to be adjusted. At the December 2015 Public Works Commission meeting, several parking prohibitions were approved for the duration of the pilot project:

1. On the west side of North Avenue from Institute Road to the North Avenue Alliance Church driveway
2. On the east side of North Avenue from Institute Road to the VT 127 entrance
3. On the west side of North Avenue from 250 feet south of Dodds Court to Plattsburg Avenue (this retains parking at St. Mark's Church)
4. On the east side of North Avenue from Heineberg Road to Plattsburg Avenue

Since December, the design plans have been drafted and provide additional clarity on the parking availability near Dodds Court and St. Mark's Church. As shown in Figure 1, parking between Dodds Court and the St. Mark's Church driveway cannot be accommodated while also providing continuous bike lanes. In addition, parking on the west side of North Avenue near the corner of Shore Road should be pushed back to align the southbound travel lane with the travel lane south of the intersection.

Parking Impacts

DPW conducted parking counts on North Avenue at St. Mark's Parish on June 13-14, 2015. On-street parking was counted on the north side of Shore Road between North Avenue, on the east side of Laurel Court between Shore Road and the cul-de-sac, and on the west side of North Avenue between Shore Road and Dodds Court. These are areas where parishioners were observed parking and walking into St. Marks. There are approximately 46 unmarked parking spaces in these locations.

Parking utilization on Saturday peaked at 63% at 4pm (leaving 20 available on-street spaces) and Sunday utilization peaked at 72% at 9am and 11 am (leaving 13 available on-street spaces). Parking in St. Mark's parking lot was also counted on these same days and times, with parking utilization peaked at 73% at 4pm on Saturday (leaving 14 available spaces) and at 83% at 11am on Sunday (leaving 9 available spaces).

The area affected by the additional parking prohibitions recommended in this memo would result in a loss of approximately 10 parking spaces on North Avenue. This includes the west side of North Avenue between Dodds Court and one space south of St. Marks' driveway (to provide safe access and visibility from their driveway) and two spaces immediately north of Shore Road. This retains 9 on-street spaces immediately in front of St. Marks Church on North Avenue.

Public Outreach

In late September DPW mailed notices to all addresses on North Avenue from Institute Rd – VT 127 and from Shore Rd – Plattsburg Ave. The notices posed the question, "Swap on-street parking for buffered bike lanes on North Avenue?" and invited residents to attend the October and/or November Task Force meetings or contact DPW with any questions or concerns. The notice and the Task Force discussions also indicated the final recommendation would advance to the December meeting of the Public Works Commission.

A neighbor near the Alliance Church contacted DPW in early October, attended the November 2015 Task Force meeting, and described regular use of the on-street parking for weekly family gatherings. However, no other residents described any use of on-street parking.

In addition to the outreach to neighbors, the Task Force co-chair Jason L'Ecuyer visited St. Mark's Parish to discuss on-street parking. The parish confirmed that on-street parking on North Avenue is generally used by the most mobility-restricted parishioners, since the parking lot is a longer walk to enter the church. During other community meetings the same sentiment was described by parishioners or friends of parishioners.

Recommendation

To provide continuous bike lanes as a component of the pilot project; provide safe access into St. Mark's driveway on North Avenue; and provide safe alignment of the travel lanes on North Avenue at the intersection of Shore Road, DPW staff and the North Avenue Task Force recommend the Public Works Commission:

1. Amend the December action taken by the Commission to prohibit parking for the duration of the pilot project on the west side of North Avenue from 250 feet south of Dodds Court to Plattsburg Avenue (this retains parking at St. Mark's Church);
2. Prohibit parking for the duration of the pilot project on the west side of North Avenue from Shore Road to a point 85 feet north of Shore Road;

In addition, upon review of existing ordinance language that may have needed revisions for the above-mentioned recommendations, DPW staff found the following Burlington City Ordinances to be amended separate from the pilot project:

1. Repeal Appendix C Section 7(238), which currently allows parking on the west side of North Avenue within the 4-lane section:

~~On the west side of North Avenue from a point eight hundred (800) feet south of Shore Road to a point one thousand two hundred (1200) feet south of Saratoga Avenue.~~

2. Amend Appendix C Section 7(240) to prohibit parking on the west side of North Avenue within the 4-lane section:
On the west side of North Avenue from Shore Road to ~~the S. W. Thayer School driveway~~ southernmost North Avenue Alliance Church driveway at 901 North Avenue.

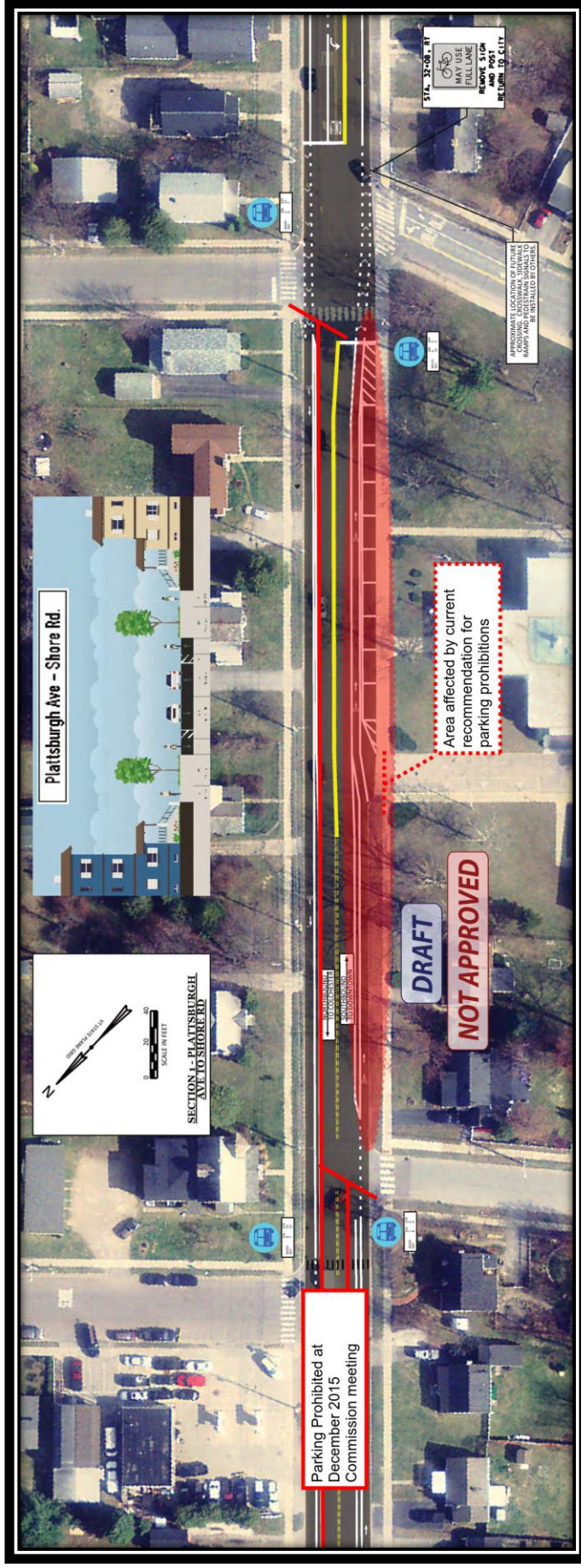


Figure 1: North Avenue Draft Design between Dodds Court and Shore Road



MEMORANDUM

April 13, 2016

TO: Public Works Commission

FROM: Damian Roy, DPW Engineering Technician *DER*

CC: Norman Baldwin, City Engineer

RE: Standard Operating Procedure for Resident Only Parking Requests

The fundamental principle of Resident Only Parking is to create a balance between the needs of the public versus providing property owners reasonable access to their property. As a follow up to the Residential Parking Study completed earlier this year, staff has been tasked with implementing the various changes the Study suggested into the Traffic Request program. These changes have been integrated into staff's Residential Parking (RP) request Standard Operating Procedure (SOP). Major changes to the RP evaluation process are:

- 51% Property Owner support requirement to initiate a request.
- 85% parking occupancy recommended for new RP approval.
- Consideration of RP areas when evaluating new requests.
- Consideration of alternatives to RP when appropriate.
- Consideration of off-street parking when evaluating new requests.

Staff will be contacting requestors with existing requests in queue instructing them to reinitiate the request by generating the Property Owner Petition. This petition will be made available online on the DPW website along with updated information regarding the Resident Parking request process. Revisions to the existing BPD Residential Parking webpage directing residents to the DPW page will also be made. These revisions along with the new DPW webpage should be implemented by May 1st. Examples of this content are included in this communication.

The following SOP lists Staff's steps in evaluating a Resident Parking request and is offered to the Public Works Commission as an informative communication to share how elements of the Study has influenced how staff will evaluate these requests.

WB 4/14/16



POLICY & PROCEDURE MANUAL
TRAFFIC REQUESTS FOR SERVICE
STANDARD OPERATING PROCEDURE
FOR RESIDENT ONLY PARKING REQUESTS

Effective Date:

Approved by:

Number:

Signature:

1. **Receiving the request, entering information into the RFS Data system.** A Residential Parking (RP) Request For Service (RFS) comes in via phone call, email, or seeclickfix. Usually an RFS is created in the city system by customer service or automatically by seeclickfix. Once the RFS is received, contact and direct the requestor to the online RP petition form for their download/printout or they can pick up copies at Public Works. Following that conversation the RFS may be closed until such time as the requestor contacts DPW again with a valid petition showing 51% support from property owners within the requested street or area. Then record any and all information the requestor gives including but not limited to:
 - a. Their name, address, phone number, email address.
 - b. Who does the requestor feel should be eligible for this RP?
 - c. Research and record all existing ordinances governing traffic and parking within the ROW on the affected street(s).
2. **File Management.** After receiving a valid petition, save it and all other additional information collected, follow-up emails, internal correspondence, onto the city server under L:/Engineering Technician/*your name*'s work/Traffic RFSs/RFS#____*description*. All additional information collected or generated needs to be saved in this file throughout the entirety of the RFS process.
3. **Assess Parking Usage.** Visit the RP requested street. Measure and record the total available parking spaces on the street using DPW standard parking stall dimensions of 20' long spaces. Perform license plate surveys on at least one typical weekday at 7:00am, 10:00am, and 1:00pm recording all plate numbers of vehicles parked on the street at that time. Use this data to classify each vehicle as a Resident, Transient, or Long Term parker. This is determined as follows:
 - If a vehicle is present at 7:00am it is considered Resident.
 - If a vehicle is present at 10:00am or 1:00pm but not both, it is considered Transient.
 - If a vehicle is present at 10:00am and 1:00pm it is considered Long Term.

If the petition specifies a time limit to the RP request that falls outside of the above times, visit the street during that time period to record the level of occupancy. *Note that RP is not recommended on streets with a parking occupancy under 85% of capacity.*

4. **Consider Residential Only Parking Area.** Compare how this request compares geographically with existing streets/areas that currently have RP. If there are currently adjacent streets with RP

installed that share similar characteristics then establishing an RP area may be considered. RP areas are typically bounded on all sides by arterial and or collector streets.

5. **Consider Alternatives to Resident Only Parking.** If the requested street is located within convenient walking distance to shops, offices, other public-use buildings, or is in an otherwise mixed-use area, consider installing parking meters or pay stations in addition to or in lieu of RP. The petition contains an option for residents to support or oppose installing parking meters or pay stations on the street.
6. **Consider Shared off-street parking.** Are there any businesses, faith-based communities or civic organizations in the immediate area that has off street parking that could be made available to their neighbors? If so then this may be an opportunity to increase parking capacity for residents without the drawbacks of installing RP. Contact the business to see if they would be open to discussing this option.
7. **Seek input from the Traffic Foreman.** The Traffic Foreman may have operational input that may provide clarity due to his field experience which may influence Staff's recommendation.
8. **Develop Staff's Recommendation.** Using the above gathered information, determine whether RP is recommended or not. Build a packet to present to the Public Works Commission beginning with a memorandum written as described in the RFS General SOP. Include all supporting documents and correspondence in this packet. When complete, bring the packet to the City Engineer for review and signature. Scan the packet into PDF for easier electronic distribution.
9. **Inform Traffic Division.** After the packet is built and staff's recommendation is finalized, make the Traffic Foreman aware of the recommendation so that he/she may order any signs needed and/or make any scheduling adjustments for their crews.
10. **Distribute Staff's recommendation to the affected Residents.** Using the email addresses and/or phone numbers provided on the RP Petition, contact all vested residents within the requested RP street or area providing them with the Request Packet and Commission Agenda in PDF if contacted via email or with a hard copies if no email was provided. Include a cover letter to residents stating that this is staff's recommendation to the Public Works Commission and that this is not a final decision. Inform residents that if they oppose staff's recommendation that they are encouraged to attend the Public Works Commission meeting. Include the time, date, and location of the meeting this recommendation will be presented at.
11. **Provide Staff's recommendation to the Public Works Commission.** No later than eight days prior to the commission meeting, provide customer service with a PDF of the packet so that they may compile all agenda items to be sent via email to the Public Works Commissioners.
12. **Attend Public Works Commission Meeting.** Every third Wednesday of the month starting at 6:30pm the Commission meets to discuss the agenda and decide a course of action. Attend this meeting, present the request and staff's recommendation and be prepared to answer any questions from the Commission and the Public

13. **Commission Debrief with the City Engineer.** This is an opportunity for the city engineer to communicate any feedback or recommendations to staff regarding the request.
14. **Draft Regulation(s) and send to the City Attorney's office.** If/when the Commission makes a decision that necessitates a change in ordinance, staff will write an amendment by:
 - a. Creating a new regulation or amending an existing regulation reflecting the Commission's decision. Look at similar ordinance regulations for language guidance.
 - b. Print on legal watermarked paper, get it signed by the City Engineer, make a copy for the Adopted Traffic Regulation Amendments Binder then mail or deliver the original to the City Attorney's office in City Hall. Within a week or so the CA will email back with adopted, published, and effective dates.
 - c. Write these dates on the copy in the Adopted Traffic Regulation Amendments Binder and make a copy for the Traffic Foreman.
15. **Update RFS.** Update the RFS in the system with a summary the RFSs current status. Change status from "New" to "In Construction".
16. **Ensure Signage is installed correctly.** Visit the site after receiving Traffic's copy of the regulations with their completed date on it. Verify that all work performed is in accordance with the Commission approved scope.
17. **Close RFS.**



**CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS**

645 Pine Street
Post Office Box 849
Burlington, Vermont 05402-0849
802.863.9094 VOX
802.863.0466 FAX
802.863.0450 TTY

Example of DPW web page content:

How to request Resident Only Parking on your street

The fundamental principle of Resident Only Parking is to create a balance between the needs of the public versus the need to provide residents reasonable access to their homes.

To initiate a request to install new Resident Only Parking or to amend existing Resident Only Parking, please follow these steps:

1. Fill out a petition showing at least 51% support from the property owners within the area you wish to install or amend Resident Only Parking. To obtain property owner information contact Burlington Planning and Zoning. You may download the official petition [here](#) or you may pick up these petition forms at the Department of Public Works located at 645 Pine Street.
2. Include a cover letter with the petition explaining why you are making this request and specify who you feel should be eligible for Resident Only Parking permits within this area. Include your contact information: Name, address, email address, and phone number.
3. Submit this cover letter and petition once completed via email to dpw-customerservice@burlingtonvt.gov or drop off to Customer Service at 645 Pine Street.

Staff will evaluate your request in the order which they are received and will be in contact with you as their evaluation develops. When your request is ready it will be presented to the Public Works Commission. The Commission meetings are held on the third Wednesday of each month at 6:30 pm.

Existing BPD Resident Parking Page:

Residential Parking

Residents may petition to have their streets designated for resident parking only. Only residents and their guests will then be allowed to park on the street. Residents will be issued bumper stickers and guest passes for identification. Resident parking is enforced by issuing parking tickets.

To receive a permit, the following documents must be provided:

Students

- Completed Current Lease
- Valid Driver's License
- Valid Registration
- Valid School ID

Students will be issued a permit for up to one year. Students will be issued two guest passes **per dwelling unit**.

Renters/Homeowners

- Valid Driver's License with address of Resident parking street
- Valid Registration

Renters/Homeowners will be issued a permit for up to two years. Renters/Homeowners will be issued two guest passes **per dwelling unit**.

We are unable to issue Residential Passes if these documents are not provided, are outdated, incorrect, or falsified in any way.

Proposed BPD Resident Parking Page (amendments in red):

Residential Parking

Residents may petition to have their streets designated for resident parking only. To initiate a request to install a new Resident Parking area or to make a change in an existing Resident Parking area, please follow [this link](#). Only residents and their guests will be allowed to park in a Resident Parking space. Residents will be issued bumper stickers and guest passes for identification. Resident parking is enforced by issuing parking tickets.

To receive a permit, the following documents must be provided:

Students

- Completed Current Lease
- Valid Driver's License
- Valid Registration
- Valid School ID

Students will be issued a permit for up to one year. Students will be issued two guest passes **per dwelling unit**.

Renters/Homeowners

- Valid Driver's License with address of Resident parking street
- Valid Registration

Renters/Homeowners will be issued a permit for up to two years. Renters/Homeowners will be issued two guest passes **per dwelling unit**.

We are unable to issue Residential Passes if these documents are not provided, are outdated, incorrect, or falsified in any way.



MEMORANDUM

April 11, 2016

TO: Public Works Commission

FROM: Damian Roy, DPW Engineer Technician *DRR*

CC: Norman Baldwin, City Engineer

RE: Resident Parking Ordinance Amendment for Maple St. between S. Champlain and Pine St.

Background:

With the Resident Only Parking Study completed, the Department of Public Works (DPW) is tasked with implementing the recommended changes to the existing program. One step in the implementation process is to clarify any existing Resident Only Parking ordinances that do not clearly state the area or limits to who is eligible for permits. The ordinance to be examined is sec.27(a)(14) which currently reads: "*The first five (5) spaces west of Pine Street on the north side of Maple Street.*" The language contained in this ordinance does not specify which residents should be eligible for Resident Parking permits either by cross street or by property number. Currently, only residents whose physical address frontage is directly adjacent to the aforementioned spaces have been understood to be eligible for permits. This ordinance corresponds with a request made by Theresa Greenough, owner and resident of 84-86 Maple Street, who is asking to be eligible for resident parking permits for her tenants.

Observations:

This section of Maple is a mixed-use collector street with on-street parking only on the north side of the street. There are 11 total parking spaces with 3 spaces designated as 30-minute parking, 3 spaces as 2-hour parking and 5 spaces as Resident Parking. In order to determine the original intent of this ordinance, Staff searched the city archives in an effort to locate either the ordinance recommendation itself or the meeting minutes associated with it. Staff found the Traffic Request packet from December 1991 which simply states that "*5 residential parking*

UB 4/14/16

spaces be provided on Maple Street; S. Champlain St. to Pine St. from 6am to 6pm.” This statement does not clearly indicate who should or should not be eligible for these parking spaces. Staff managing the Traffic Request program at that time state that the intent was to install resident parking on a portion of the block in order to maintain a balance between the residents and businesses on the block and that eligibility was intended for all residents on that block section. Furthermore, the current ordinance exists under section 27 subsection (a) “*Streets designated for residential parking at all times*” which corresponds with current street signage. From this, staff concludes that these 5 spaces on Maple Street were adopted as all-time Resident Only Parking.

Conclusions:

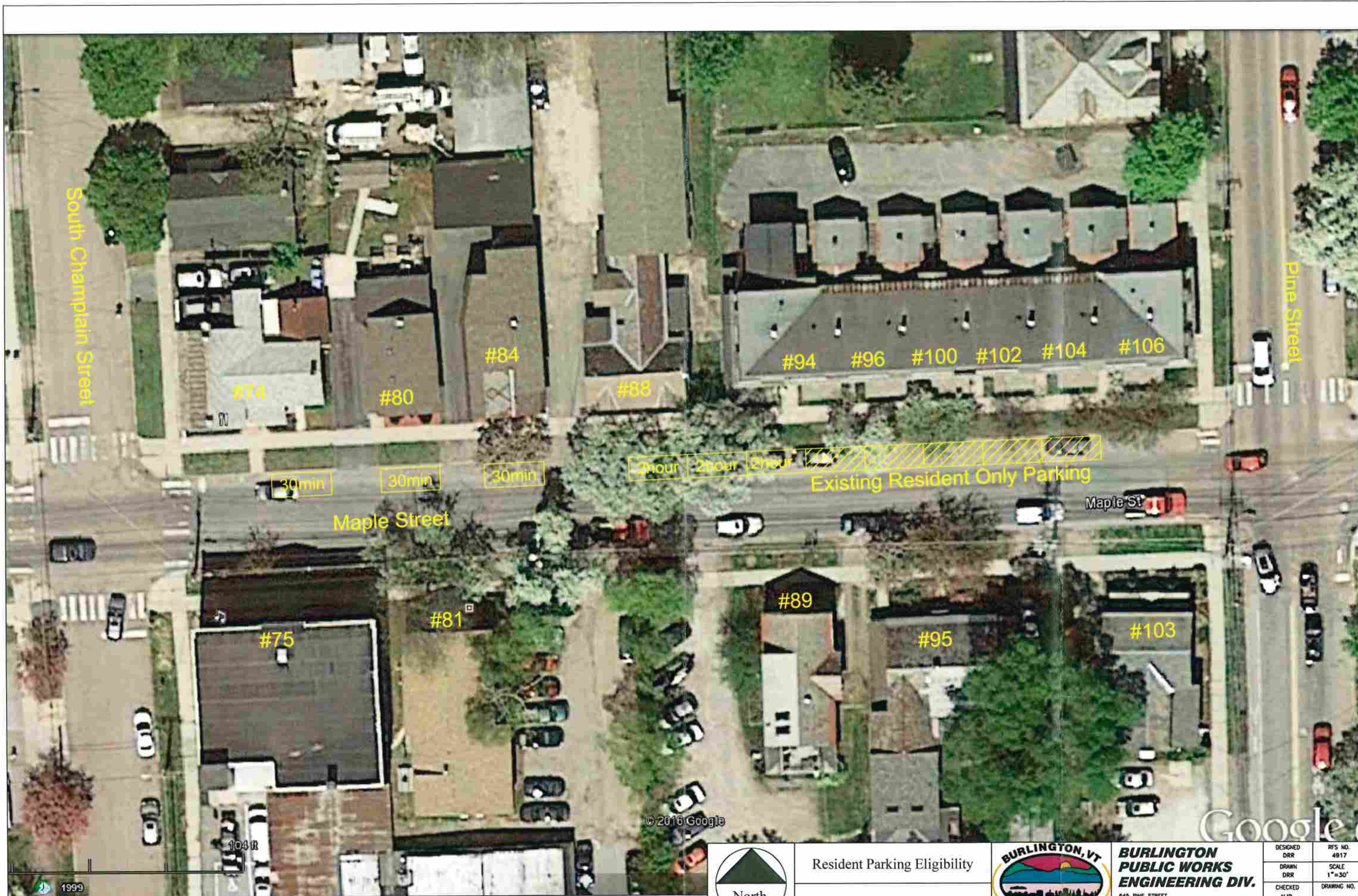
As part of the Resident Parking Study implementation, staff recommends clarification to the existing ordinances to clearly state who is eligible for permits and who isn’t. Staff has worked closely with the Burlington Police Department (BPD) to determine the best approach to this. The clearest method found in defining eligibility is to state an address range along the street, this will take away any guesswork out on the part of BPD when evaluating new permit requests.

Staff concludes that the original intent of sec.27(a)(14) was to install Resident Parking to serve Maple Street residents with addresses between Pine Street and South Champlain Street. In accordance with BPD’s suggestion of specifying the address range for eligibility, staff has identified that Resident Parking Permit eligibility should include residents residing at 74 Maple Street through and including 106 Maple Street.

Recommendations:

Staff recommends that the Commission adopt the following amendment to sec.27(a)(14):

On the north side of Maple Street for the first five (5) spaces west of Pine Street. Residents from 74 Maple Street through and including 106 Maple Street shall be eligible for resident parking permits.



Resident Parking Eligibility

Sec. 27(a)(14) Maple Street



**BURLINGTON
PUBLIC WORKS
ENGINEERING DIV.**

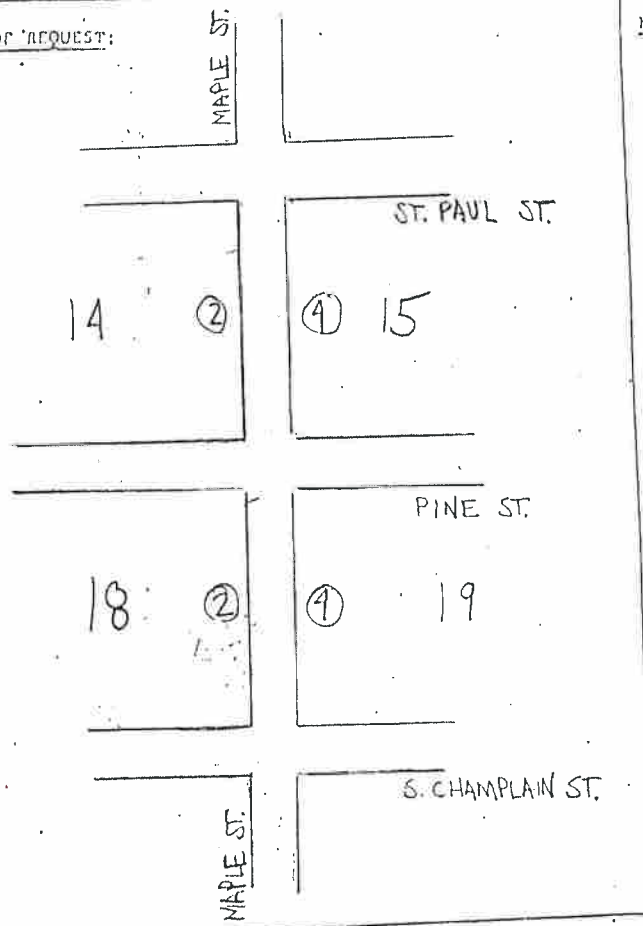
645 PINE STREET
BURLINGTON, VT 05401
(802) 863-9094

DESIGNED DRR	REF. NO. 4917
DRAWN DRR	SCALE 1"=30'
CHECKED HJB	DRAWING NO.
DATE	

BURLINGTON PUBLIC WORKS DEPARTMENT

TRAFFIC REQUEST FORM

DIAGRAM OF REQUEST:



NATURE OF REQUEST:

TO PROVIDE RESIDENTIAL
PARKING ON MAPLE ST.
FROM S. CHAMPLAIN EAST
TO ST. PAUL STREET

PETITIONER:

RICK WILBERT

DATE OF REQUEST:

11-91

STAFF OPINION:

- PROVIDE 1) 2-30 MIN. METER SPACES IN FROM OF HANDY'S LUNCHEON
2) 5 RESIDENTIAL PARKING SPACES BE PROVIDED ON
MAPLE ST; S. CHAMPLAIN ST. → PINE ST. FROM 6 a.m. → 6 p.m.
3) 7 RESIDENTIAL PARKING SPACES BE PROVIDED ON MAPLE ST;
PINE ST. → ST. PAUL ST.

OTHER COMMENTS:

OF SPACES PROVIDED BASED ON STUDY

ACTION BY TRAFFIC ADMINISTRATIVE HEARING BOARD

PROVIDE 3-15 min SPACES NEAR HANDY'S

ACTION BY PUBLIC WORKS COMMISSION

STAFF ACTION:

FINAL RESPONSE TO PETITIONER:

Requests for Service (/Main.aspx)

#4917 Assigned

New

Technical Services

Traffic Requests

Location: 84-86 Maple St

See attached letter dated 8/04/14 from Ms. Greenough, requesting "Resident Parking Permits" for her property at 84-86 Maple Street.

Attachments

Attach Date	Staff	Attachment
09/01/2015 2:17 PM	Chapin Spencer	View File (/Attachments /1936.pdf)
10/16/2014 3:15 PM	Helen Plumley	View File (/Attachments /808.pdf)
08/11/2014 8:40 AM	Helen Plumley	View File (/Attachments /698.pdf)
08/07/2014 3:03 PM	Helen Plumley	View File (/Attachments /697.pdf)

Browse... No file selected.

Upload Attachment

Assigned to: Damian Roy **Requested by:** Theresa Greenough**Opened:** 8/7/2014**Entered By:** Helen Plumley**Due:** 9/6/2014

Work History

Add Work History

Date	Staff Person	Description
09/01/2015	Chapin Spencer	Received 8-26-15 communication from Ms. Greenough. Attached here. Details
10/16/2014	Helen Plumley	Rec'd correspondence from Mrs. Greenough re: previous request for resident parking at 84-86 Maple St. See attached. Details
08/11/2014	Helen Plumley	I uploaded e-mail chain between Nathan and John King. Details
08/07/2014	Helen Plumley	I scanned the letter to Nathan Lavery, Commissioner chair, and Chapin for their info. Details
08/07/2014	Helen Plumley	NOTE: Ms. Greenough's letter is addressed to "Public Works Commission." Details

Theresa J. Greenough
84 Maple Street
Burlington, VT

August 4, 2014

Public Works Commission
645 Pine Street, Suite A
Burlington, VT 05401

RE: Request for Residential Parking Permit

I am requesting "Resident Parking Permits" for my property at 84-86 Maple Street. I live in one unit and rent the other one. A portion of my property is taxed at the commercial rate because the rental unit is considered a business. My property tax is \$7,104.04.

October, 2013 the Board voted to post three previously open spaces on the north side of Maple Street to two hour limit parking for area businesses, per Earl Handy's request.

Due to the loss of the open parking spaces my tenant moved out on December 8, 2013. Parking was a problem for her on her days off during the week because Maple Street from Pine to South Champlain Streets is posted either limited parking (½ hour/2 hour) during the day or **residential parking for both sides of the street** starting at 90 Maple to the corner of Pine Street. There are no open parking spaces during the day from Monday thru Friday, everything is posted. My current tenant has a new shift. He works on Saturday which means his day off is between Monday and Friday.

I hope the Board will consider my request for "Resident Parking Permits" for my property at 84-86 Maple Street with the same diligence they considered Handy's request for three more posted parking spots for the other businesses on Maple Street.

I am over 77 years old, retired, live on limited income and cannot afford to lose my rental income due to lack of open parking on a street where I have lived and paid property tax for over 40 years.

If further information is need to process this request please let me know. I may be reached at 802-863-3117 or by email at gtr36@aol.

Sincerely,



Theresa Greenough

Theresa J. Greenough
84 Maple Street
Burlington, VT

March 27, 2015

Department of Public Works
Attn: Parking Administrator
645 Pine Street, Suite A
Burlington, VT 05401

RE: Request for Residential Parking Permit

October, 2013 the Board voted to post three previously **open** spaces on the north side of Maple Street to two hour limit parking for area businesses, per Earl Handy's request.

Due to the loss of the open parking spaces my tenant moved out on **December 8, 2013**. Parking was a problem for her on her days off during the week because Maple Street from Pine to South Champlain Streets is posted either limited parking (½ hour/2 hour) from 8:00 AM to 4:00 PM or **residential parking for both sides of the street** starting at **90** Maple Street East to the corner of Pine Street. There are no open parking spaces during the day from Monday thru Friday.

My current tenant's shift has changed to nights. He works on Saturday, his day off is Monday when there is no open parking available. I am requesting a "Resident Parking Permit" for 84-86 Maple Street. I live in one unit and rent the other one. A portion of my property is taxed at the commercial rate because the rental unit is considered a **business**. I am over 78 years old, retired, live on limited income and cannot afford **to lose my rental income** due to lack of open parking on a street where I have lived and paid property tax for over 40 years. There are only two residential properties, between Pine and So. Champlain Streets (**80** Maple St and 84-86 Maple St) who do not have residential parking permits.

I hope the Board will consider my request for a "Resident Parking Permit" with the same diligence they considered Handy's request for three more posted parking spots for the other businesses on Maple Street.

If further information is need to process this request please let me know. I may be reached at 802-863-3117 or by email at Gtrese36@aol.com.

Sincerely,


Theresa Greenough

Theresa J. Greenough
84 Maple Street
Burlington, VT

May 26, 2015

Department of Public Works
Attn: Parking Administrator
645 Pine Street, Suite A
Burlington, VT 05401

RE: Request for Residential Parking Permit

This is the fourth letter I have sent requesting Residential Parking Permit for my property. The first two were sent to the Public Works Commission. The first request was sent in early 2014, the second one on August 4, 2014. When I heard nothing from the Board I realized that I probably should have sent them to DPW. So I sent you a request on March 27, 2015 after my tenant told me his shift had changed and he was having trouble finding parking during the day because everything around here is posted.

What do I have to do to get a permit? I haven't heard from anyone at DPW with information as to what I should do. I know I am a small business compared to the other businesses on Maple Street, but my income is threatened if my tenant moves out due to lack of parking. If he moves out I still have the same parking issue!!

Please let me know if I have sent this request to the right person. Let me know what I need to do!

I have enclosed copies of the other requests. Do I need a lawyer to send a request?

If further information is needed to process this request please let me know. I may be reached at 802-863-3117 or by email at Gtrese36@aol.com.

Sincerely,


Theresa Greenough

Encl: 2

Theresa J. Greenough
84 Maple Street
Burlington, VT

August 26, 2015

Chapin Spencer, Director
Department of Public Works
645 Pine Street, Suite A
Burlington, VT 05401

RE: Request for Residential Parking Permit

This is the fifth letter I have sent requesting Residential Parking Permit for my property. The first two were sent to the Public Works Commission (early 2014 & August 4, 2014). When I heard nothing from the Board I realized that I probably should have sent them to DPW. So I sent two letters (March 27 & May 26, 2015) to the attention of the Parking Administrator. I have heard **NOTHING**; I hope you can help me.

I haven't heard from anyone at DPW with information as to what I should do. I know I am a small business compared to the other businesses on Maple Street. I am retired; my income is threatened if my tenant moves out due to lack of parking. If he moves out I still have the same parking issue with a new tenant.

Please let me know what I need to do to get a "Residential Parking Permit" like both sides of the upper part of Maple Street between Pine and South Champlain Streets as I noted in my previous three letters. I am very frustrated!!

I have enclosed copies of the other requests. Do I need a lawyer to send a request?

If further information is needed to process this request please let me know. I may be reached at 802-863-3117 or by email at Gtrese36@aol.com.

Sincerely,


Theresa Greenough

Encl: 3



MEMORANDUM

April 5, 2016

TO: Public Works Commission

FROM: Damian Roy, DPW Engineer Technician *DR*

CC: Norman Baldwin, City Engineer

RE: Proposed Safety Improvements @ South Champlain and Main Street Intersection

Background:

The Department of Public Works (DPW) has received emails from Jodi Whalen, owner of August First restaurant located at the southwest corner of South Champlain Street and Main Street, regarding motorist, pedestrian, and bicyclist's safety at this intersection. Ms. Whalen feels that the intersection is dangerous and states that there have been numerous accidents and near-accidents on a near daily basis. Ms. Whalen is requesting that DPW install a traffic signal or 4-way stop control at the intersection to decrease driver's confusion and increase vehicle and pedestrian safety.

Observations:

- **Street Characteristics:** Main Street at the intersection with South Champlain Street is a 54 foot wide, mix-use, arterial roadway that has an AADT of 9100 vehicles. South Champlain Street is a 30 foot wide, mix-use collector roadway with low traffic volumes not warranting an official AADT count. Pedestrian crosswalks are present at all four approaches. There is 45 degree angled parking along the north side of Main Street and parallel parking along the south side, all parking is metered.
- **Existing Traffic Control:** There is currently two-way stop control at this intersection causing traffic on South Champlain Street to stop. This is the least controlled Main Street intersection as South Champlain Street serves a very low volume of traffic.

NB 4/4/16

- **Traffic Counts:** The Chittenden County Regional Planning Commission (CCRPC) has conducted counts; these are represented on the attached MUTCD warrant graphs showing that Main Street averages about 600 vehicles during peak hour compared to South Champlain's average of about 50 vehicles per peak hour. This disparity in vehicular volumes between the two approaches fall well below MUTCD warrant thresholds for four-way stop control and traffic signals.
- **Accident History:** During the last 24 months there have been 10 accidents reported at this intersection. Of these 10 accidents, 4 are indicated by the report narrative to be caused by a correctable condition at the intersection. Three reports stating that the motorists on South Champlain Street failed to see vehicles approaching on Main Street and one report stating that the **motorist on South Champlain Street** did not know that traffic on Main Street did not stop. This accident history does not meet MUTCD Traffic Control Signal Study Warrant #7 for 5 accidents or more reported within a 12 month period that could be correctable with a traffic signal. Although the number of reported accidents fall below MUTCD warrant thresholds, anecdotal reports indicate that many near-misses occur at this location with many business owners in the area stating that this is a dangerous intersection.

Conclusions:

Staff has been tasked with identifying methods to improve safety for motorists and pedestrians entering the intersection in lieu of installing traffic signal lights or four-way stop control as neither are warranted. These methods are illustrated on the attached drawing and are listed here followed by a brief summary of how they improve safety:

- **Prohibit parking** in the three nearest parking stalls located on the southwest, northeast, and southeast corners. Three out of the four accidents on record were caused by inadequate sight distances for motorists on South Champlain entering the intersection. Removing these three parking spaces will increase sight distances to meet standards.
- **Install Traffic Beacon.** Installing flashing yellow beacons on Main Street and flashing red beacons on South Champlain Street will alert motorists to approach the intersection with caution and may lower travel speeds. This will also reinforce the two-way stop control and raise awareness for motorists approaching from South Champlain that traffic on Main Street does not stop.
- **Temporary Bump-outs.** Creating temporary bump-outs using flexible poles and paint as shown in the attached drawing will provide visual protection for pedestrians wishing to cross Main Street while encouraging motorists on South Champlain Street to slowly advance into the intersection to achieve adequate line-of-sight to cross traffic on Main Street.
- **Removable "Yield to Pedestrian" signs** in the Main Street crosswalks. Pending a stewardship agreement with a nearby business, these signs would be placed on the Main

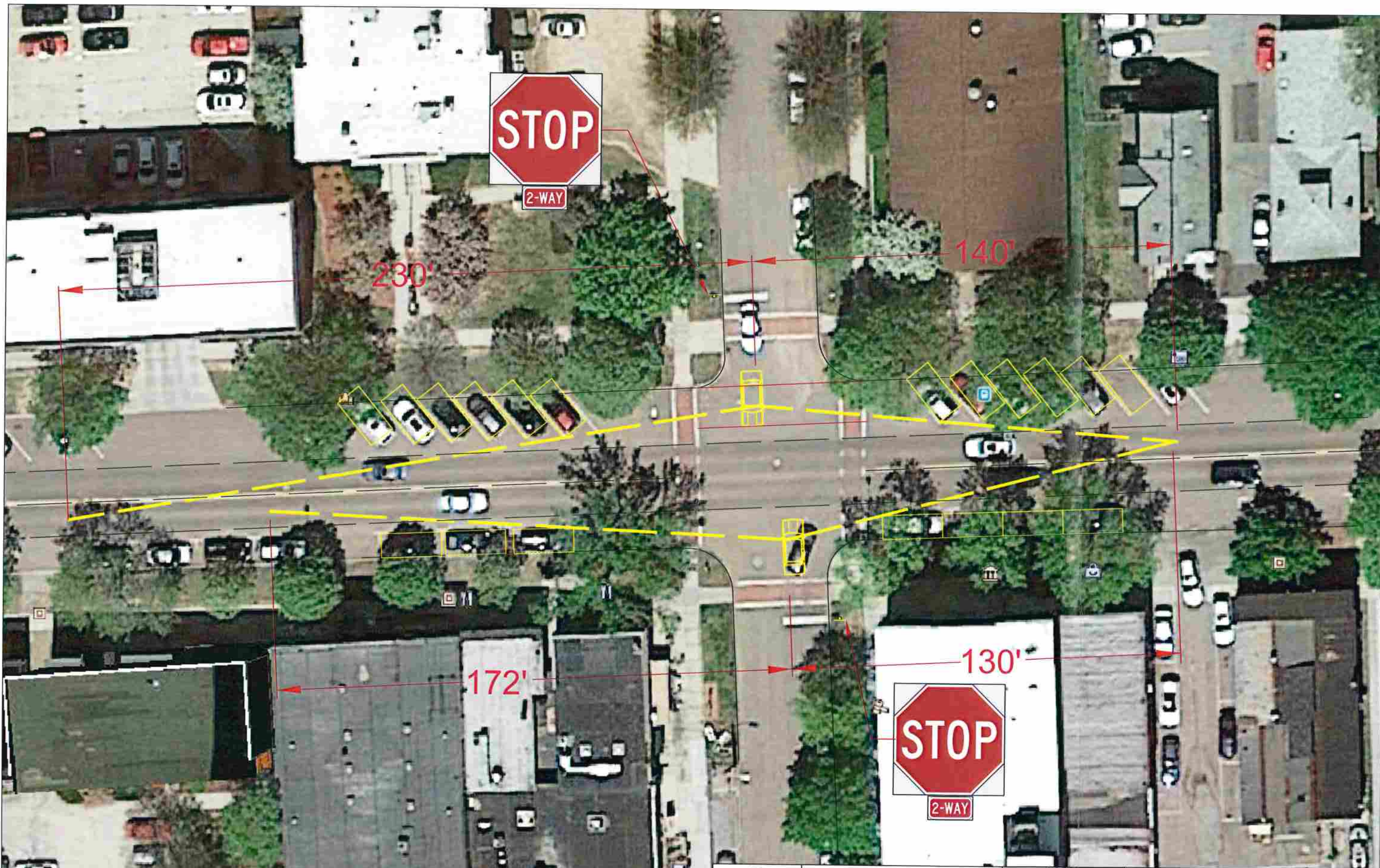
Street centerline in each of the crosswalks east and west of the intersection. These signs would both alert motorists of pedestrians and visually narrow the travel lanes potentially having a traffic calming effect.

It is staff's view that this suite of temporary improvements is a reasonable and inexpensive approach to increasing safety for both motorists and pedestrians at the intersection. A long term design solution for this intersection will be included in the Main Street Corridor Project with a projected timeframe of 5-10 years. Of the methods described above, only the removal of the three parking spaces require approval from the Public Works Commission.

Recommendations:

Staff recommends that the Commission adopt:

- The removal of the three nearest parking spaces at the intersection of Main Street and South Champlain Street on the southwest, northeast, and southeast corners.



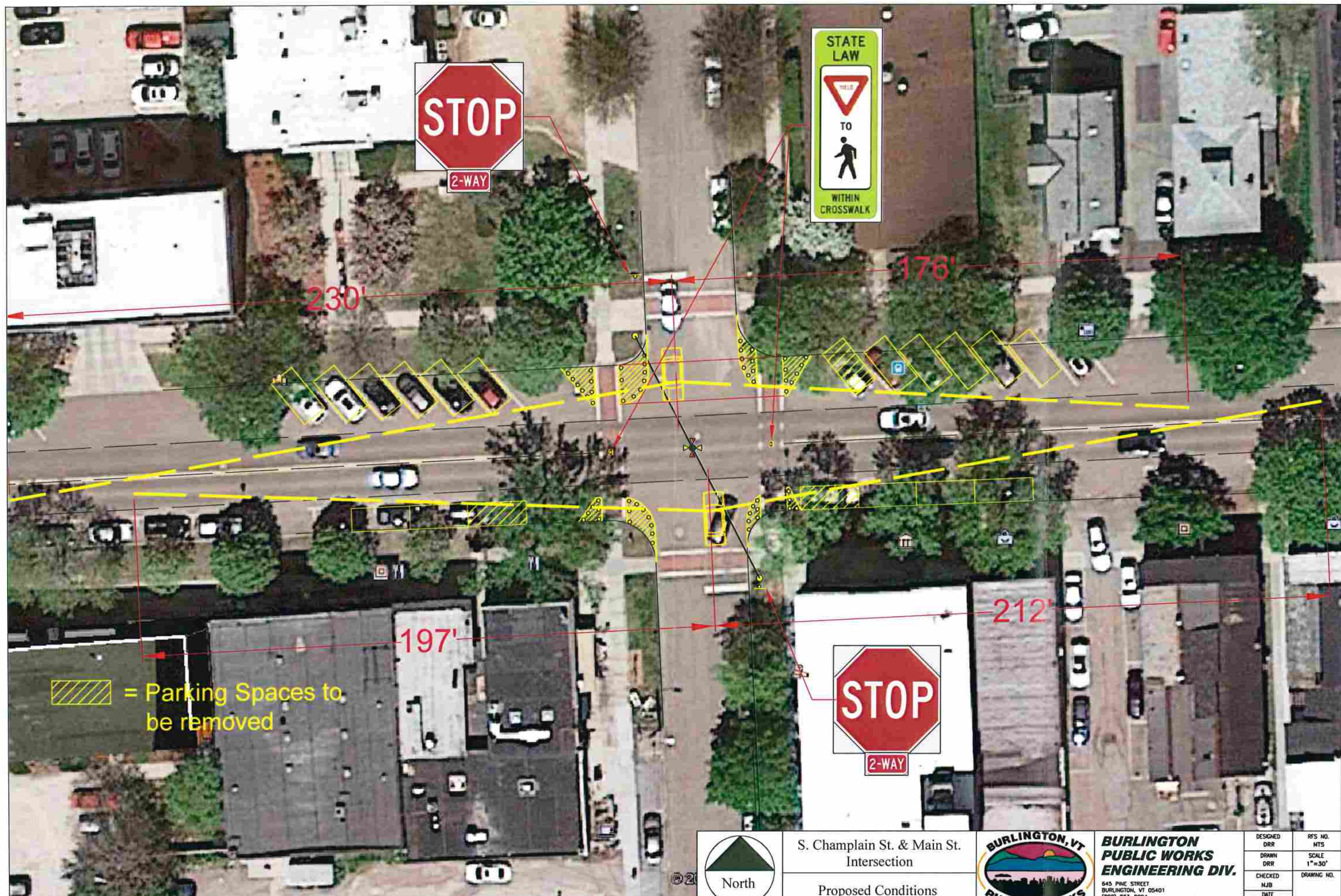
S. Champlain St. & Main St.
Intersection

Existing Conditions



**BURLINGTON
PUBLIC WORKS
ENGINEERING DIV.**
645 PINE STREET
BURLINGTON, VT 05401

DESIGNED DRR	RFS NO. NTS
DRAWN DRR	SCALE 1"=30'
CHECKED NJB	DRAWING NO.



S. Champlain St. & Main St.
Intersection

Proposed Conditions

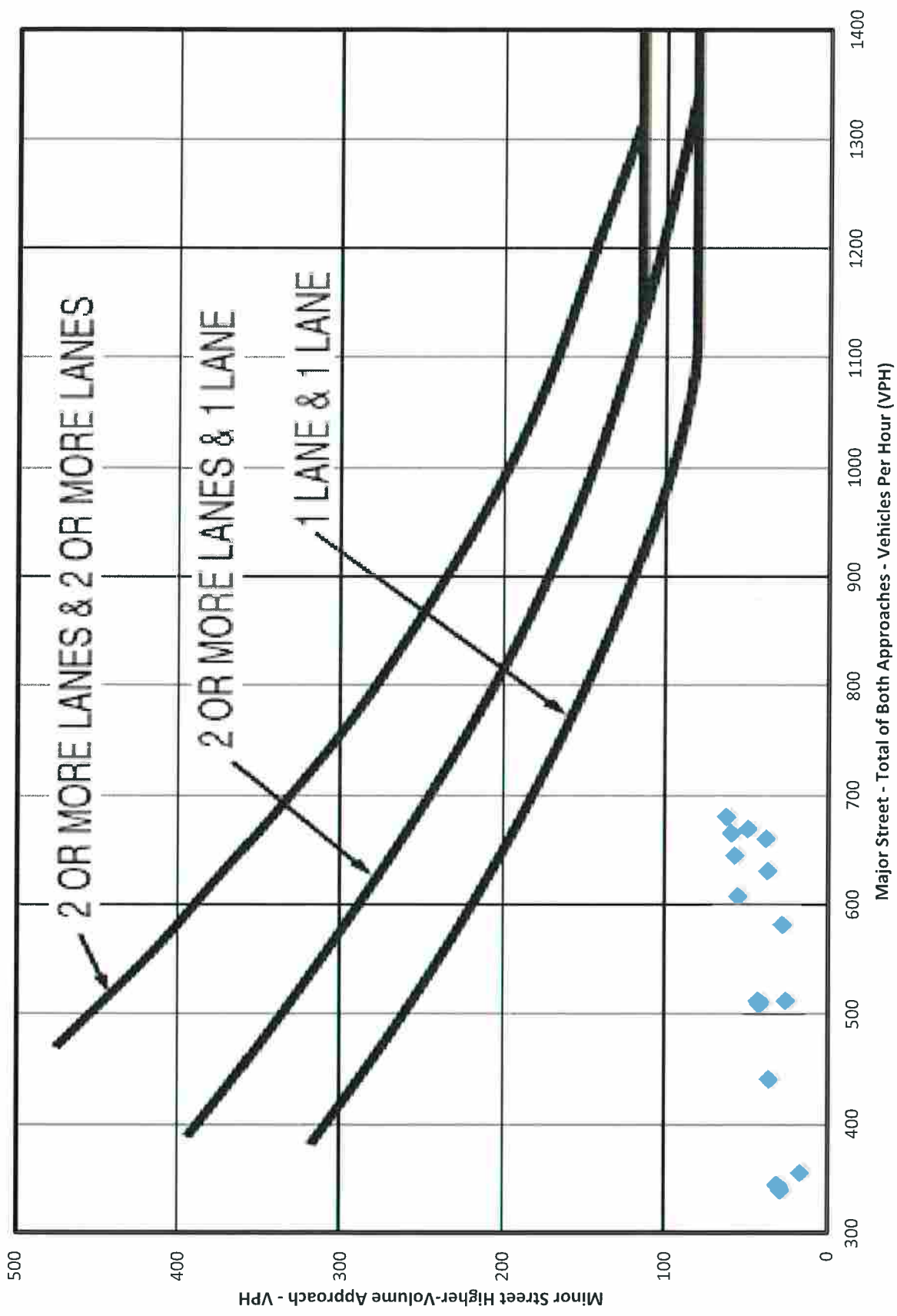


**BURLINGTON
PUBLIC WORKS
ENGINEERING DIV.**

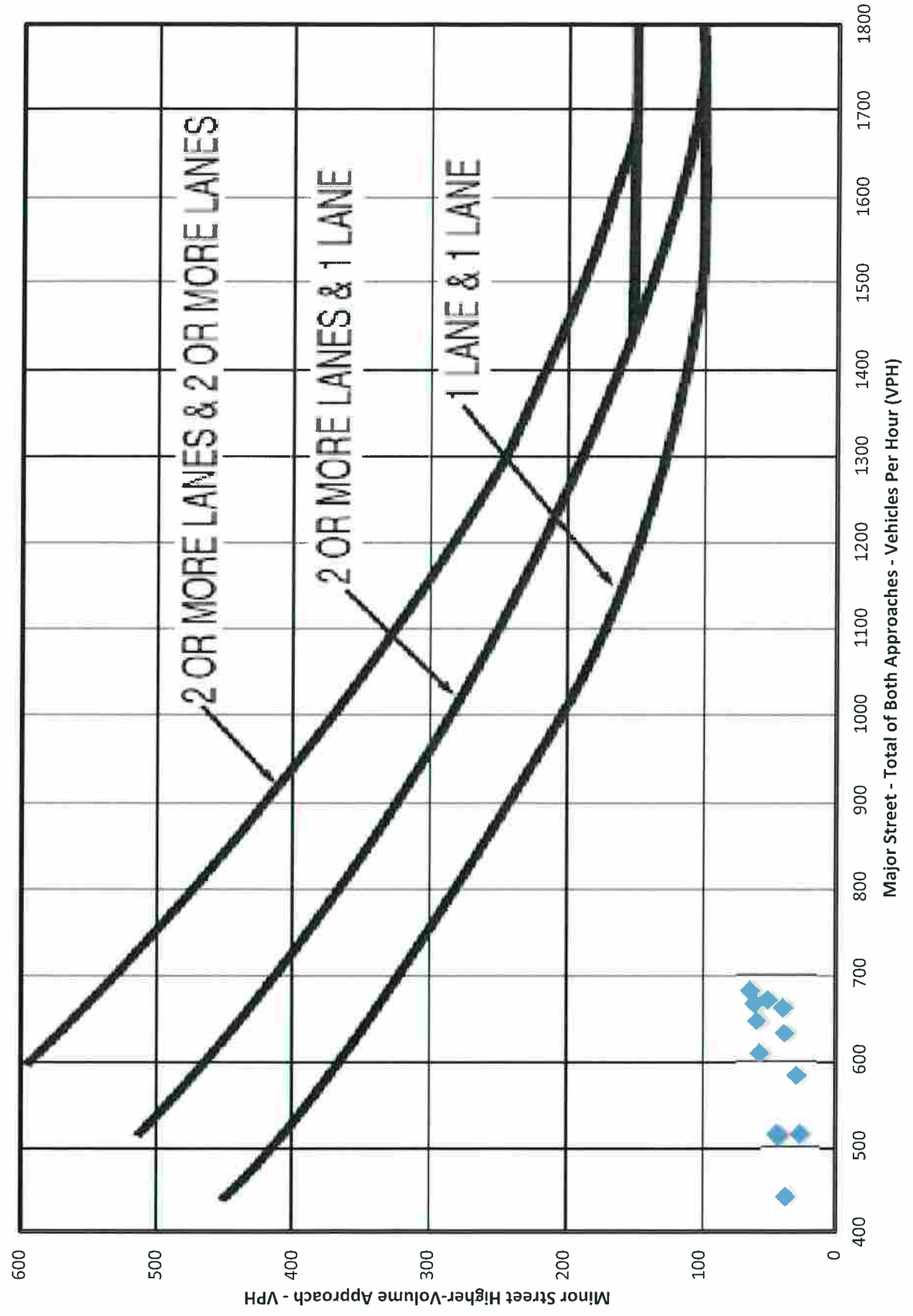
645 PINE STREET
BURLINGTON, VT 05401

DESIGNED DRR	R/S NO. NTS
DRAWN DRR	SCALE 1"=30'
CHECKED NJB	DRAWING NO.
DATE	

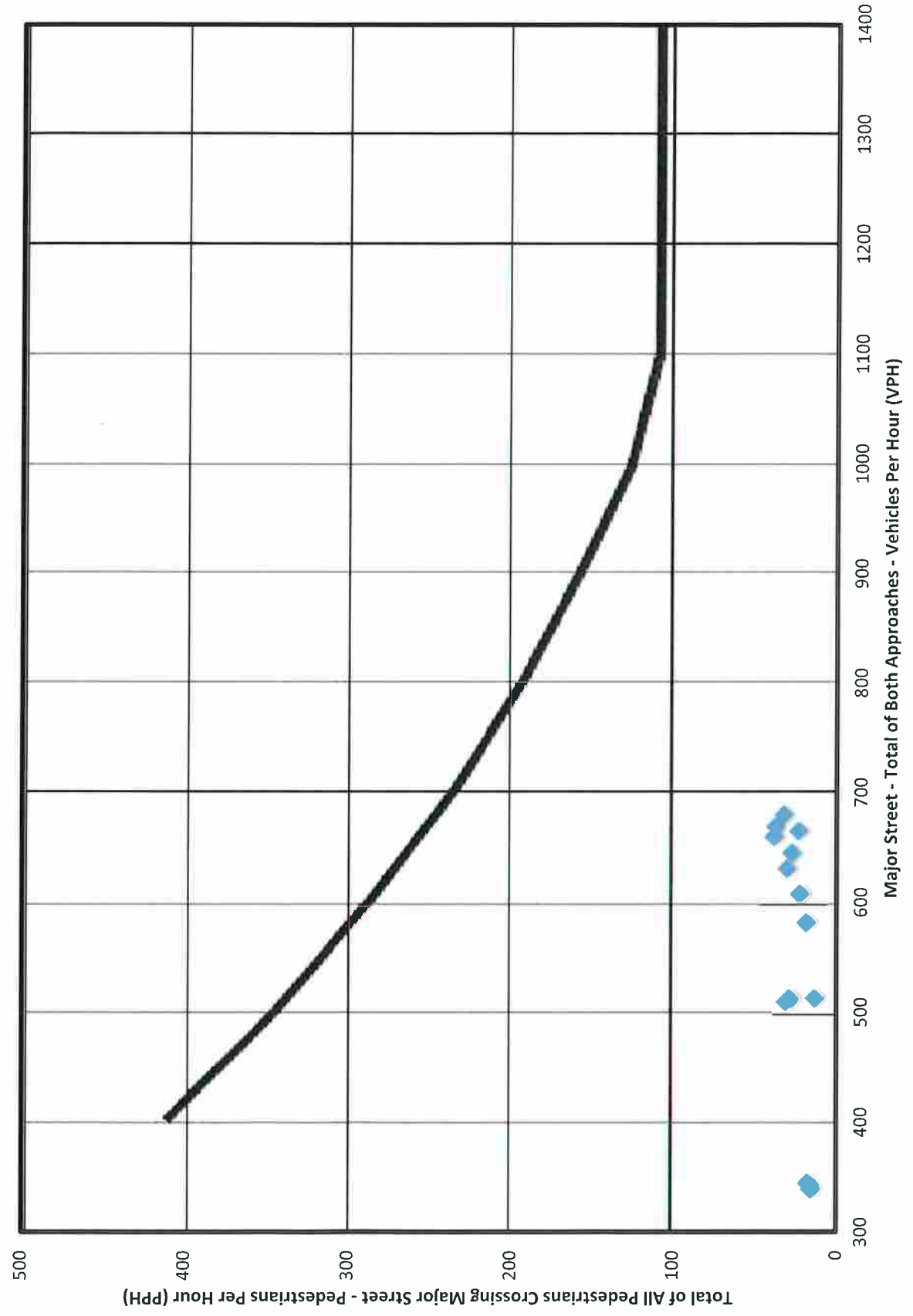
MUTCD Figure 4C-1. Warrant 2, Four-Hour Vehicular Volume



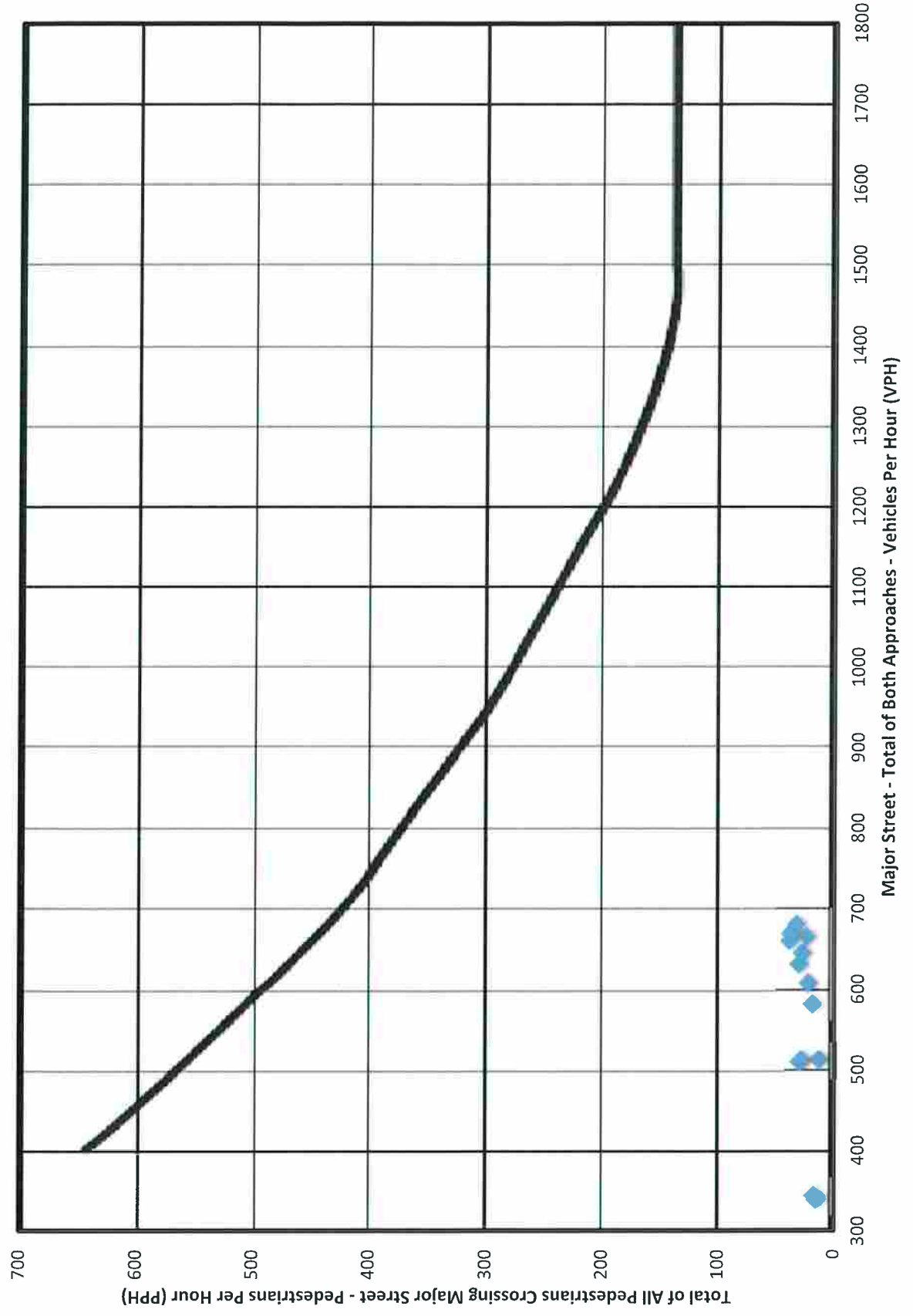
MUTCD Figure 4C-3. Warrant 3, Peak Hour



MUTCD Figure 4C-5. Warrant 4, Pedestrian Four-Hour Volume



MUTCD Figure 4C-7. Warrant 4, Pedestrian Peak Hour



Peak Hour Data for Intersection

Int ID: 30403280
 Community: BURLINGTON
 Road 1: MAIN ST
 Road 2: S CHAMPLAIN ST

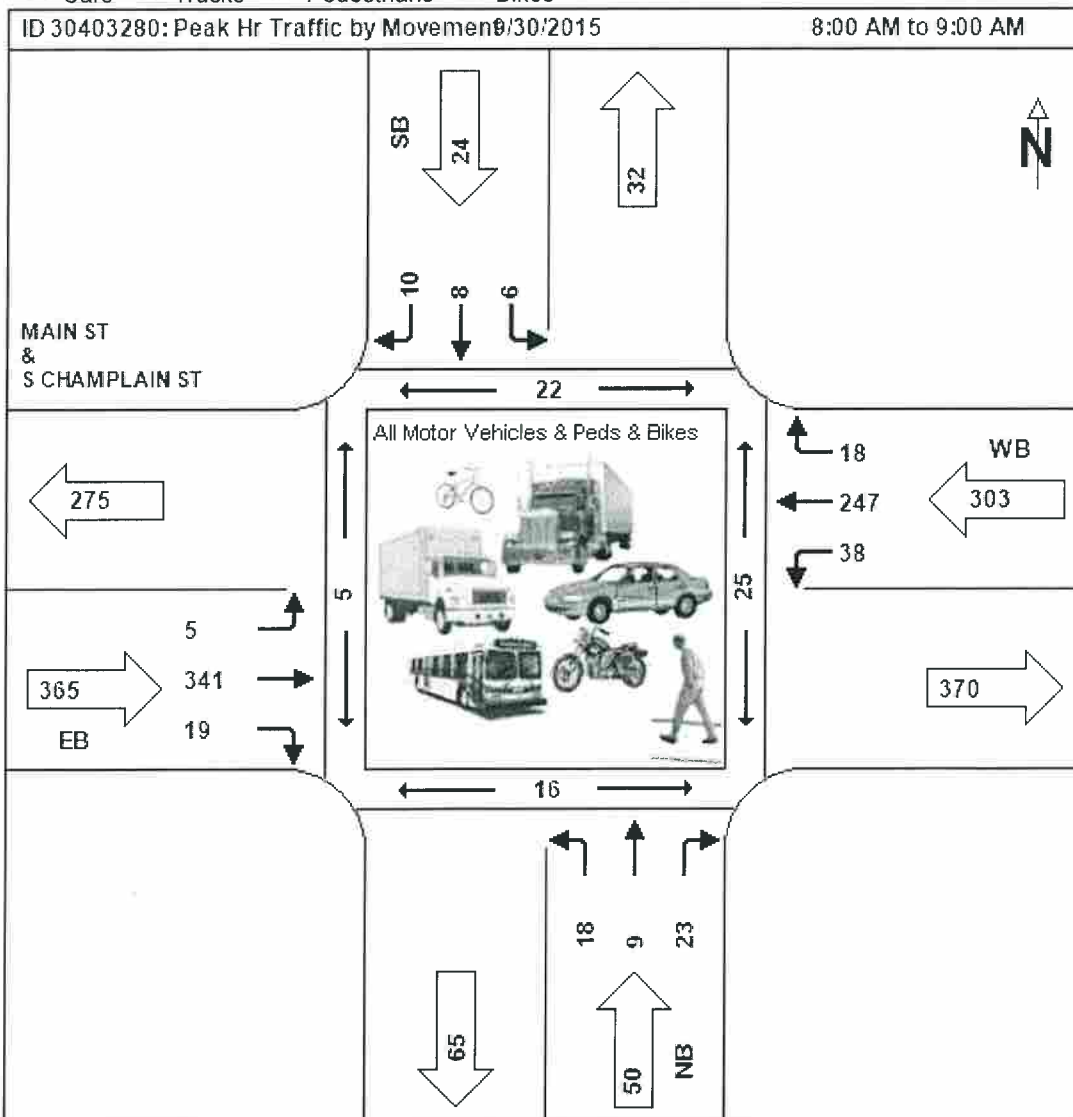
Corridor: NA
 Road 3: MAIN ST
 Road 4: S CHAMPLAIN ST

|<< < > >>| 1-1 of 1

AM Peak Hour
09/30/2015

NB					EB					SB					WB					App	Int
Start	App				Start	App				Start	App				Start	App				App	Int
Time	Left	Thru	Right	Ped	Total	Left	Thru	Right	Ped	Total	Left	Thru	Right	Ped	Total	Left	Thru	Right	Ped	Total	Total
8:00 AM	3	1	3	5	7	2	93	5	3	100	2	4	1	0	7	8	50	1	4	59	173
8:15 AM	3	3	5	4	11	1	88	3	5	92	3	0	3	1	6	13	56	4	8	73	182
8:30 AM	4	3	5	8	12	0	77	6	7	83	1	1	4	3	6	10	77	8	6	95	196
8:45 AM	8	2	10	8	20	2	83	5	1	90	0	3	2	1	5	7	64	5	4	76	191
Total	18	9	23	25	50	5	341	19	16	365	6	8	10	5	24	38	247	18	22	303	742
PHF	0.56	0.75	0.58		0.63	0.63	0.92	0.79		0.91	0.50	0.50	0.63		0.86	0.73	0.80	0.56		0.80	
HV%	0	11	4			0	6	5			0	0	0			0	12	6			

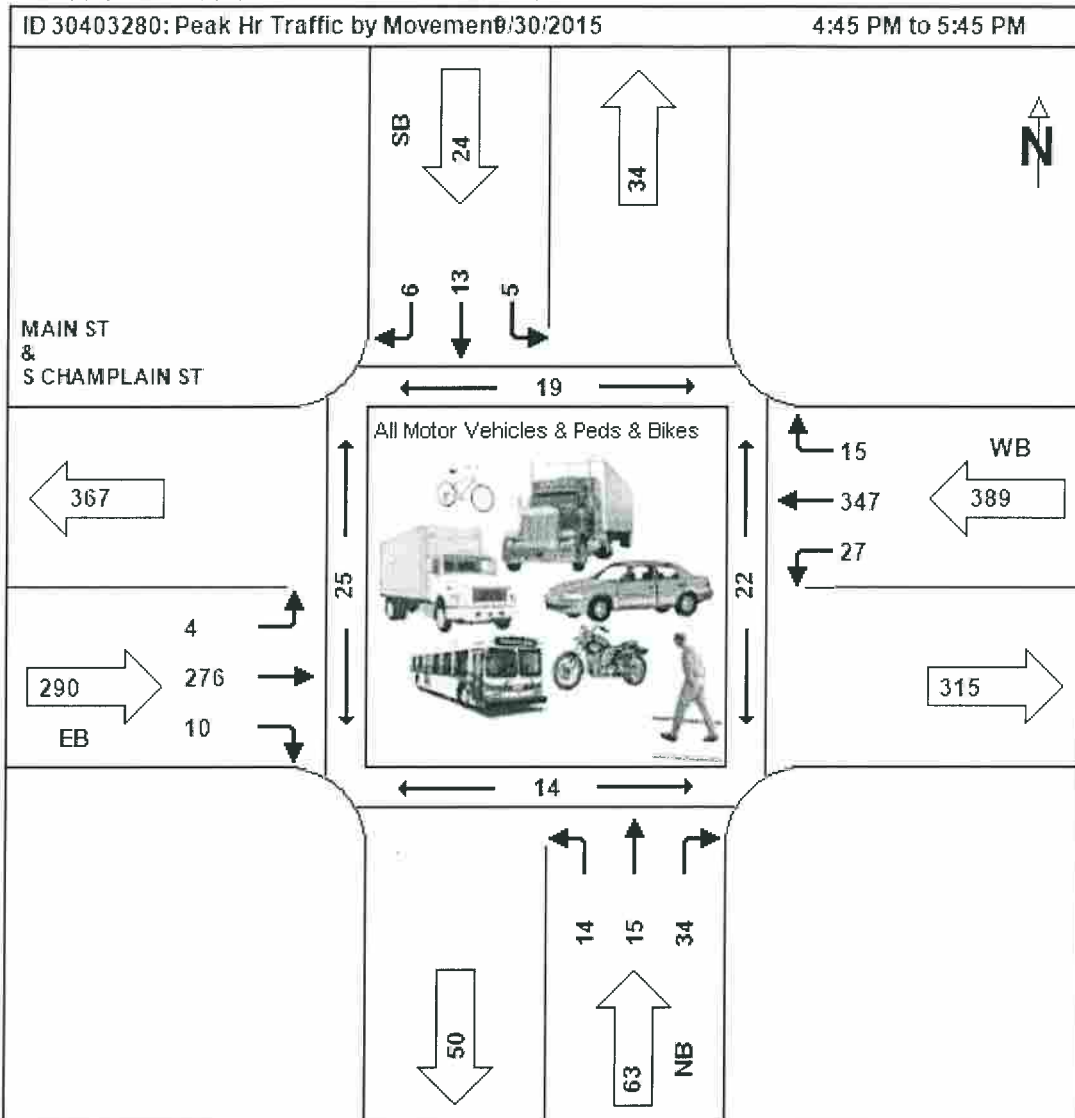
☒ Cars ☒ Trucks ☒ Pedestrians ☒ Bikes



PM Peak Hour
09/30/2015

	NB					EB					SB					WB						
Start	App					App					App					App					Int	
Time	Left	Thru	Right	Ped	Total	Left	Thru	Right	Ped	Total	Left	Thru	Right	Ped	Total	Left	Thru	Right	Ped	Total	Total	
4:45 PM	4	2	13	2	19	3	65	3	2	71	0	5	4	2	9	7	86	3	2	96	195	
5:00 PM	1	5	8	13	14	0	79	2	6	81	2	2	0	7	4	3	84	5	7	92	191	
5:15 PM	6	1	6	2	13	1	63	1	1	65	2	2	0	5	4	5	77	4	3	86	168	
5:30 PM	3	7	7	5	17	0	69	4	5	73	1	4	2	11	7	12	100	3	7	115	212	
Total	14	15	34	22	63	4	276	10	14	290	5	13	6	25	24	27	347	15	19	389	766	
PHF	0.58	0.54	0.65		0.83	0.33	0.87	0.63		0.90	0.63	0.65	0.38		0.67	0.56	0.87	0.75		0.85		
HV%	7	0	0			25	2	0			0	8	17			0	7	0				

☒ Cars ☒ Trucks ☒ Pedestrians ☒ Bikes



Crash Narrative

Incident Number 15BU 6274

Reporting Agency Burlington P.D.

On 3/16/15 at 1014 hours I was sent to a minor accident at Main St and S. Champlain St.

I arrived and spoke with both operators who were identified by their VT licenses.

Operator #1 said she was trying to cross Main St, traveling north. East bound traffic was stopped and as she crossed into the west bound lane, she was struck by vehicle #2.

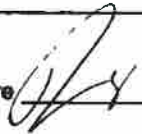
Operator #2 said she was west bound on Main St at a slow speed when vehicle #1 pulled out in front of her.

Minor damage to both vehicles.

Vehicle #2 had the right of way as vehicle #1 was cross traffic. Verbal warning to operator #1, no ticket issued.

No photos taken

Officer's Signature

 #3/15

Additional Sheets Attached: Y ☒ R

On September 19, 2015 at approximately 1332 hours I responded to the area of Main Street and S. Champlain Street within the City of Burlington for a report of a motor vehicle crash, unknown injuries or hazards.

The operator and their information:

Operator of vehicle #1 (V1): [REDACTED], of [REDACTED], Auburn, NH operating a 2014 Subaru Crosstrek [REDACTED].

Operator of vehicle #2 (V2): [REDACTED], of [REDACTED], Colchester, VT operating a 2014 Ram Truck [REDACTED].

On arrival I observed V1 facing north west in the intersection of S. Champlain Street and Main Street. V2 was facing south west with extensive damage to the driver side bed of the truck. The front of V1 was resting against the rear bumper of V2 with extensive damage. The positioning of both vehicles blocked the intersection for east and westbound traffic. The truck was moved out of the intersection as it was still operable and parked south of the intersection.

I spoke with operator of V1. She stated she was traveling north on S. Champlain Street and had stopped at the stop sign prior to proceeding into the intersection. V1 then proceeded to travel north and collided with V2 as it traveled west through the intersection. The operator of V1 stated she did not see V2 traveling west prior to entering the intersection. The operator stated she believed she was traveling approximately 10mph when she collided with V2.

I spoke with the operator of V2. He stated he was traveling approximately 20mph west on Main Street when he was struck by V1. He stated he did not see V1 until after it had collided with the side of his truck. The impact caused V2 to rotate and face south where it came to a rest.

Both operators stated they were uninjured and were wearing their seatbelts at the time of collision.

Photos of the vehicles were taken and attached to the incident. V1 was towed from the scene by Spillane's due to damage sustained in the crash. V2 was driven away by the operator.

The intersection is a two way stop sign controlled intersection. Traffic traveling north or south on S. Champlain Street area required to stop at the stop sign. East and west bound traffic do not have stop signs and move continuously through the intersection. V2 did not stop as he traveled west on Main Street. V1 had the obligation to stop and ensure traffic was clear for her to proceed into the intersection. V1 failed to yield to the right of way.

The operator of V1 was issued a Vermont Civil Violation Complaint for Right of Way in violation of Title 23 Vermont State Annotated 1046.

EOR

Incident Detail - : 313: Kahlig, Tyler

Incident Number: 14BU034867
Call Time: Sun Dec 14 14:23:19 -0500 2014
Call Type: Accident - Property damage only
Primary Ofc.: 313: Kahlig, Tyler

Occurred From 12/14/2014 14:23
Occurred To 12/14/2014 14:23
Invest./Primary Officer 313: Kahlig, Tyler

Attachment Description Uploaded at

Confidential

TRO/FRO Alcohol 911 Call Medical Audio DCF Crisis Svc SIU SVU Contact
Exists Involved Exists Release Recordings Notified Involved Swabbings Contacted
Video Photos Prints Diagrams Clothing K9 Miranda Other Crime Lpr Used
Recordings Taken Lifted Evidence Warning Evidence Scene Processed

Search Conducted Physical Evidence Media/Press Summary

Category	Sub category	Violation	Counts	#Premises
Comm/Att	IBR Scene/Loc Typ	IBR Crim Act Typ	IBR Gang Affil	IBR Agg. Aslt/Hon
Point Of Entry	Force/No Force	Point of Exit	Campus Code	Justifiable Homicide
				Significant Event

Narrative Type Officer
313: Kahlig,

Narrative

12.14.14

I was dispatched to Main Street and South Champlain Street for a two car motor vehicle accident.

Upon arrival I located both vehicles and spoke with both operators.

The operator of vehicle 1, [REDACTED], stated that she was driving north on South Champlain Street and had come to a stop on the south side of the intersection. [REDACTED] stated that she looked both ways and did not see anyone and therefore proceeded through the intersection. [REDACTED] stated that she spotted vehicle 2 coming at the last second and hit her breaks but struck vehicle 2 in the drivers side rear fender. [REDACTED] stated that she believed vehicle 2 was speeding. [REDACTED] stated that if she had not hit her breaks then vehicle 2 would have "t-boned" her.

The operator of vehicle 1, [REDACTED], stated that he was driving west on Main Street and approached the intersection of Main Street and South Champlain Street and vehicle 1 pulled out into the intersection from the south side heading north and the two vehicles struck.

The damage to vehicle 1 was to the front bumper. The front bumper was scratched and the license plate was dislodged.

The damage to vehicle 2 was to the driver's side rear fender. Just in front of the rear tire was dented in and scratched.

Both operators were issued a copy of the accident report.

Incident Detail - : 313: Kahlig, Tyler**Incident Number: 14BU036018****Call Time: Mon Dec 29 12:19:32 -0500 2014****Call Type: Accident - Injury to person(s)****Primary Ofc.: 313: Kahlig, Tyler**

Occurred From 12/29/2014 12:19	Occurred To 12/29/2014 12:19	Invest./Primary Officer 313: Kahlig, Tyler		
Attachment Image/Photo	Description Damages	Uploaded at 12/29/2014 13:06	Image.jpg	273: Brown, J ☐ Confidential
Attachment Image/Photo	Description Damages	Uploaded at 12/29/2014 13:08	Image.jpg	273: Brown, J ☐ Confidential
Attachment Image/Photo	Description Damages	Uploaded at 12/29/2014 13:08	Image.jpg	273: Brown, J ☐ Confidential
Attachment Image/Photo	Description Damages	Uploaded at 12/29/2014 13:08	Image.jpg	273: Brown, J ☐ Confidential
Attachment Image/Photo	Description Damages	Uploaded at 12/29/2014 13:08	Image.jpg	273: Brown, J ☐ Confidential
Attachment Image/Photo	Description Damages	Uploaded at 12/29/2014 13:08	Image.jpg	273: Brown, J ☐ Confidential
Attachment Image/Photo	Description Damages	Uploaded at 12/29/2014 13:08	Image.jpg	273: Brown, J ☐ Confidential

☐ TRO/FRO Exists
 ☐ Alcohol Involved
 ☐ 911 Call Exists
 ☐ Medical Release
 ☐ Audio Recordings
 ☐ DCF Notified
 ☐ Crisis Svc Involved
 ☐ SIU Contacted
 ☐ SVU Contact
☐ Video Recordings
☐ Photos Taken
☐ Prints Lifted
☐ Diagrams
☐ Clothing Evidence
☐ K9
☐ Miranda Warning
☐ Other Evidence
☐ Crime Scene Processed
☐ Lpr Used

Search Conducted Physical Evidence**Media/Press Summary**

Category	Sub category	Violation	Counts	#Premises
Comm/Att	IBR Scene/Loc Typ	IBR Crim Act Typ	IBR Gang Affil	IBR Agg.Aslt/Hon
Point Of Entry	Force/No Force	Point of Exit	Campus Code	Justifiable Homicide
				IBR Weapon Typ
				Significant Event

Narrative Type **Officer**
313: Kahlig,

Narrative

12.29.14

I was dispatched with BFD to the intersection of Main Street and South Champlain Street for a two car accident with possible head injury.

Upon arrival BFD was already on scene examining one of the passengers. Officer Brown met with another passenger while I met with the operator of vehicle 1, [REDACTED]. [REDACTED] stated that he was driving south on South Champlain Street and came to the stop sign at Main Street and South Champlain Street. [REDACTED] stated that after coming to a complete stop, he believed that the vehicles on Main Street also had stop signs and therefore proceeded through the intersection. [REDACTED] stated that the vehicles on Main Street "Obviously didn't" have stop signs. [REDACTED] stated that vehicle 2 was driving east on Main Street and

collided with his vehicle in the middle of the intersection.

The operator of vehicle 2, [REDACTED], stated that she was driving east on Main Street and approached the intersection of Main Street and South Champlain Street. [REDACTED] stated that vehicle 1 then pulled out in front of her from the north side of the intersection on South Champlain Street where the two vehicles struck.

The passenger in vehicle 2, [REDACTED], spoke with Officer Brown and myself. [REDACTED] stated that they on South Champlain Street heading south and had stopped at the stop sign at the intersection of South Champlain Street and Main Street. [REDACTED] stated that [REDACTED] must have believed that the vehicles on Main Street had stop signs and therefore proceeded through the intersection where vehicle 2, coming east on Main Street, collided with them.

The damage to vehicle 2 was to the front bumper and hood. The hood was slightly pushed up and the bumper was dislodged from the vehicle.

The damage to vehicle 1, was to the front bumper and passenger side fender. The hood was partially pushed up. The front bumper was dislodged from the vehicle and the fender was badly damaged.

Both vehicles were towed due to damages. Both operators were mailed a copy of the accident report as well as a state report.

<i>Offense Suspect</i>	<i>Offense Victim</i>	<i>IBR Victim-Offender</i>	<i>Bias/Motivation (anti)</i>
<i>V. was LEO</i>	<i>V was LEO Assignment</i>		<i>Other ORI</i>
			<i>LEOKA Narrative</i>

Damian Roy

From: Sai Sarepalli <SSarepalli@ccrpcvt.org>
Sent: Wednesday, March 09, 2016 12:09 PM
To: Norm Baldwin
Cc: Damian Roy; Chapin Spencer; Jason Charest; Chris Dubin
Subject: RE: S Champlain/Main
Attachments: Intersection.pdf; 2010-2014 Crash Listing Main St. Burlington.xlsx

Hi Norm,

We did consider the crash history and contributing circumstances for crashes at the intersection. There were 15 crashes reported near the intersection in the last 5 years. See the attached crash report. As per the MUTCD Warrant Crash Experience, standard criteria a traffic signal is warranted if **ALL of the following criteria are met:**

- A. Adequate trial of alternatives with satisfactory observance and enforcement has failed to reduce the crash frequency; and
- B. Five or more reported crashes, of types susceptible to correction by a traffic control signal, have occurred within a 12-month period, each crash involving personal injury or property damage apparently exceeding the applicable requirements for a reportable crash; and
- C. For each of any 8 hours of an average day, the vehicles per hour (vph) given in both of the 80 percent columns of Condition A in Table 4C-1 (see Section 4C.02), or the vph in both of the 80 percent columns of Condition B in Table 4C-1 exists on major-street and the higher-volume minor-street approach, respectively, to the intersection, or the volume of pedestrian traffic is not less than 80 percent of the requirements specified in the Pedestrian Volume warrant. These major-street and minor-street volumes shall be for the same 8 hours. On the minor street, the higher volume shall not be required to be on the same approach during each of the 8 hours.

Most of the crashes were reported as broadside collision and contributing circumstances are "Visibility obstructed" and "failed to yield right of way". It appears that southbound and northbound motorists at STOP sign have obstructed visibility and not enough sight distance to make an informed decision to enter the intersection. As per the MUTCD standard, the City should consider alternatives such as improving intersection sight distance (conforming to AASHTO Green Book requirements) and monitor traffic operation to reduce crashes at this intersection prior to considering a traffic signal. We would be happy to meet in the field to discuss options to improve the sight distance and other safety related improvements. We noticed a parallel parking spot too close to the intersection on the southeast corner of the intersection on Main Street in Google street view (See attached picture). Would the City consider removing this parking spot on Main Street?

Let me know if you have questions.

Thanks.
Sai

Sai Kumar Sarepalli, P.E.
Transportation Planning Engineer
Chittenden County Regional Planning Commission
110 West Canal Street, Suite 202
Winooski, VT 05404
(802) 846-4490 ext. *16
Direct line: (802) 861-0134
www.ccrpcvt.org



From: Norm Baldwin [mailto:nbaldwin@burlingtonvt.gov]
Sent: Tuesday, March 08, 2016 8:29 PM
To: Sai Sarepalli
Cc: Damian Roy; Chapin Spencer; Jason Charest; Chris Dubin
Subject: Re: S Champlain/Main

Sai,

To Clarify, it appears your work has not considered Warrant 7 Crash Experience. If it has not been considered can we draw any conclusions as to whether a traffic signal is warranted or is not warranted.

This recent accident which was a 90 degree accident suggests in my opinion a traffic signal may be warranted if there pattern of accidents that a traffic signal would stand to correct.

What are your thoughts?

Sent from my iPhone

On Mar 8, 2016, at 5:58 PM, Sai Sarepalli <SSarepalli@ccrpcvt.org> wrote:

Hi Damian,

Tomorrow's turning movement count is called off. We looked at the last fall's AM and PM peak hour turning movement count and none of the MUTCD traffic signal warrants are satisfied or likely to be satisfied with 12-hour turning movement count. Further details are provided below and in attached charts. Please let me know if you need this in a formal memo.

Based on the AM and PM peak hours turning movement counts that our staff collected in September of 2015 at the Main St. and S. Champlain intersection, there is only a single unique hour in PM that meets the 80% volume threshold for Warrant 1 – Eight-Hour Volume Warrant. In addition to Warrant 1 not being satisfied, Warrants 2 and 3 (Four-Hour Volume, Peak Hour) are also not satisfied.

Warrant 4, Pedestrian Volume, does not meet the minimum pedestrians per hour threshold of 133 pedestrians per hour as shown in the chart.

Warrant 5, School Crossing, does not apply for this intersection due to absence of a school in the nearby vicinity.

Warrant 6, Coordinated Signal System, should not be applied where the installation of a traffic signal would result in traffic signal spacing of less than 1000 ft.

Warrant 7, Crash Experience, recommends evaluating alternatives with satisfactory observance and enforcement to reduce crashes that are susceptible to correction by a traffic signal prior to installation. Moreover, this warrant does not meet the criteria due to low pedestrian volumes.

Warrant 8, Roadway Network, does not meet the minimum volume thresholds.

Warrant 9, Intersection Near a Grade Crossing, does not apply for this intersection.

Let me know if you have questions.

Thanks.

Sai Kumar Sarepalli, P.E.
Transportation Planning Engineer
Chittenden County Regional Planning Commission
110 West Canal Street, Suite 202
Winooski, VT 05404
(802) 846-4490 ext. *16
Direct line: (802) 861-0134
www.ccrpcvt.org

<image001.png>

From: Chris Dubin
Sent: Tuesday, March 08, 2016 11:31 AM
To: 'Damian Roy'
Cc: Norm Baldwin; Chapin Spencer; Sai Sarepalli
Subject: RE: S Champlain/Main

Damien,

Sorry to punt to my co-worker on this one, but Sai Sarepalli – our Transportation Engineer is looking into some data behind this intersection. He will be emailing you soon.

Thanks,

Chris

Chris Dubin
Transportation Planner
Chittenden County Regional Planning Commission
110 West Canal Street, Suite 202
Winooski, VT 05404
(802) 846-4490 ext. *12
www.ccrpcvt.org

<image001.png>

From: Damian Roy [<mailto:droy@burlingtonvt.gov>]
Sent: Tuesday, March 08, 2016 11:27 AM
To: Chris Dubin
Cc: Norm Baldwin; Chapin Spencer
Subject: S Champlain/Main

Hi Chris,

I wanted to check in to confirm the turning movement count tomorrow and see what involvement you need from me so I can plan.

Let me know, thanks!
Damian

Damian Roy, Engineering Technician
Burlington Public Works Department
645 Pine St. Burlington VT 05401
Desk: 802.865.5832
Cell: 802.598.8356
Email: droy@burlingtonvt.gov
Web: www.burlingtonvt.gov/dpw

<WarrantsCharts.pdf>



BURLINGTON POLICE DEPARTMENT

Antonio B. Pomerleau Building
One North Avenue
Burlington, Vermont 05401

Brandon del Pozo
Chief of Police

Phone (802) 658-2704
Fax (802) 865-7579
TTY/TDD (802) 658-2700

TO: Department of Public Works, Commission
FROM: John J King, Parking Manager *jjk*
DATE: March 25, 2016
SUBJECT: Proposed changes to towing Fee's

The last tow contract we had expired June 30, 2015. A few months prior to this I prepared an RFP and sent it out to tow companies within Chittenden County. The only response from Spillane's Towing was accepted and a new five year contract signed. In their response, they asked if we would consider a raise to the towing fees and storage fees. Based on the limited time between the acceptance of the proposal and the need to get it signed and in place we said that we did not have time to research towing fees, get a proposal written and present it to the DPW Commission for review. We would consider a request to raise the fees but it would be a separate proposal when all of our schedules allowed it.

BCO Section 20-74 "Charges" regulates the fees for all towing from either City or Private property. The last date at the end of the ordinance is 10-10-07 however I do not know what change to the ordinance occurred at this time.

BCO Section 20-74 is contained within Chapter 20 "Motor Vehicle and Traffic" which is under the control of DPW Commission for any changes.

In 2007 the towing fee was set at \$50.00. I applied the CPI to each year and found the result of this was the fee would be \$66.93 at the end of 2015.

Other community research:

Albany, NY \$50.00
Nashua, NH \$125.00
Boston, MA \$90.00
Plattsburgh, NY \$80.00
Portland, ME \$85.00

Brattleboro, Vt, Springfield, Vt and Montpelier do not regulate towing fees and the towing service is allowed to use their normal business rates.

Respect ~ Honor ~ Remember

*Officer James P. McGrath, end of watch May 12, 1904; Officer J. Albert Fisher, end of watch December 15, 1947;
Officer Robert W. Provost, end of watch January 13, 1954*

I have not contacted any towing services in the Burlington area to ask for input into a change to the rates. A review of the proposed changes within BPD is presented as we consider fair and acceptable at this time.

Towing Fee – Current \$50.00 proposed change \$62.50

Storage Fee Day 1 – Current \$7.50 proposed change \$10.00

Storage Fee after day 1 – Current \$15.00 proposed \$20.00 (Per Day)

Respect ~ Honor ~ Remember

*Officer James P. McGrath, end of watch May 12, 1904; Officer J. Albert Fisher, end of watch December 15, 1947;
Officer Robert W. Provost, end of watch January 13, 1954*

Consumer Price Index Data from 1913 to 2016

Consumer Price Index (CPI-U) data is provided by the U.S. Department of Labor Bureau of Labor Statistic. This monthly pipelined data is the gas powering the always-current Inflation Calculator. The following CPI data was last updated by the government agency on January 20, 2016 and covers up through December 2015. The next inflation update for January has a scheduled release date of February 19, 2016.

What is the CPI? Before jumping into the data, if you want to learn about the Consumer Price Index and how it is used to calculate inflation, read this [CPI article](#).

All Urban Consumers – (CPI-U) 1913-2016*

													Annual	Percent		
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Avg	Dec-Dec	Avg-Avg	
1913	9.8	9.8	9.8	9.8	9.7	9.8	9.9	9.9	10.0	10.0	10.1	10.0	9.9	-	-	
1914	10.0	9.9	9.9	9.8	9.9	9.9	10.0	10.2	10.2	10.1	10.2	10.1	10.0	1.0	1.0	
1915	10.1	10.0	9.9	10.0	10.1	10.1	10.1	10.1	10.1	10.2	10.3	10.3	10.1	2.0	1.0	
1916	10.4	10.4	10.5	10.6	10.7	10.8	10.8	10.9	11.1	11.3	11.5	11.6	10.9	12.6	7.9	
1917	11.7	12.0	12.0	12.6	12.8	13.0	12.8	13.0	13.3	13.5	13.5	13.7	12.8	18.1	17.4	
1918	14.0	14.1	14.0	14.2	14.5	14.7	15.1	15.4	15.7	16.0	16.3	16.5	15.1	20.4	18.0	
1919	16.5	16.2	16.4	16.7	16.9	16.9	17.4	17.7	17.8	18.1	18.5	18.9	17.3	14.5	14.6	
1920	19.3	19.5	19.7	20.3	20.6	20.9	20.8	20.3	20.0	19.9	19.8	19.4	20.0	2.6	15.6	
1921	19.0	18.4	18.3	18.1	17.7	17.6	17.7	17.7	17.5	17.5	17.4	17.3	17.9	-10.8	-10.5	
1922	16.9	16.9	16.7	16.7	16.7	16.7	16.8	16.6	16.6	16.7	16.8	16.9	16.8	-2.3	-6.1	
1923	16.8	16.8	16.8	16.9	16.9	17.0	17.2	17.1	17.2	17.3	17.3	17.3	17.1	2.4	1.8	
1924	17.3	17.2	17.1	17.0	17.0	17.0	17.1	17.0	17.1	17.2	17.2	17.3	17.1	0.0	0.0	
1925	17.3	17.2	17.3	17.2	17.3	17.5	17.7	17.7	17.7	17.7	18.0	17.9	17.5	3.5	2.3	
1926	17.9	17.9	17.8	17.9	17.8	17.7	17.5	17.4	17.5	17.6	17.7	17.7	17.7	-1.1	1.1	
1927	17.5	17.4	17.3	17.3	17.4	17.6	17.3	17.2	17.3	17.4	17.3	17.3	17.4	-2.3	-1.7	
1928	17.3	17.1	17.1	17.1	17.2	17.1	17.1	17.1	17.3	17.2	17.2	17.1	17.1	-1.2	-1.7	
1929	17.1	17.1	17.0	16.9	17.0	17.1	17.3	17.3	17.3	17.3	17.3	17.2	17.1	0.6	0.0	
1930	17.1	17.0	16.9	17.0	16.9	16.8	16.6	16.5	16.6	16.5	16.4	16.1	16.7	-6.4	-2.3	
1931	15.9	15.7	15.6	15.5	15.3	15.1	15.1	15.1	15.0	14.9	14.7	14.6	15.2	-9.3	-9.0	
1932	14.3	14.1	14.0	13.9	13.7	13.6	13.6	13.5	13.4	13.3	13.2	13.1	13.7	-10.3	-9.9	
1933	12.9	12.7	12.6	12.6	12.6	12.7	13.1	13.2	13.2	13.2	13.2	13.2	13.0	0.8	-5.1	
1934	13.2	13.3	13.3	13.3	13.3	13.4	13.4	13.4	13.6	13.5	13.5	13.4	13.4	1.5	3.1	
1935	13.6	13.7	13.7	13.8	13.8	13.7	13.7	13.7	13.7	13.7	13.8	13.8	13.7	3.0	2.2	
1936	13.8	13.8	13.7	13.7	13.7	13.8	13.9	14.0	14.0	14.0	14.0	14.0	13.9	1.4	1.5	

1937	14.1	14.1	14.2	14.3	14.4	14.4	14.5	14.5	14.6	14.6	14.5	14.4	14.4	2.9	3.6
1938	14.2	14.1	14.1	14.2	14.1	14.1	14.1	14.1	14.1	14.0	14.0	14.0	14.1	-2.8	-2.1
1939	14.0	13.9	13.9	13.8	13.8	13.8	13.8	13.8	14.1	14.0	14.0	14.0	13.9	0.0	-1.4
1940	13.9	14.0	14.0	14.0	14.0	14.1	14.0	14.0	14.0	14.0	14.0	14.1	14.0	0.7	0.7
1941	14.1	14.1	14.2	14.3	14.4	14.7	14.7	14.9	15.1	15.3	15.4	15.5	14.7	9.9	5.0
1942	15.7	15.8	16.0	16.1	16.3	16.3	16.4	16.5	16.5	16.7	16.8	16.9	16.3	9.0	10.9
1943	16.9	16.9	17.2	17.4	17.5	17.5	17.4	17.3	17.4	17.4	17.4	17.4	17.3	3.0	6.1
1944	17.4	17.4	17.4	17.5	17.5	17.6	17.7	17.7	17.7	17.7	17.7	17.8	17.6	2.3	1.7
1945	17.8	17.8	17.8	17.8	17.9	18.1	18.1	18.1	18.1	18.1	18.1	18.2	18.0	2.2	2.3
1946	18.2	18.1	18.3	18.4	18.5	18.7	19.8	20.2	20.4	20.8	21.3	21.5	19.5	18.1	8.3
1947	21.5	21.5	21.9	21.9	21.9	22.0	22.2	22.5	23.0	23.0	23.1	23.4	22.3	8.8	14.4
1948	23.7	23.5	23.4	23.8	23.9	24.1	24.4	24.5	24.5	24.4	24.2	24.1	24.1	3.0	8.1
1949	24.0	23.8	23.8	23.9	23.8	23.9	23.7	23.8	23.9	23.7	23.8	23.6	23.8	-2.1	-1.2
1950	23.5	23.5	23.6	23.6	23.7	23.8	24.1	24.3	24.4	24.6	24.7	25.0	24.1	5.9	1.3
1951	25.4	25.7	25.8	25.8	25.9	25.9	25.9	25.9	26.1	26.2	26.4	26.5	26.0	6.0	7.9
1952	26.5	26.3	26.3	26.4	26.4	26.5	26.7	26.7	26.7	26.7	26.7	26.7	26.5	0.8	1.9
1953	26.6	26.5	26.6	26.6	26.7	26.8	26.8	26.9	26.9	27.0	26.9	26.9	26.7	0.7	0.8
1954	26.9	26.9	26.9	26.8	26.9	26.9	26.9	26.9	26.8	26.8	26.8	26.7	26.9	-0.7	0.7
1955	26.7	26.7	26.7	26.7	26.7	26.7	26.8	26.8	26.9	26.9	26.9	26.8	26.8	0.4	-0.4
1956	26.8	26.8	26.8	26.9	27.0	27.2	27.4	27.3	27.4	27.5	27.5	27.6	27.2	3.0	1.5
1957	27.6	27.7	27.8	27.9	28.0	28.1	28.3	28.3	28.3	28.3	28.4	28.4	28.1	2.9	3.3
1958	28.6	28.6	28.8	28.9	28.9	28.9	29.0	28.9	28.9	28.9	29.0	28.9	28.9	1.8	2.8
1959	29.0	28.9	28.9	29.0	29.0	29.1	29.2	29.2	29.3	29.4	29.4	29.4	29.1	1.7	0.7
1960	29.3	29.4	29.4	29.5	29.5	29.6	29.6	29.6	29.6	29.8	29.8	29.8	29.6	1.4	1.7
1961	29.8	29.8	29.8	29.8	29.8	29.8	30.0	29.9	30.0	30.0	30.0	30.0	29.9	0.7	1.0
1962	30.0	30.1	30.1	30.2	30.2	30.2	30.3	30.3	30.4	30.4	30.4	30.4	30.2	1.3	1.0
1963	30.4	30.4	30.5	30.5	30.5	30.6	30.7	30.7	30.7	30.8	30.8	30.9	30.6	1.6	1.3
1964	30.9	30.9	30.9	30.9	30.9	31.0	31.1	31.0	31.1	31.1	31.2	31.2	31.0	1.0	1.3
1965	31.2	31.2	31.3	31.4	31.4	31.6	31.6	31.6	31.6	31.7	31.7	31.8	31.5	1.9	1.6
1966	31.8	32.0	32.1	32.3	32.3	32.4	32.5	32.7	32.7	32.9	32.9	32.9	32.4	3.5	2.9
1967	32.9	32.9	33.0	33.1	33.2	33.3	33.4	33.5	33.6	33.7	33.8	33.9	33.4	3.0	3.1
1968	34.1	34.2	34.3	34.4	34.5	34.7	34.9	35.0	35.1	35.3	35.4	35.5	34.8	4.7	4.2
1969	35.6	35.8	36.1	36.3	36.4	36.6	36.8	37.0	37.1	37.3	37.5	37.7	36.7	6.2	5.5
1970	37.8	38.0	38.2	38.5	38.6	38.8	39.0	39.0	39.2	39.4	39.6	39.8	38.8	5.6	5.7
1971	39.8	39.9	40.0	40.1	40.3	40.6	40.7	40.8	40.8	40.9	40.9	41.1	40.5	3.3	4.4
1972	41.1	41.3	41.4	41.5	41.6	41.7	41.9	42.0	42.1	42.3	42.4	42.5	41.8	3.4	3.2
1973	42.6	42.9	43.3	43.6	43.9	44.2	44.3	45.1	45.2	45.6	45.9	46.2	44.4	8.7	6.2
1974	46.6	47.2	47.8	48.0	48.6	49.0	49.4	50.0	50.6	51.1	51.5	51.9	49.3	12.3	11.0
1975	52.1	52.5	52.7	52.9	53.2	53.6	54.2	54.3	54.6	54.9	55.3	55.5	53.8	6.9	9.1
1976	55.6	55.8	55.9	56.1	56.5	56.8	57.1	57.4	57.6	57.9	58.0	58.2	56.9	4.9	5.8
1977	58.5	59.1	59.5	60.0	60.3	60.7	61.0	61.2	61.4	61.6	61.9	62.1	60.6	6.7	6.5
1978	62.5	62.9	63.4	63.9	64.5	65.2	65.7	66.0	66.5	67.1	67.4	67.7	65.2	9.0	7.6

1979	68.3	69.1	69.8	70.6	71.5	72.3	73.1	73.8	74.6	75.2	75.9	76.7	72.6	13.3	11.3
1980	77.8	78.9	80.1	81.0	81.8	82.7	82.7	83.3	84.0	84.8	85.5	86.3	82.4	12.5	13.5
1981	87.0	87.9	88.5	89.1	89.8	90.6	91.6	92.3	93.2	93.4	93.7	94.0	90.9	8.9	10.3
1982	94.3	94.6	94.5	94.9	95.8	97.0	97.5	97.7	97.9	98.2	98.0	97.6	96.5	3.8	6.2
1983	97.8	97.9	97.9	98.6	99.2	99.5	99.9	100.2	100.7	101.0	101.2	101.3	99.6	3.8	3.2
1984	101.9	102.4	102.6	103.1	103.4	103.7	104.1	104.5	105.0	105.3	105.3	105.3	103.9	3.9	4.3
1985	105.5	106.0	106.4	106.9	107.3	107.6	107.8	108.0	108.3	108.7	109.0	109.3	107.6	3.8	3.6
1986	109.6	109.3	108.8	108.6	108.9	109.5	109.5	109.7	110.2	110.3	110.4	110.5	109.6	1.1	1.9
1987	111.2	111.6	112.1	112.7	113.1	113.5	113.8	114.4	115.0	115.3	115.4	115.4	113.6	4.4	3.6
1988	115.7	116.0	116.5	117.1	117.5	118.0	118.5	119.0	119.8	120.2	120.3	120.5	118.3	4.4	4.1
1989	121.1	121.6	122.3	123.1	123.8	124.1	124.4	124.6	125.0	125.6	125.9	126.1	124.0	4.6	4.8
1990	127.4	128.0	128.7	128.9	129.2	129.9	130.4	131.6	132.7	133.5	133.8	133.8	130.7	6.1	5.4
1991	134.6	134.8	135.0	135.2	135.6	136.0	136.2	136.6	137.2	137.4	137.8	137.9	136.2	3.1	4.2
1992	138.1	138.6	139.3	139.5	139.7	140.2	140.5	140.9	141.3	141.8	142.0	141.9	140.3	2.9	3.0
1993	142.6	143.1	143.6	144.0	144.2	144.4	144.4	144.8	145.1	145.7	145.8	145.8	144.5	2.7	3.0
1994	146.2	146.7	147.2	147.4	147.5	148.0	148.4	149.0	149.4	149.5	149.7	149.7	148.2	2.7	2.6
1995	150.3	150.9	151.4	151.9	152.2	152.5	152.5	152.9	153.2	153.7	153.6	153.5	152.4	2.5	2.8
1996	154.4	154.9	155.7	156.3	156.6	156.7	157.0	157.3	157.8	158.3	158.6	158.6	156.9	3.3	3.0
1997	159.1	159.6	160.0	160.2	160.1	160.3	160.5	160.8	161.2	161.6	161.5	161.3	160.5	1.7	2.3
1998	161.6	161.9	162.2	162.5	162.8	163.0	163.2	163.4	163.6	164.0	164.0	163.9	163.0	1.6	1.6
1999	164.3	164.5	165.0	166.2	166.2	166.2	166.7	167.1	167.9	168.2	168.3	168.3	166.6	2.7	2.2
2000	168.8	169.8	171.2	171.3	171.5	172.4	172.8	172.8	173.7	174.0	174.1	174.0	172.2	3.4	3.4
2001	175.1	175.8	176.2	176.9	177.7	178.0	177.5	177.5	178.3	177.7	177.4	176.7	177.1	1.6	2.8
2002	177.1	177.8	178.8	179.8	179.8	179.9	180.1	180.7	181.0	181.3	181.3	180.9	179.9	2.4	1.6
2003	181.7	183.1	184.2	183.8	183.5	183.7	183.9	184.6	185.2	185.0	184.5	184.3	184.0	1.9	2.3
2004	185.2	186.2	187.4	188.0	189.1	189.7	189.4	189.5	189.9	190.9	191.0	190.3	188.9	3.3	2.7
2005	190.7	191.8	193.3	194.6	194.4	194.5	195.4	196.4	198.8	199.2	197.6	196.8	195.3	3.4	3.4
2006	198.3	198.7	199.8	201.5	202.5	202.9	203.5	203.9	202.9	201.8	201.5	201.8	201.6	2.5	3.2
2007	202.4	203.5	205.4	206.7	207.9	208.4	208.3	207.9	208.5	208.9	210.2	210.0	207.3	4.1	2.8
2008	211.1	211.7	213.5	214.8	216.6	218.8	219.964	219.086	218.783	216.573	212.425	210.228	215.303	0.1	3.8
2009	211.143	212.193	212.709	213.240	213.856	215.693	215.351	215.834	215.969	216.177	216.330	215.949	214.537	2.7	-0.4
2010	216.687	216.741	217.631	218.009	218.178	217.965	218.011	218.312	218.439	218.711	218.803	219.179	218.056	1.5	1.6
2011	220.223	221.309	223.467	224.906	225.964	225.722	225.922	226.545	226.889	226.421	226.230	225.672	224.939	3.0	3.2
2012	226.655	227.663	229.392	230.085	229.815	229.478	229.104	230.379	231.407	231.317	230.221	229.601	229.594	1.7	2.1
2013	230.280	232.166	232.773	232.531	232.945	233.504	233.596	233.877	234.149	233.546	233.069	233.049	232.957	1.5	1.5
2014	233.916	234.781	236.293	237.072	237.900	238.343	238.250	237.852	238.031	237.433	236.151	234.812	236.736	0.8	1.6
2015	233.707	234.722	236.119	236.599	237.805	238.638	238.654	238.316	237.945	237.838	237.336	236.525	237.017	0.7	0.1
2016															

1.004

50.00

51.40

53.35

53.31

56.50

58.31

59.54

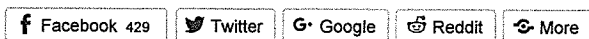
62.51

66.26

66.93

*Base year is chained; 1982-1984 = 100. This table of CPI data is based upon a 1982 base of 100. What does this mean? A CPI of 195.3, as an example from 2005, indicates 95.3% inflation since 1982.

SHARE THIS:



Plattsburgh, NY

Schedule III -- Authorized Tow and Storage Charges for Operators on the City's Preferred Towing List.

1. Tow service operators responding to requests for tow service from authorized employees of the City of Plattsburgh shall not charge more than the following fees and charges plus sales tax, where applicable [fees and charges may be amended by resolution]:

A. Towing passenger cars and trucks with a gross weight under 8600 lbs. by means of a tow truck: up to \$80

B. Towing passenger cars and trucks with a gross weight under 8600 lbs. by means of a dolly or flat bed truck: up to \$90

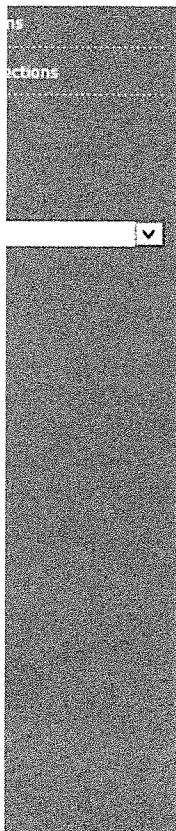
C. For responding to the scene a tow request that is cancelled before the vehicle is towed: up to \$25

D. Outdoor vehicle storage: up to \$30 per day, after 5pm the following business day.

E. Indoor vehicle storage (only if requested): up to \$50 per day.

F. Fees and charges for towing services not listed on this schedule, such as for larger vehicles and the retrieval of vehicles from difficult places, shall not be imposed unless the tow service operator first informs the city employee requesting the tow of the amount of the charge and obtains authorization.

Boston



Jump to:

[Towed for Street Sweeping](#)
[Towed for Illegal Parking](#)
[Towed/Booted for Overdue Parking Violations](#)
[Towed For Abandonment](#)
[Towed for Trespass](#)
[Towed from a State Road](#)

[Towing Alerts FAQ](#)

[Frontage Road Tow Lot](#)

[Street Occupancy Permit Look](#)

[Street Sweeping Schedule Look](#)

Towed for Street Sweeping

Towing for street sweeping violations is overseen by the Public Works Department. Such vehicles are towed by privately-owned tow trucks to private lots (see List of Towing Contractors), which is different from towing done by the Boston Transportation Department. Though the ticketing step is handled by BTM, the towing step is handled by PWD.

Recovering Towed Vehicles

If your vehicle was towed for street sweeping, you first need to locate the vehicle. To locate the private lot to where your vehicle was towed, search the online database above. Or, call the Boston Police tow line at 617-343-4629. Give them the plate number and they will direct you to your vehicle's location. Without a plate number, they unfortunately cannot determine the location.

Before releasing the vehicle, the tow operator is entitled to a maximum of \$90 for the tow and a maximum of \$35 per 24-hour period of storage. These charges are limited by the Mass DPU, in accordance with state law. The tow operator is also entitled to add a fuel surcharge to the \$90 involuntary towing fee. The Mass DPU regularly updates the Fuel Surcharge Factor [link]. Tow operators are contractually required to accept payment in cash or any major credit card. Vehicles recovered by someone other than the vehicle registered owner or lessee, may require payment in cash.

The parking ticket is \$40 which goes to the city, and can be paid online or by mail after the vehicle is released.

\$90 tow

35 storage

Aldany

Charter
Code
Index

Public Documents

Minutes

Chapter 353: Vehicles for Hire
Article III: Tow-Truck Owners and Operators
§ 353-59 Lien for towing of impounded vehicles; collection of charges; sale of vehicles.
A. In accordance with § 20, Subdivision 30, of the General City Law of the State of New York, the City shall have a lien for the towing of all impounded vehicles. A charge against the owner or person entitled to possession of such vehicle of \$50 per vehicle for towing may hereby be imposed.
B. The City may contract with one or more licensed towing companies to collect such towing charges and dispose of such vehicles at public sale.

\$50

Nashua \$125 - 745 day under 10,000 \$65 over

Nashua =
 Springfield, MA =
 plattsburgh = up \$90

The screenshot shows the City of Portland website. The top navigation bar includes links for 'My Portland', 'Community Voice', 'Online Services', and 'Public Records'. A left sidebar lists various services: 'Booting / Immobilization', 'Contesting a Parking Ticket', 'Parking Tickets', 'Payments', 'Ticket Fees', 'Towing', 'Unpaid Tickets', and 'Violations'. The main content area is titled 'Towing' and contains the following text:

Towing

The city tows illegally parked vehicles from designated tow zones in order to improve traffic flow and eliminate hazardous conditions. In addition your car may be towed if you owe three or more unpaid parking tickets.

If your vehicle was towed for having three or more unpaid tickets you will need to pay the total amount due, including all outstanding tickets, fees, fines, and penalties before you can take possession of your vehicle.

Fees

The towing fee is \$85. After 24 hours of impoundment the storage fee is an additional \$25 per day.

Picking Up Vehicles

Vehicles can be picked up at anytime. However, if you pick up your vehicle "after hours" between 7 p.m. and 7 a.m. any day, or all day Sundays and holidays you will be charged an extra \$25 after hours charge.

Snow Ban Towing

Learn more about [snow ban towing](#). Sign up to receive our [parking ban notification alerts](#).

On the right side of the page, there is a 'Contact Us' section with the following information:

Contact Us

Parking
 Email
 389 Congress St.
 Room 20
 Portland, ME 04101
 Ph: 207-874-8443
 Fx: 207-756-8259

Hours
 Monday - Friday
 7:30 a.m. - 6:30 p.m.

Staff Directory

Portland
 TOW \$85 storage \$25

Brattleboro - up to wrecker charge what they want
 Springfield VT " " " " "
 Montpelier - " " " " "

(b) Pay to the police department all charges for violation of the offenses described in section 20-79(a), and all charges for removing said vehicle and all charges for the storing and parking thereof, and for publication of record of removal; or

(1) Post a bond, certified by the chief of police or his duly authorized representative, which is equal to the amount of charges set forth in (b) above; and

(c) Sign a written receipt acknowledging delivery of said vehicle;

(d) Appeal. A person whose vehicle has been removed pursuant to this division may, upon posting a bond as provided by subsection (b)(1) above, appeal the propriety and/or legality of the removal and/or removal charges by submitting to the city grand juror in writing within five (5) days a short and plain statement of his or her objection(s). The city grand juror shall review the objection, give the appellant an opportunity to be personally heard, and conduct an inquiry into all relevant facts concerning the removal of the vehicle and/or the towing and storage charges incurred. The grand juror shall notify the appellant of his findings in writing. If the grand juror finds that the removal was wrongfully had, or charges wrongfully incurred, then the city shall reimburse the applicant from the bond posted. If the grand juror denies the appeal in whole or in part, then the appellant may seek review in the Chittenden Superior Court as provided by V.R.C.P. 75, or by an action in small claims court.

(Rev. Ords. 1962, § 5304; 1969 Cum. Supp., § 5304; Ord. of 4-7-80; Ord. of 7-30-84)

20-74 Charges.

(a) Towing charges made or incurred under this division shall not exceed fifty dollars (\$50.00). Parking or storing charges made or incurred under this division shall not exceed seven dollars and fifty cents (\$7.50) for the first day and fifteen dollars (\$15.00) per day for each day thereafter. With the exception of towing done pursuant to section 20-77, a charge for towing shall be assessed when the following actions to enforce the provisions of this Division related to the moving or removal of vehicles have occurred: the officer requests a tow truck for purposes of moving or removing the vehicle, a tow truck is on site and the tow truck driver takes actions necessary for moving or removal of the vehicle, including, but not limited to, backing up to the vehicle, dropping the bed of the truck or hooking the vehicle to the tow truck. Charges made pursuant to section 20-77 shall be incurred when the tow truck driver takes actions necessary to remove the vehicle, including, but not limited to, backing up to the vehicle, dropping the bed of the truck or hooking the vehicle to the tow truck. The tow truck driver or tow company shall provide a written receipt to the owner or operator of any vehicle moved or removed under this Division showing all charges incurred, including but not limited to, tow charges, parking or storage charges and any administrative fee.

(b) A vehicle towed at the request of any police officer or parking enforcement officer shall be charged according to the schedule adopted in the contract between the City of Burlington and tow company and approved by city council resolution. This schedule of charges does not apply to the towing of vehicles on private property under section 20-77 which may be assessed or charged not to exceed fifty dollars (\$50.00).

(c) The owner of the towing service, or his/her designee, shall notify by registered mail the registered owner of the vehicle or the holder of a security interest therein, if his/her identity can be readily ascertained, within seven (7) days of the impoundment of the vehicle. If the owner of the towing service is unable to ascertain the identity of the registered owner or the holder of a security

CPI

SEE
ATTACHED

DMV
?

**CITY OF BURLINGTON
TRAFFIC REGULATIONS**

The following traffic regulations are hereby enacted by the Public Works Commission as amendments to Chapter 20, Motor Vehicles and Traffic, of the Burlington Code of Ordinances:

Sec. 20-74. Charges.

(a) Charges made or incurred under this division shall not exceed ~~[fifty dollars (\$50.00)]~~ sixty-two dollars and fifty cents (\$62.50). Parking or storing charges made or incurred under this division shall not exceed ~~[seven dollars and fifty cents (\$7.50)]~~ ten dollars (\$10.00) for the first day and ~~[fifteen dollars (\$15.00)]~~ twenty dollars (\$20.00) per day for each day thereafter. With the exception of towing done pursuant to section 20-77, a charge for towing shall be assessed when the following actions to enforce the provisions of this Division related to the moving or removal of vehicles have occurred: the officer requests a tow truck for purposes of moving or removing the vehicle, a tow truck is on site and the tow truck driver takes actions necessary for moving or removal of the vehicle, including, but not limited to, backing up to the vehicle, dropping the bed of the truck or hooking the vehicle to the tow truck. Charges made pursuant to section 20-77 shall be incurred when the tow truck driver takes actions necessary to remove the vehicle, including, but not limited to, backing up to the vehicle, dropping the bed of the truck or hooking the vehicle to the tow truck. The tow truck driver or tow company shall provide a written receipt to the owner or operator of any vehicle moved or removed under this Division showing all charges incurred, including but not limited to, tow charges, parking or storage charges and any administrative fee.

(b) – (c) As written.

Adopted this _____ day of _____, 2015 by the Board of Public Works Commissioners:

Attest _____

Norm Baldwin, P.E.
Assistant Director – Technical Services

Adopted _____; Published _____; Effective _____

Material in ~~[brackets]~~ delete

Material underlined add



**CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS**

645 Pine Street
Post Office Box 849
Burlington, Vermont 05402-0849
802.863.9094 VOX
802.863.0466 FAX
802.863.0450 TTY

Chapin Spencer
DIRECTOR OF PUBLIC WORKS

Norman J. Baldwin, P.E.
CITY ENGINEER/ASS'T DIRECTOR OF PUBLIC WORKS

April 12, 2016

TO: Public Works Commission

FROM: Norman Baldwin, P.E. 
Assistant Director-Technical Services

RE: Appeal of Code Enforcement Orders related to Life Safety Requirements for 40-42 Colchester Avenue

Mr.Kwon is the owner of 40-42 Colchester Avenue. Mr.Kwon through his attorney Mr.William Towle has sought to appeal Code Enforcements Orders related to Life Safety Requirements for his property. Attached is the original appeal request addressed to Director Spencer dated February 24, 2016. Two of the three appeals have been heard and the last remaining appeal to be heard is for 40-42 Colchester Avenue. The appeal references Code Enforcements Order dated January 4, 2016, below is the list of items in dispute.

- Appeal #3 40-42 Colchester Avenue, Code Enforcement Order dated January 4, 2016
 - Item 2-BCO 18-95 Means of Egress
 - Item 3-BCO 18-95 Means of Egress
 - Item 6-BCO 18-95 Means of Egress
 - Item 7-BCO 18-95 Means of Egress
 - Item 8-BCO 18-96 Accumulation and Storage
 - Item 9-BCO 18-95 Means of Egress
 - Item 13-BCO 18-99 Smoke Detectors
 - Item 19-BCO 18-98 Fire Protection Systems

As a continuance to the three appeals the Commission is scheduled to hear testimony regarding Code Enforcement Orders related to 40-42 Colchester Avenue from the Appellant Mr.Kwon and his attorney Bill Towle, as well as Code Enforcement Director, Bill Ward.

In preparation for the meeting I had alerted the appellant and his attorney to the upcoming Commission Meeting scheduled for April 20, 2016 at the March 16, 2016 meeting and went further to more formally send hearing notices via email, and certified mail to Mr.Kwon, and Mr.Towle. Written hearing notice was sent on April 8, 2016 and another clarifying follow up written notice was sent on April 11, 2016.

I have asked to receive written confirmation of the appellant and his attorney's attendance and to date have not received a response.

It is my understanding Andy Macilwaine, will serve as legal counsel to the Commission.



City of Burlington
Department of Public Works
Office of Planning
645 Pine Street, Suite A
Burlington, VT 05402
802.863.9094 P
802.863.0466 F
802.863.0450 TTY
www.burlingtonvt.GOV

Chapin Spencer
DIRECTOR OF PUBLIC WORKS

Norman J. Baldwin, P.E.
ASSISTANT DIRECTOR OF PUBLIC WORKS

April 8, 2016

Mr. Soon Kwon
20 Highland Terrace
Burlington, Vermont 05401

CERTIFIED MAIL

NOTICE OF HEARING

Pursuant to Burlington Code of Ordinances Chapter 18, Article III, Division 5, please take notice that the **Public Works Commission** will hold a hearing related to an appeal of a minimum housing code order regarding the fire safety division of the minimum housing code associated for the following property.

- Appeal #3 40-42 Colchester Avenue, Code Enforcement Order dated January 4, 2016
 - Item 2-BCO 18-95 Means of Egress
 - Item 3-BCO 18-95 Means of Egress
 - Item 6-BCO 18-95 Means of Egress
 - Item 7-BCO 18-95 Means of Egress
 - Item 8-BCO 18-96 Accumulation and Storage
 - Item 9-BCO 18-95 Means of Egress
 - Item 13-BCO 18-99 Smoke Detectors
 - Item 19-BCO 18-98 Fire Protection Systems

This hearing is a continuation of the March 16, 2016 Appeal hearing with the Public Works Commission, in which the first two property appeals were heard for 66-68 South Union Street, and 41 South Willard Street, with the last remaining appeal for 40-42 Colchester Avenue to be heard as a continuance, starting at **6:30 p.m. on Wednesday, April 20, 2016 in the Front Conference Room at the Central Maintenance Facility at 645 Pine Street in Burlington, Vermont.** The notice of the continuance for April 20, 2016 was given at the meeting and this notice simply serves as a reminder.

An Equal Opportunity Employer
This material is available in alternative formats for persons with disabilities. To request an accommodation, please call 802.863.9094 (voice) or 802.863.0450 (TTY).

In order to expeditiously hear this appeal, the Commission needs and hereby notifies you as the appellant to provide it with a short and concise statement outlining the specific items to be heard and addressed by the Commission. This statement must also specify the factual or legal basis of the appeal.

Each party will be given the opportunity to present the facts, as they believe them to be, and to make legal arguments. The Commission will hear testimony and take documentary evidence in support of each party's position.

You are welcome to provide supporting documentary evidence in advance of the hearing. **Witnesses must be present;** the Commission will not accept written statements from absent witnesses, even in affidavit form. The Commission will resolve disputed questions of fact and apply the law governing the situation to those facts. If you intend to present documentary evidence, please bring 9 copies of each document to the hearing.

If you are the person who requested the hearing and you fail to appear, your case will be dismissed. If there are special circumstances as to why you cannot appear in person for a hearing, please call 863-9094. Postponement of your case will be permitted only for good cause. If settlement is reached, please notify the Commission immediately.

If you have any questions, please call 863-9094.

Please confirm your ability to attend, in writing, by responding to this email.

Thank you.

Sincerely,



Norman J. Baldwin, P.E.
City Engineer/Ass't Director

cc: Jeff Padgett, Chair of the Public Works Commission
Eugene Bergman, Assistant City Attorney
William Ward, Director of Code Enforcement
Chapin Spencer, Director of Public Works
Valerie Ducharme, Customer Service Representative



City of Burlington
Department of Public Works
Office of Planning
645 Pine Street, Suite A
Burlington, VT 05402
802.863.9094 P
802.863.0466 F
802.863.0450 TTY
www.burlingtonvt.GOV

Chapin Spencer
DIRECTOR OF PUBLIC WORKS

Norman J. Baldwin, P.E.
ASSISTANT DIRECTOR OF PUBLIC WORKS

April 11, 2016

Mr. Soon Kwon
20 Highland Terrace
Burlington, Vermont 05401

CERTIFIED MAIL

Revised Second Notice-Items highlighted in yellow, bold larger print represent the changes made to the notice.

NOTICE OF HEARING

Pursuant to Burlington Code of Ordinances Chapter 18, Article III, Division 5, please take notice that the **Public Works Commission** will hold a hearing related to an appeal of a minimum housing code order regarding the fire safety division of the minimum housing code associated for the following property.

- Appeal #3 40-42 Colchester Avenue, Code Enforcement Order dated January 4, 2016
 - Item 2-BCO 18-95 Means of Egress
 - Item 3-BCO 18-95 Means of Egress
 - Item 6-BCO 18-95 Means of Egress
 - Item 7-BCO 18-95 Means of Egress
 - Item 8-BCO 18-96 Accumulation and Storage
 - Item 9-BCO 18-95 Means of Egress
 - Item 13-BCO 18-99 Smoke Detectors
 - Item 19-BCO 18-98 Fire Protection Systems

This hearing is a continuation of the March 16, 2016 Appeal hearing with the Public Works Commission, in which the first two property appeals were heard for 66-68 South Union Street, and 41 South Willard Street, with the last remaining appeal for 40-42 Colchester Avenue to be heard as a continuance. **The Public Works Commission meeting will start at 6:30 p.m. on Wednesday, April 20, 2016 in the Front**

An Equal Opportunity Employer

This material is available in alternative formats for persons with disabilities. To request an accommodation, please call 802.863.9094 (voice) or 802.863.0450 (TTY).

Conference Room at the Central Maintenance Facility at 645 Pine Street in Burlington, Vermont. It is yet to be determined when this appeal item will be heard on the agenda. Once the agenda and commission packet are prepared and issued, we will send the agenda along with the documents associated with the item to your attention.

The notice of the continuance for April 20, 2016 was given at the meeting and this notice simply serves as a reminder.

In order to expeditiously hear this appeal, the Commission needs and hereby notifies you as the appellant to provide it with a short and concise statement outlining the specific items to be heard and addressed by the Commission. This statement must also specify the factual or legal basis of the appeal.

Each party will be given the opportunity to present the facts, as they believe them to be, and to make legal arguments. The Commission will hear testimony and take documentary evidence in support of each party's position.

You are welcome to provide supporting documentary evidence in advance of the hearing. **Witnesses must be present;** the Commission will not accept written statements from absent witnesses, even in affidavit form. The Commission will resolve disputed questions of fact and apply the law governing the situation to those facts. If you intend to present documentary evidence, please bring 9 copies of each document to the hearing.

If you are the person who requested the hearing and you fail to appear, your case will be dismissed. If there are special circumstances as to why you cannot appear in person for a hearing, please call 863-9094. Postponement of your case will be permitted only for good cause. If settlement is reached, please notify the Commission immediately.

If you have any questions, please call 863-9094.

Please confirm your ability to attend, in writing, by responding to this email.

Thank you.

Sincerely,



Norman J. Baldwin, P.E.
City Engineer/Ass't Director

cc: Jeff Padgett, Chair of the Public Works Commission
Eugene Bergman, Assistant City Attorney
William Ward, Director of Code Enforcement
Chapin Spencer, Director of Public Works
Valerie Ducharme, Customer Service Representative

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Scott Karon
20 Highland Terrace
Burlington, VT 05401



9590 9402 1443 5329 8598 78

2. Article Number (Transfer from service label)

7015 0640 0001 4294 2025

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? If YES, enter delivery address below:

- ☐ Yes
☐ No

3. Service Type

- | | |
|--|---|
| ☐ Adult Signature | ☐ Priority Mail Express® |
| ☐ Adult Signature Restricted Delivery | ☐ Registered Mail™ |
| ☒ Certified Mail® | ☐ Registered Mail Restricted Delivery |
| ☐ Certified Mail Restricted Delivery | ☒ Return Receipt for Merchandise |
| ☐ Collect on Delivery | ☐ Signature Confirmation™ |
| ☐ Collect on Delivery Restricted Delivery | ☐ Signature Confirmation Restricted Delivery |
| ☐ Insured Mail | |
| ☐ Insured Mail Restricted Delivery (over \$500) | |

USPS TRACKING #



9590 9402 1443 5329 8598 78



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box •

Dept of Public works
645 Pine Street
Burlington, VT 05401

Att: Norm Burkhead



City of Burlington
Department of Public Works
Office of Planning
645 Pine Street, Suite A
Burlington, VT 05402
802.863.9094 P
802.863.0466 F
802.863.0450 TTY
www.burlingtonvt.GOV

Chapin Spencer
DIRECTOR OF PUBLIC WORKS

Norman J. Baldwin, P.E.
ASSISTANT DIRECTOR OF PUBLIC WORKS

April 11, 2016

Mr. Soon Kwon
20 Highland Terrace
Burlington, Vermont 05401

CERTIFIED MAIL

Revised Second Notice- **Items highlighted in yellow, bold larger print represent the changes made to the notice.**

NOTICE OF HEARING

Pursuant to Burlington Code of Ordinances Chapter 18, Article III, Division 5, please take notice that the **Public Works Commission** will hold a hearing related to an appeal of a minimum housing code order regarding the fire safety division of the minimum housing code associated for the following property.

- Appeal #3 40-42 Colchester Avenue, Code Enforcement Order dated January 4, 2016
 - Item 2-BCO 18-95 Means of Egress
 - Item 3-BCO 18-95 Means of Egress
 - Item 6-BCO 18-95 Means of Egress
 - Item 7-BCO 18-95 Means of Egress
 - Item 8-BCO 18-96 Accumulation and Storage
 - Item 9-BCO 18-95 Means of Egress
 - Item 13-BCO 18-99 Smoke Detectors
 - Item 19-BCO 18-98 Fire Protection Systems

This hearing is a continuation of the March 16, 2016 Appeal hearing with the Public Works Commission, in which the first two property appeals were heard for 66-68 South Union Street, and 41 South Willard Street, with the last remaining appeal for 40-42 Colchester Avenue to be heard as a continuance. **The Public Works Commission meeting will start at 6:30 p.m. on Wednesday, April 20, 2016 in the Front**

An Equal Opportunity Employer

This material is available in alternative formats for persons with disabilities. To request an

Conference Room at the Central Maintenance Facility at 645 Pine Street in Burlington, Vermont. It is yet to be determined when this appeal item will be heard on the agenda. Once the agenda and commission packet are prepared and issued, we will send the agenda along with the documents associated with the item to your attention.

The notice of the continuance for April 20, 2016 was given at the meeting and this notice simply serves as a reminder.

In order to expeditiously hear this appeal, the Commission needs and hereby notifies you as the appellant to provide it with a short and concise statement outlining the specific items to be heard and addressed by the Commission. This statement must also specify the factual or legal basis of the appeal.

Each party will be given the opportunity to present the facts, as they believe them to be, and to make legal arguments. The Commission will hear testimony and take documentary evidence in support of each party's position.

You are welcome to provide supporting documentary evidence in advance of the hearing. **Witnesses must be present;** the Commission will not accept written statements from absent witnesses, even in affidavit form. The Commission will resolve disputed questions of fact and apply the law governing the situation to those facts. If you intend to present documentary evidence, please bring 9 copies of each document to the hearing.

If you are the person who requested the hearing and you fail to appear, your case will be dismissed. If there are special circumstances as to why you cannot appear in person for a hearing, please call 863-9094. Postponement of your case will be permitted only for good cause. If settlement is reached, please notify the Commission immediately.

If you have any questions, please call 863-9094.

Please confirm your ability to attend, in writing, by responding to this email.

Thank you.

Sincerely,



Norman J. Baldwin, P.E.
City Engineer/Ass't Director

cc: Jeff Padgett, Chair of the Public Works Commission
Eugene Bergman, Assistant City Attorney
William Ward, Director of Code Enforcement
Chapin Spencer, Director of Public Works
Valerie Ducharme, Customer Service Representative



CODE ENFORCEMENT OFFICE

645A Pine St, PO Box 849
Burlington, VT 05402-0849
VOICE (802) 863-0442
FAX: (802) 652-4221

January 4, 2016

Soon K. Kwon
PO Box 9492
South Burlington, VT 05407-9492

RE: Re-Inspection of 40-42 Colchester Avenue, Inspection 295388

Dear Owner(s):

I conducted a follow up inspection at this property on Monday, August 31, 2015 at 12:00:00 Noon. My findings are included with this re-inspection report and Order along with a letter from the Director of Code Enforcement. A re-inspection fee invoice in the amount of \$1080.00 is enclosed.

The items on the attached report that are noted as non-complied will be inspected for compliance on January 28, 2016 at 10:00 AM. Tenants must be notified at least 48 hours in advance. All areas of the property must be accessible. Please contact me at 802-863-0442, at least 24 hours in advance, sooner if possible, if this needs to be rescheduled.

You may submit a written request for an extension of compliance date(s) if you need more time to complete repairs for a valid reason. Extension requests must include the reason the request is necessary and the extended compliance date requested for each item. **Requests must be submitting in writing on our extension request form; verbal requests will not be accepted.** You may obtain an extension request form by phone, at our Office, or on the web at www.ci.burlington.vt.us under the Code Enforcement Office, Extension Request Form. The completed extension request, with all required information, must be approved by our office prior to the compliance date in order to avoid re-inspection fees. For this reason, and because application for an extension does not guarantee that it will be granted, you are encouraged to apply for an extension as early as possible if you anticipate difficulties with the Order compliance date(s).

If this office cannot verify compliance with the Order at this re-inspection and a written extension has not been granted by our office, a re-inspection fee of \$200.00 per unit will be charged.

You may also be ticketed for the Minimum Housing Standards violations found at re-inspections. Furthermore, failure to comply with this Order is a criminal offense punishable by a fine up to \$500.00 and/or imprisonment; each day's failure to comply constitutes a separate offense. You may also be subject to provisions on suspension and revocation of Certificates of Compliance pursuant to Burlington Code of Ordinances section 18-20 if you fail to comply with this order or fail to get an extension.

Decisions stated in this Order and report relative to new findings at the re-inspection may be appealed in writing within thirty (30) days of the date of this correspondence, addressed to the Director of the Code Enforcement Office.

Please feel free to contact me at 802-863-0442 if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to be 'Tim Ahonen', written over a horizontal line.

Tim Ahonen
Minimum Housing Inspector

IN: 295388

Inspection Detail for: 40-42 Colchester Avenue

Inspection Date: August 31, 2015 Inspector: Tim Ahonen

Page 1 of 15

Unit/Area

(Item 1 of 25)

Light Globes/covers

Finding: Electrical appliance installed or maintained incorrectly. Ceiling fixtures missing lenses/globes throughout building. Missing light globes or covers should be replaced. (See supplemental report dated December 30, 2015 attached)

Remedy: All ceiling, wall sconces, closet lights and exterior light fixtures are to have function light bulbs and lenses in place.

Code Section: Electrical facilities

18-85 All electrical equipment, wiring and appliances shall be installed and maintained in a safe manner in accordance with applicable laws.

8-31-15 Inspection STATUS: Non Complied - Violation not corrected

Enforcement and penalties 18-31 (b): In addition to the penalty provisions of this section, if the enforcement officer or inspector finds that any person has failed to comply with any order issued by him/her within the time specified therein and that such person has failed to appeal such order within the time prescribed, he/she may notify the office of the city attorney who may bring suit to enforce such order. Such suit may be brought in Chittenden Superior Court and at the request of either party, the court shall advance the case so it may be heard and determined with as little delay as possible. The court may issue a temporary restraining order or preliminary or permanent injunction in any such proceedings and may exercise all the plenary powers available to such court to obtain compliance with the ordinance and any order issued pursuant thereto. The court may award costs of suit which may include, if the plaintiff prevails and the court deems the defense without substantial merit, the attorney's fees incurred by the plaintiff or so much thereof as the court finds reasonable.

40 a (Item 2 of 25)

Basement Light well

Finding: Light well for 40a has no means of escape. (See supplemental report dated December 30, 2015 attached)

Remedy: Install handrail to code: 34 to 38 inches above surface of tread, 1 1/4 to 2 inches in diameter. Building permit may be required.

Code Section: Means of egress

18-95 Egress paths shall be safe to use and shall conform to the requirements of the City building code.

8-31-15 Inspection STATUS: This condition is being referred to the Fire Marshal

40 a, 42 (Item 3 of 25)

Steps to exterior Front Door

Finding: Exterior door not maintained in sound condition and good repair; cracked and loose concrete on stoops, the thresholds were improperly repaired. (See supplemental report dated December 30, 2015 attached)

Remedy: Replace or repair exterior door threshold/step. Maintain in sound condition and good repair to code.

Code Sections: Means of egress/Stairways and porches

18-95 Egress paths shall be safe to use and shall conform to the requirements of the City building code.
18-74 Stairways and porches: Every inside and outside stair, porch, railing and any appurtenance thereto shall be safe to use and capable of supporting the load that normal use may cause to be put thereon and shall be kept in sound condition and good repair. Specifically, all stairs and other exit facilities of every structure shall be maintained in sound condition and good repair by replacing treads and risers that are worn, broken, warped or loose.

8-31-15 Inspection STATUS: Non Complied -Violation not corrected

Enforcement and penalties 18-31 (b): In addition to the penalty provisions of this section, if the enforcement officer or inspector finds that any person has failed to comply with any order issued by him/her within the time specified therein and that such person has failed to appeal such order within the time prescribed, he/she may notify the office of the city attorney who may bring suit to enforce such order. Such suit may be brought in Chittenden Superior Court and at the request of either party, the court shall advance the case so it may be heard and determined with as little delay as possible. The court may issue a temporary restraining order or preliminary or permanent injunction in any such proceedings and may exercise all the plenary powers available to such court to obtain compliance with the ordinance and any order issued pursuant thereto. The court may award costs of suit which may include, if the plaintiff prevails and the court deems the defense without substantial merit, the attorney's fees incurred by the plaintiff or so much thereof as the court finds reasonable.

40 b (Item 4a of 25)**Wall and ceiling in basement apt.**

Finding: Exterior windows in Unit 40B on north side were leaking rainwater causing Interior ceiling and wall to be damaged. (See supplemental report dated December 30, 2015 attached)

Remedy: Replace or repair the windows and maintain weather-tight to code.

Code Section: Exterior windows and doors

18-73 Every exterior window shall be constructed and maintained to prevent wind and water from entering the dwelling or structure. Each window shall be fitted reasonably in its frame and be weather-tight. Weather-stripping shall be used to prevent wind or rain from entering the dwelling and shall be kept in sound condition and good repair.

8-31-15 Inspection STATUS: Complied

No water leaks were detected during this inspection

Unit/Area**40 b (Item 4b of 25)****Wall and ceiling in basement apt.**

Finding: Exterior windows in 40B on north side were leaking rainwater and Interior ceiling and wall are damaged. (See supplemental report dated December 30, 2015 attached)

Remedy: Repair all the water damage to the wall and ceiling interior surfaces. Building permit may be required.

Code Section: 18-72 Floors, interior walls and ceilings

18-72 (b) Interior walls and ceilings shall be maintained in sound condition and good repair. Cracked or loose plaster, peeling paint, decayed wood, and other deteriorated or damaged surface conditions shall be eliminated.

8-31-15 Inspection STATUS: Non Complied -Violation not corrected

IN: 295388

Inspection Detail for: 40-42 Colchester Avenue

Inspection Date: Aug 31, 2015 Inspector: Tim Ahonen

Page 3 of 15

Enforcement and penalties 18-31 (b): In addition to the penalty provisions of this section, if the enforcement officer or inspector finds that any person has failed to comply with any order issued by him/her within the time specified therein and that such person has failed to appeal such order within the time prescribed, he/she may notify the office of the city attorney who may bring suit to enforce such order. Such suit may be brought in Chittenden Superior Court and at the request of either party, the court shall advance the case so it may be heard and determined with as little delay as possible. The court may issue a temporary restraining order or preliminary or permanent injunction in any such proceedings and may exercise all the plenary powers available to such court to obtain compliance with the ordinance and any order issued pursuant thereto. The court may award costs of suit which may include, if the plaintiff prevails and the court deems the defense without substantial merit, the attorney's fees incurred by the plaintiff or so much thereof as the court finds reasonable.

40 b (Item 5 of 25)

Basement Water Intrusion

Finding: Water intrusion into two bedrooms in basement unit on east side, causing carpeting to grow mold. (See supplemental report dated December 30, 2015 attached)

Remedy: Determine source of water intrusion: Repair and maintain floor in sound and sanitary condition and good repair to code.

Code Section: Floors, interior walls and ceilings

18-72 The interior of a structure and its equipment shall be maintained structurally sound and in a sanitary condition. Floors shall be kept in sound condition and good repair.

8-31-15 Inspection STATUS: No Violation found this date

The wet carpet conditions were not present on August 31, 2015. Landlord's independent inspection report from Home Check Incorporated Professional Inspection Services in March 2015 "all room areas appeared to be dry and no water or elevated moisture levels were found". Landlord's independent inspection from Cardno AT in February 2015 concluded "...Cardno considers the bio aerosol data to be representative of a normal indoor environment".

40 b (Item 6 of 25)

Missing handrails on stairs

Finding: Egress stairways without handrails in 40b. (See supplemental report dated December 30, 2015 attached)

Remedy: Install handrail to code: 34 to 38 inches above surface of tread, 1 1/4 to 2 inches in diameter. Building permit may be required.

Code Section: Means of egress

18-95 Egress paths shall be safe to use and shall conform to the requirements of the City building code.

IN: 295388

Inspection Detail for: 40-42 Colchester Avenue

Inspection Date: Aug 31, 2015 Inspector: Tim Ahonen

Page 4 of 15

8-31-15 Inspection STATUS: Non Complied –Violation not corrected

Enforcement and penalties 18-31 (b): In addition to the penalty provisions of this section, if the enforcement officer or inspector finds that any person has failed to comply with any order issued by him/her within the time specified therein and that such person has failed to appeal such order within the time prescribed, he/she may notify the office of the city attorney who may bring suit to enforce such order. Such suit may be brought in Chittenden Superior Court and at the request of either party, the court shall advance the case so it may be heard and determined with as little delay as possible. The court may issue a temporary restraining order or preliminary or permanent injunction in any such proceedings and may exercise all the plenary powers available to such court to obtain compliance with the ordinance and any order issued pursuant thereto. The court may award costs of suit which may include, if the plaintiff prevails and the court deems the defense without substantial merit, the attorney's fees incurred by the plaintiff or so much thereof as the court finds reasonable.

Unit/Area

40 b (Item 7 of 25)

Finding: Required egress path unsafe or unusable: egress window route on east side has a hole in the ground over one foot deep. The stairs are rickety and the shed roof impedes egress by being below the required clear headroom of 6 feet 8 inches. (See supplemental report dated December 30, 2015 attached)

Remedy: Repair and maintain safe and stable egress path to code at all times.

Code Section: Means of egress

18-95 Egress paths shall be safe to use. All required fire escapes shall be structurally sound and maintained safe and useable and free of snow and ice.

8-31-15 Inspection STATUS: Non Complied –Violation not corrected

Enforcement and penalties 18-31 (b): In addition to the penalty provisions of this section, if the enforcement officer or inspector finds that any person has failed to comply with any order issued by him/her within the time specified therein and that such person has failed to appeal such order within the time prescribed, he/she may notify the office of the city attorney who may bring suit to enforce such order. Such suit may be brought in Chittenden Superior Court and at the request of either party, the court shall advance the case so it may be heard and determined with as little delay as possible. The court may issue a temporary restraining order or preliminary or permanent injunction in any such proceedings and may exercise all the plenary powers available to such court to obtain compliance with the ordinance and any order issued pursuant thereto. The court may award costs of suit which may include, if the plaintiff prevails and the court deems the defense without substantial merit, the attorney's fees incurred by the plaintiff or so much thereof as the court finds reasonable.

IN: 295388

Inspection Detail for: 40-42 Colchester Avenue

Inspection Date: Aug 31, 2015 Inspector: Tim Ahonen

Page 5 of 15

40 b (Item 8 of 25)

Finding: Unreasonable quantities of accumulated and stored materials on premises: There is a closet in 40 b heaped with building supplies no space to walk. (See supplemental report dated December 30, 2015 attached)

Remedy: Reduce accumulations of stored materials. Maintain premises free of excessive accumulations. Storage area to be orderly and free of combustible or hazardous materials. Mr. Kwon a big pile of stuff with no order or any room to step through is not acceptable.

Code Section: Interior accumulations and storage

18-96 Highly flammable or explosive matter, such as paints, volatile oils and cleaning fluids, or combustible refuse, such as wastepaper, boxes and rags, shall not be accumulated or stored on residential premises except in reasonable quantities consistent with normal residential use.

8-31-15 Inspection STATUS: Non Complied -Violation not corrected

Enforcement and penalties 18-31 (b): In addition to the penalty provisions of this section, if the enforcement officer or inspector finds that any person has failed to comply with any order issued by him/her within the time specified therein and that such person has failed to appeal such order within the time prescribed, he/she may notify the office of the city attorney who may bring suit to enforce such order. Such suit may be brought in Chittenden Superior Court and at the request of either party, the court shall advance the case so it may be heard and determined with as little delay as possible. The court may issue a temporary restraining order or preliminary or permanent injunction in any such proceedings and may exercise all the plenary powers available to such court to obtain compliance with the ordinance and any order issued pursuant thereto. The court may award costs of suit which may include, if the plaintiff prevails and the court deems the defense without substantial merit, the attorney's fees incurred by the plaintiff or so much thereof as the court finds reasonable.

40 b (Item 9 of 25)

Finding: Path of egress is obstructed or otherwise unsafe rear exit from 40b obstructed by storage in hallways, missing light bulbs, and passes through boiler room exterior door not proper size. (See supplemental report dated December 30, 2015 attached)

Remedy: Remove obstructions and maintain safe path of egress at all times. Building permit required to replace door.

Code Section: Means of egress

18-95 Each first and second floor dwelling unit shall have one safe, continuous and unobstructed means of egress from the interior of the unit to the exterior at a street or to a public open space or area at grade. Dwelling units on the third floor and above shall have at least two safe, continuous and unobstructed means of egress from the interior of the unit to the exterior at a street or to a public open area at grade.

IN: 295388

Inspection Detail for: 40-42 Colchester Avenue

Inspection Date: Aug 31, 2015 Inspector: Tim Ahonen

Page 6 of 15

8-31-15 Inspection STATUS: Non Complied –Violation not corrected

Enforcement and penalties 18-31 (b): In addition to the penalty provisions of this section, if the enforcement officer or inspector finds that any person has failed to comply with any order issued by him/her within the time specified therein and that such person has failed to appeal such order within the time prescribed, he/she may notify the office of the city attorney who may bring suit to enforce such order. Such suit may be brought in Chittenden Superior Court and at the request of either party, the court shall advance the case so it may be heard and determined with as little delay as possible. The court may issue a temporary restraining order or preliminary or permanent injunction in any such proceedings and may exercise all the plenary powers available to such court to obtain compliance with the ordinance and any order issued pursuant thereto. The court may award costs of suit which may include, if the plaintiff prevails and the court deems the defense without substantial merit, the attorney's fees incurred by the plaintiff or so much thereof as the court finds reasonable.

Unit/Area

40A (Item 10 of 25)

Finding: Light in closet at the rear of unit 40A is hanging from the wall by the exposed wire and it does not work. (See supplemental report dated December 30, 2015 attached)

Remedy: Repair or replace electrical appliance. Install and maintain all appliances in compliance with codes. Workmanlike repair required.

Code Section: Electrical facilities

18-85 All electrical equipment, wiring and appliances shall be installed and maintained in a safe manner in accordance with applicable laws.

Status: Complied



42 (Item 11 of 25)

Unfinished construction –loose plaster

Finding: Unit 42 has construction that was never completed with loose plaster or sheetrock mud present. (See supplemental report dated December 30, 2015 attached)

Remedy: Repair any structural defects, cracked or loose plaster, peeling paint and maintain all interior surfaces in sound and sanitary condition and good repair to code.

Code Section: Floors, interior walls and ceilings

18-72 Interior walls and ceilings shall be maintained in sound condition and good repair. Cracked or loose plaster, peeling paint, decayed wood, and other deteriorated or damaged surface conditions shall be eliminated.

8-31-15 Inspection STATUS: Non Complied –Violation not corrected

Enforcement and penalties 18-31 (b): In addition to the penalty provisions of this section, if the enforcement officer or inspector finds that any person has failed to comply with any order issued by him/her within the time specified therein and that such person has failed to appeal such order within the time prescribed, he/she may notify the office of the city attorney who may bring suit to enforce such order. Such suit may be brought in Chittenden Superior Court and at the request of either party, the court shall advance the case so it may be heard and determined with as little delay as possible. The court may issue a temporary restraining order or preliminary or permanent injunction in any such proceedings and may exercise all the plenary powers available to such court to obtain compliance with the ordinance and any order issued pursuant thereto. The court may award costs of suit which may include, if the plaintiff prevails and the court deems the defense without substantial merit, the attorney's fees incurred by the plaintiff or so much thereof as the court finds reasonable.

Date Printed 1/7/2016 4:12:34 PM

IN: 295388

Inspection Detail for: 40-42 Colchester Avenue

Inspection Date: Aug 31, 2015 Inspector: Tim Ahonen

Page 7 of 15

42 (Item 12 of 25)

Plumbing leaks

Finding: Plumbing drain not connected and maintained in good working order Several water leaks from fixtures in unit 42 are staining the ceiling in 40B (basement). Tenants told not to use one shower stall. (See supplemental report dated December 30, 2015 attached)

Remedy: Repair plumbing drains to be connected and maintained in good working order to code. Locate and repair leaks, repair the damage they have caused, remove rotted and moldy sheetrock and replace with new. Repairs to be done in a workmanlike manner: i.e. do not simply paint over stains and allow leak to continue as you have previously done. Mr. Kwon you should hire a trained plumber to do these repairs as they seem to be beyond your skillset.

Code Section: Plumbing connections

18-79 Supply lines, plumbing fixtures, vents and drains shall be connected and maintained in good working order and kept free from obstructions, leaks and defects.

8-31-15 Inspection STATUS: Non Complied -Violation not corrected

Enforcement and penalties 18-31 (b): In addition to the penalty provisions of this section, if the enforcement officer or inspector finds that any person has failed to comply with any order issued by him/her within the time specified therein and that such person has failed to appeal such order within the time prescribed, he/she may notify the office of the city attorney who may bring suit to enforce such order. Such suit may be brought in Chittenden Superior Court and at the request of either party, the court shall advance the case so it may be heard and determined with as little delay as possible. The court may issue a temporary restraining order or preliminary or permanent injunction in any such proceedings and may exercise all the plenary powers available to such court to obtain compliance with the ordinance and any order issued pursuant thereto. The court may award costs of suit which may include, if the plaintiff prevails and the court deems the defense without substantial merit, the attorney's fees incurred by the plaintiff or so much thereof as the court finds reasonable.

Unit/Area

42 (Item 13 of 25)

Finding: Alarm units in apartment 42 not talking to each other. (See supplemental report dated December 30, 2015 attached)

Remedy: Electrician needed to diagnose and repair problem so that alarms meet code. Each alarm must signal all of the others.

Code Section: Smoke detectors

18-99 AC/DC interconnected smoke detectors shall be installed inside and outside every bedroom and on every level of the dwelling unit. FINALIZED CITY OF BURLINGTON ELECTRICAL PERMIT REQUIRED.

Status: Complied

IN: 295388

Inspection Detail for: 40-42 Colchester Avenue

Inspection Date: Aug 31, 2015 Inspector: Tim Ahonen

Page 8 of 15

All units (Item 14 of 25)

Finding: Electrical outlets throughout the building missing cover plates. Thermostat covers missing in building in Apartment 42. (See supplemental report dated December 30, 2015 attached)

Remedy: Install outlet cover plates on outlets where they are broken or missing. Install thermostat covers where they are broken or missing. Inspect all units for these problems as this should have been done at turnover.

Code Section: Electrical facilities

18-85 All electrical equipment, wiring and appliances shall be installed and maintained in a safe manner in accordance with applicable laws.

8-31-15 Inspection STATUS: Non Complied -Violation not corrected

Enforcement and penalties 18-31 (b): In addition to the penalty provisions of this section, if the enforcement officer or inspector finds that any person has failed to comply with any order issued by him/her within the time specified therein and that such person has failed to appeal such order within the time prescribed, he/she may notify the office of the city attorney who may bring suit to enforce such order. Such suit may be brought in Chittenden Superior Court and at the request of either party, the court shall advance the case so it may be heard and determined with as little delay as possible. The court may issue a temporary restraining order or preliminary or permanent injunction in any such proceedings and may exercise all the plenary powers available to such court to obtain compliance with the ordinance and any order issued pursuant thereto. The court may award costs of suit which may include, if the plaintiff prevails and the court deems the defense without substantial merit, the attorney's fees incurred by the plaintiff or so much thereof as the court finds reasonable.

Baseboards (Item 15 of 25)

Baseboard Heaters damaged

Finding: Hot water radiator baseboards in all three units are damaged with crushed, bent vanes, missing or damaged guard plates and louvers that no longer function. Some guard plates screwed together over existing unrepaired damage. Accumulated dirt, lint, hair, toilet paper, corrosion, dirt and detritus adhered to components (See supplemental report dated December 30, 2015 attached)

Remedy: Replace all damaged components to restore full function and efficiency. CLEAN them. Mr. Kwon I will check to make certain that you have not simply tried to cover up damage as has been done in the past. I will open louvers to check function and observe the interior to make sure that the vanes aren't crushed, missing or coated with hair, toilet paper and other detritus.

Code Section: Heating and cooking equipment

18-86 All cooking and heating equipment, components, and accessories in every heating, cooking and water heating device shall be maintained free from leaks and obstructions, and kept functioning properly so as to be free from fire, health and accident hazards. All mechanical equipment shall be properly installed and safely maintained in good working condition and be capable of performing the function for which it was designed and intended.

8-31-15 Inspection STATUS: Non Complied -Violation not corrected

IN: 295388

Inspection Detail for: 40-42 Colchester Avenue

Inspection Date: Aug 31, 2015 Inspector: Tim Ahonen

Page 9 of 15

Enforcement and penalties 18-31 (b): In addition to the penalty provisions of this section, if the enforcement officer or inspector finds that any person has failed to comply with any order issued by him/her within the time specified therein and that such person has failed to appeal such order within the time prescribed, he/she may notify the office of the city attorney who may bring suit to enforce such order. Such suit may be brought in Chittenden Superior Court and at the request of either party, the court shall advance the case so it may be heard and determined with as little delay as possible. The court may issue a temporary restraining order or preliminary or permanent injunction in any such proceedings and may exercise all the plenary powers available to such court to obtain compliance with the ordinance and any order issued pursuant thereto. The court may award costs of suit which may include, if the plaintiff prevails and the court deems the defense without substantial merit, the attorney's fees incurred by the plaintiff or so much thereof as the court finds reasonable.

carpets(Item 16 of 25)

Finding: Tears and runs in carpets, paint stains (See supplemental report dated December 30, 2015 attached)

Remedy: Repair or replace damaged carpeting, clean stains.

Code Section: Floors, interior walls and ceilings

18-72 The interior of a structure and its equipment shall be maintained structurally sound and in a sanitary condition. Floors shall be in kept in sound condition and good repair.

8-31-15 Inspection STATUS: Non Complied -Violation not corrected

Enforcement and penalties 18-31 (b): In addition to the penalty provisions of this section, if the enforcement officer or inspector finds that any person has failed to comply with any order issued by him/her within the time specified therein and that such person has failed to appeal such order within the time prescribed, he/she may notify the office of the city attorney who may bring suit to enforce such order. Such suit may be brought in Chittenden Superior Court and at the request of either party, the court shall advance the case so it may be heard and determined with as little delay as possible. The court may issue a temporary restraining order or preliminary or permanent injunction in any such proceedings and may exercise all the plenary powers available to such court to obtain compliance with the ordinance and any order issued pursuant thereto. The court may award costs of suit which may include, if the plaintiff prevails and the court deems the defense without substantial merit, the attorney's fees incurred by the plaintiff or so much thereof as the court finds reasonable.

IN: 295388

Inspection Detail for: 40-42 Colchester Avenue

Inspection Date: Aug 31, 2015 Inspector: Tim Ahonen

Page 10 of 15

Dryer ventilation systems (Item 17 of 25)

all units/all dryer vents

Finding: Electrical appliance installed or maintained incorrectly specifically the dryer vents are clogged with lint and flexible hose is not to accepted by code. (See supplemental report dated December 30, 2015 attached)

Remedy: Replace fire damaged dryer vent with code compliant material, clean all vents and bring all dryer ventilation to code. Building permit required. Remove the foil hose dryer vent and replace with code compliant materials, CLEAN ALL VENTS AND VENT OPENINGS.

Code Section: Electrical facilities

18-85 All electrical equipment, wiring and appliances shall be installed and maintained in a safe manner in accordance with applicable laws.

8-31-15 Inspection STATUS: Non Complied -Violation not corrected

Enforcement and penalties 18-31 (b): In addition to the penalty provisions of this section, if the enforcement officer or inspector finds that any person has failed to comply with any order issued by him/her within the time specified therein and that such person has failed to appeal such order within the time prescribed, he/she may notify the office of the city attorney who may bring suit to enforce such order. Such suit may be brought in Chittenden Superior Court and at the request of either party, the court shall advance the case so it may be heard and determined with as little delay as possible. The court may issue a temporary restraining order or preliminary or permanent injunction in any such proceedings and may exercise all the plenary powers available to such court to obtain compliance with the ordinance and any order issued pursuant thereto. The court may award costs of suit which may include, if the plaintiff prevails and the court deems the defense without substantial merit, the attorney's fees incurred by the plaintiff or so much thereof as the court finds reasonable.

exterior (Item 18 of 25)

Finding: Unpainted plywood on exterior. (See supplemental report dated December 30, 2015 attached)

Remedy: Paint exterior wall surface to be impervious to rain and dampness. Maintain exterior walls to code.

Code Section: Foundation, exterior walls and roofs

18-71 Every exterior wall shall be maintained structurally sound and in a sanitary condition. Every exterior wall shall be free of holes, breaks, loose or rotting boards, or timbers, and any other conditions that admit rain or dampness to the interior portions of the walls or to the occupied spaces of the building.

8-31-15 Inspection STATUS: Complied

Date Printed 1/7/2016 4:12:34 PM

IN: 295388

Inspection Detail for: 40-42 Colchester Avenue

Inspection Date: Aug 31, 2015 Inspector: Tim Ahonen

Page 11 of 15

Unit/Area

fire alarm system (Item 19 of 25)

Finding: Fire alarm system not maintained in proper operating condition- not inspected. (See supplemental report dated December 30, 2015 attached)

Remedy: Inspect required fire alarm system and maintain in proper operating condition at all times.

Code Section: Fire protection systems

18-98 All required fire protection systems and equipment including fire alarms and fire suppression systems shall be maintained in proper operating condition.

8-31-15 Inspection STATUS: This condition is being referred to the Fire Marshal

Heater units (Item 20 of 25)

Finding: Expiring Inspection tags on units. All fuel burning heating systems must be inspected every 2 years and serviced and certified with a tag issued to the verified contractor by the Department of Public Works.(DPW). Existing tags expire August 1, 2015. (See supplemental report dated December 30, 2015 attached)

Remedy: Have a certified technician inspect and certify that system is functioning and operating in a safe manner, with proof of inspection stated on tag issued by DPW and placed in a conspicuous place on the unit prior to August 1, 2015. In other words this is a reminder to not let the tags lapse.

Code Section: Heating and cooking equipment

18-86 All cooking equipment shall be maintained so as to be free from fire, health and accident hazards.

8-31-15 Inspection STATUS: Valid as on 8-31-15 but expiring that day

Enforcement and penalties 18-31 (b): In addition to the penalty provisions of this section, if the enforcement officer or inspector finds that any person has failed to comply with any order issued by him/her within the time specified therein and that such person has failed to appeal such order within the time prescribed, he/she may notify the office of the city attorney who may bring suit to enforce such order. Such suit may be brought in Chittenden Superior Court and at the request of either party, the court shall advance the case so it may be heard and determined with as little delay as possible. The court may issue a temporary restraining order or preliminary or permanent injunction in any such proceedings and may exercise all the plenary powers available to such court to obtain compliance with the ordinance and any order issued pursuant thereto. The court may award costs of suit which may include, if the plaintiff prevails and the court deems the defense without substantial merit, the attorney's fees incurred by the plaintiff or so much thereof as the court finds reasonable.

IN: 295388

Inspection Detail for: 40-42 Colchester Avenue

Inspection Date: Aug 31, 2015 Inspector: Tim Ahonen

Page 12 of 15

lightwells (Item 21 of 25)

Finding: Paint chips found in outdoor areas of pre-1978 rental housing. Light wells have paint chips.
(See supplemental report dated December 30, 2015 attached)

Remedy: Remove paint chips and record removal activity on EMP compliance statement.

Code Section: Paint

18-112 (a) (3) Outdoor areas of pre-1978 rental housing shall be paint chip free

8-31-15 Inspection STATUS: Non Complied --Violation not corrected

Enforcement and penalties 18-31 (b): In addition to the penalty provisions of this section, if the enforcement officer or inspector finds that any person has failed to comply with any order issued by him/her within the time specified therein and that such person has failed to appeal such order within the time prescribed, he/she may notify the office of the city attorney who may bring suit to enforce such order. Such suit may be brought in Chittenden Superior Court and at the request of either party, the court shall advance the case so it may be heard and determined with as little delay as possible. The court may issue a temporary restraining order or preliminary or permanent injunction in any such proceedings and may exercise all the plenary powers available to such court to obtain compliance with the ordinance and any order issued pursuant thereto. The court may award costs of suit which may include, if the plaintiff prevails and the court deems the defense without substantial merit, the attorney's fees incurred by the plaintiff or so much thereof as the court finds reasonable.

Unit/Area

Sewage drain (Item 22 of 25)

Finding: Plumbing drain with obstruction, leak or defect: The drains in the basement unit are backing up, as was first reported by tenants in 2010 and on July 7, 2015 the tub was blocked again. (See supplemental report dated December 30, 2015 attached)

Remedy: Repair obstruction, leak or defect in plumbing drain and maintain in good working order to code. Have the line augured or steam cleaned or routed to clear blockages.

Code Section: Plumbing connections

18-79 Supply lines, plumbing fixtures, vents and drains shall be connected and maintained in good working order and kept free from obstructions, leaks and defects.

8-31-15 Inspection STATUS: Non Complied --Violation not corrected

Enforcement and penalties 18-31 (b): In addition to the penalty provisions of this section, if the enforcement officer or inspector finds that any person has failed to comply with any order issued by him/her within the time specified therein and that such person has failed to appeal such order within the time prescribed, he/she may notify the office of the city attorney who may bring suit to enforce such order. Such suit may be brought in Chittenden Superior Court and at the request of either party, the court shall advance the case so it may be heard and determined with as little delay as possible. The court may issue a temporary restraining order or preliminary or permanent injunction in any such proceedings and may exercise all the plenary powers available to such court to obtain compliance with the ordinance and any order issued pursuant thereto. The court may award costs of suit which may include, if the plaintiff prevails and the court deems the defense without substantial merit, the attorney's fees incurred by the plaintiff or so much thereof as the court finds reasonable.

IN: 295388

Inspection Detail for: 40-42 Colchester Avenue

Inspection Date: Aug 31, 2015 Inspector: Tim Ahonen

Page 13 of 15

sheetrock interior (Item 23 of 25)

Finding: Numerous holes, cracks, gouges and dents and stains in sheetrock throughout all units in the building. (See supplemental report dated December 30, 2015 attached)

Remedy: Replace/repair deteriorated or damaged interior surfaces. Maintain interior surfaces in sound condition and good repair to code. REPAIRS TO BE WORKMANLIKE: holes filled, sanded level and painted to match wall. Water damaged materials to be cut out and replaced, not painted over.

Code Section: Floors, interior walls and ceilings

18-72 Interior walls and ceilings shall be maintained in sound condition and good repair. Cracked or loose plaster, peeling paint, decayed wood, and other deteriorated or damaged surface conditions shall be eliminated.

8-31-15 Inspection STATUS: Non Complied - Violation not corrected

Enforcement and penalties 18-31 (b): In addition to the penalty provisions of this section, if the enforcement officer or inspector finds that any person has failed to comply with any order issued by him/her within the time specified therein and that such person has failed to appeal such order within the time prescribed, he/she may notify the office of the city attorney who may bring suit to enforce such order. Such suit may be brought in Chittenden Superior Court and at the request of either party, the court shall advance the case so it may be heard and determined with as little delay as possible. The court may issue a temporary restraining order or preliminary or permanent injunction in any such proceedings and may exercise all the plenary powers available to such court to obtain compliance with the ordinance and any order issued pursuant thereto. The court may award costs of suit which may include, if the plaintiff prevails and the court deems the defense without substantial merit, the attorney's fees incurred by the plaintiff or so much thereof as the court finds reasonable.

skylights (Item 24 of 25)

Finding: Exterior windowpanes On two skylights in unit 40A appear broken, inner pane only intact. (See supplemental report dated December 30, 2015 attached)

Remedy: Replace windowpane. Maintain all windows weatherproof, in sound condition and good repair to code.

Code Section: Exterior windows and doors

18-73 Every exterior window shall be maintained to prevent wind and water from entering the dwelling or structure. Every window shall be weather-tight. Every windowpane shall be fully and properly glazed.

8-31-15 Inspection STATUS: Non Complied - Violation not corrected

Enforcement and penalties 18-31 (b): In addition to the penalty provisions of this section, if the enforcement officer or inspector finds that any person has failed to comply with any order issued by him/her within the time specified therein and that such person has failed to appeal such order within the time prescribed, he/she may notify the office of the city attorney who may bring suit to enforce such order. Such suit may be brought in Chittenden Superior Court and at the request of either party, the court shall advance the case so it may be heard and determined with as little delay as possible. The court may issue a temporary restraining order or preliminary or permanent injunction in any such proceedings and may exercise all the plenary powers available to such court to obtain compliance with the ordinance and any order issued pursuant thereto. The court may award costs of suit which may include, if the plaintiff prevails and the court deems the defense without substantial merit, the attorney's fees incurred by the plaintiff or so much thereof as the court finds reasonable.

Date Printed 1/7/2016 4:12:34 PM

IN: 295388

Inspection Detail for: 40-42 Colchester Avenue

Inspection Date: Aug 31, 2015 Inspector: Tim Ahonen

Page 15 of 15

Unit/Area

yard (Item 25 of 25)

behind building

Finding: Garbage, trash, recycling or debris in the yard and around the dumpster. Inadequate recycling receptacle for 3 unit building. (See supplemental report dated December 30, 2015 attached)

Remedy: Remove garbage, trash, recycling and debris from yard. Maintain exterior common free of accumulations. Provide appropriately sized recycling receptacle for 3 unit building with multiple tenants. Picking up trash is not a one time exercise Mr. Kwon, you are responsible for your property being clean at all times. Do not wait for written orders to pick up trash.

Code Section: Accumulation of trash, inoperable vehicles, appliances and furniture prohibited

18-111 Rubbish, junk, refuse, garbage, scrap metal, tin cans and recyclables shall only be allowed to remain outdoors and in plain view in the front yard of any property for the purpose of recycling and solid waste pickup for disposal and only if they are neatly kept, stored, maintained, or deposited in accordance with all minimum housing, health and solid waste ordinances and regulations.

8-31-15 Inspection STATUS: Non Complied -Violation not corrected

Enforcement and penalties 18-31 (b): In addition to the penalty provisions of this section, if the enforcement officer or inspector finds that any person has failed to comply with any order issued by him/her within the time specified therein and that such person has failed to appeal such order within the time prescribed, he/she may notify the office of the city attorney who may bring suit to enforce such order. Such suit may be brought in Chittenden Superior Court and at the request of either party, the court shall advance the case so it may be heard and determined with as little delay as possible. The court may issue a temporary restraining order or preliminary or permanent injunction in any such proceedings and may exercise all the plenary powers available to such court to obtain compliance with the ordinance and any order issued pursuant thereto. The court may award costs of suit which may include, if the plaintiff prevails and the court deems the defense without substantial merit, the attorney's fees incurred by the plaintiff or so much thereof as the court finds reasonable.

Code Enforcement DPW appeal hearing

40/42 Colchester Avenue



Code Enforcement Timeline of inspections at this property

DATE	ACTION	INSPECTOR/STAFF	DEFICIENCIES
7/7/2015	Routine Housing Inspection	Tim Ahonen /Patti Wehman	24 Items
7/16/2015	Order Sent	Sybil Thomas	
7/24/2015	Follow-up Inspection	Tim Ahonen/Bill Ward	25 Items
7/29/2015	Order Sent	Sybil Thomas	
8/12/2015	2nd Follow-up Inspection	Tim Ahonen/Bill Ward	25 Items
8/14/2015	Order Sent	Sybil Thomas	
8/31/2015	3rd Follow-up Inspection	Tim Ahonen/Bill Ward	19 Items
1/8/2016	Order Sent for November	Sybil Thomas	UNDER APPEAL
1/27/2016	Appeal received on 1/8/16 order		
1/28/2016	Inspection for compliance date 1-28-16		

There were 25 deficiencies at the November 2015 inspection

6 of those deficiencies are from Division 5 of the housing ordinance
and are subject to appeal review by the Public Works Commission

- Item #6 of 25 –Missing handrails on stairs
- Item #7 of 25 –Unsafe egress path –hole in the ground in window well
- Item #8 of 25 –Unreasonable/excessive accumulations in storage closet
- Item #9 of 25 –Path of egress obstructed
- Item #13 of 25 –Smoke/CO detectors not interconnected – COMPLIED
- Item #19 of 25 – Fire alarm system tested with deficiencies – COMPLIED by Fire Marshall -2016

40 b (Item 6 of 25)
Missing handrails on stairs

Finding: Egress stairways without handrails in 40b. (See supplemental report dated December 30, 2015 attached)

Remedy: Install handrail to code: 34 to 38 inches above surface of tread, 1 1/4 to 2 inches in diameter. Building permit may be required.

Code Section: Means of egress

18-95 Egress paths shall be safe to use and shall conform to the requirements of the City building code.

Non Complied –Violation not corrected

Conditions observed
on 12-30-15–
Photo taken by
William Ward



12 South Windsor St.

Unit/Area

40 b

(Item 7 of 25)

Finding: Required egress path unsafe or unusable: egress window route on east side has a hole in the ground over one foot deep. The stairs are rickety and the shed roof impedes egress by being below the required clear headroom of 6 feet 8 inches. (See supplemental report dated December 30, 2015 attached)

Remedy: Repair and maintain safe and stable egress path to code at all times.

Code Section: Means of egress

18-95 Egress paths shall be safe to use. All required fire escapes shall be structurally sound and maintained safe and useable and free of snow and ice.

8-31-15 Inspection STATUS: Non Complied –Violation not corrected

Conditions observed
on 8-31-15 –
Photo taken by
William Ward

Photo depicts the view of the escape
window well on Northeast side of the
building



Conditions observed on 10-6-14
Photos taken by William Ward



Photos depict the interior of the escape window well on the northeast side of the building and a close up of the hole in the ground

40 b

(Item 8 of 25)

Finding: Unreasonable quantities of accumulated and stored materials on premises; There is a closet in 40 b heaped with building supplies and no space to walk. (See supplemental report dated December 30, 2015 attached)

Remedy: Reduce accumulations of stored materials. Maintain premises free of excessive accumulations. Storage area to be orderly and free of combustible or hazardous materials. Mr. Kwon a big pile of stuff with no order or any room to step through is not acceptable.

Code Section: Interior accumulations and storage

18-96 Highly flammable or explosive matter, such as paints, volatile oils and cleaning fluids, or combustible refuse, such as wastepaper, boxes and rags, shall not be accumulated or stored on residential premises except in reasonable quantities consistent with normal residential use.

8-31-15 Inspection STATUS: Non Complied –Violation not corrected

Conditions observed
on 7-24-15 -
Photo taken by
William Ward



40 b

(Item 9 of 25)

Finding: Path of egress is obstructed or otherwise unsafe rear exit from 40b obstructed by storage in hallways, missing light bulbs, and passes through boiler room exterior door not proper size. (See supplemental report dated December 30, 2015 attached)

Remedy: Remove obstructions and maintain safe path of egress at all times. Building permit required to replace door.

Code Section: Means of egress

18-95 Each first and second floor dwelling unit shall have one safe, continuous and unobstructed means of egress from the interior of the unit to the exterior at a street or to a public open space or area at grade. Dwelling units on the third floor and above shall have at least two safe, continuous and unobstructed means of egress from the interior of the unit to the exterior at a street or to a public open area at grade.

8-31-15 Inspection STATUS: Non Complied –Violation not corrected

Conditions observed
on 8-31-15 -
Photo taken by
William Ward



42

(Item 13 of 25)

Finding: Alarm units in apartment 42 not talking to each other. (See supplemental report dated December 30, 2015 attached)

Remedy: Electrician needed to diagnose and repair problem so that alarms meet code. Each alarm must signal all of the others.

Code Section: Smoke detectors

18-99 AC/DC interconnected smoke detectors shall be installed inside and outside every bedroom and on every level of the dwelling unit.

FINALIZED CITY OF BURLINGTON ELECTRICAL PERMIT REQUIRED.

Status: Complied on 8-31-15

Conditions observed
on 7-24-15 –
Photo taken by
William Ward



This issue was found in compliance on
8-31-15



Conditions observed on 8-31-2015 - Photo taken by William Ward

Unit/Area
fire alarm system (Item 19 of 25)

Finding: Fire alarm system not maintained in proper operating condition- not inspected. (See supplemental report dated December 30, 2015 attached)

Remedy: Inspect required fire alarm system and maintain in proper operating condition at all times.

Code Section: Fire protection systems

18-98 All required fire protection systems and equipment including fire alarms and fire suppression systems shall be maintained in proper operating condition.

8-31-15 Inspection STATUS: This condition is being referred to the Fire Marshal

Conditions observed
on 8-31-2015
Photo taken by
William Ward



Close up of previous
photo of the fire alarm
panel

Conditions observed
on 8-31-2015
Photo taken by
William Ward

**VERMONT FIRE & BUILDING
SAFETY CODE**
PROOF OF INSPECTION

INSP. NO. **14-23993**

8 2014
MONTH

VIOLATIONS
☒ YES ☐ NO ☐ CORRECTED

**DIVISION OF FIRE SAFETY
VERMONT DEPT. OF PUBLIC SAFETY**

MS-5210UD
FIRE CONTROL/COMMUNICATOR

40-42 Colchester Avenue

Requested action from the Public Works Commission

1. Uphold the Code Enforcement decision that the deficiencies ordered to be corrected were valid.
2. Require that the order be complied with and the deficiencies that have not been corrected be corrected to meet code requirements.

WARD & BABB

ATTORNEYS-AT-LAW

A Trade Name for a Professional Corporation

EUGENE J. WARD, III
GUY L. BABB
WILLIAM B. TOWLE
CYNTHIA R. AMRHEIN (VT, NY)
AMBER L. THIBEAULT
DAVID R. WEIGEL (VT, MA)

REGISTERED LAW CLERK:
HETHBA FATNASSI
CATHERINE M. COLT

www.wardandbabb.com
Sender's e-mail: towle@wardandbabb.com

CLOSING COORDINATOR
DEBRA DE

LEGAL ASSISTANT
TIFFANY R. PEZZIM
ELAINE M. SARKIS

PARALEGAL
JO RIC

February 24, 2016

Chapin Spencer
Director of Public Works
Department of Public Works
PO Box 849
Burlington, VT 05402-0849

**RE: 66-68 South Union Street
41 South Willard Street
40-42 Colchester Avenue
34 Colchester Avenue**

Dear Mr. Spencer:

This letter serves as notice that Mr. Kwon appeals any fire safety issues raised in:

- 1) the recent re-inspection at 66-68 South Union Street, including but not limited to inspection number 299422 and/or any subsequent inspection report for this location;
- 2) the recent re-inspection at 41 South Willard Street, including but not limited to inspection number 296531 and/or any subsequent inspection report for this location;
- 3) the recent re-inspection at 40-42 Colchester Avenue, including but not limited to inspection number 295388 and/or any subsequent inspection report for this location;
- 4) the recent re-inspection at 34 Colchester Avenue, including but not limited to inspection number 296523 and/or any subsequent inspection report for this location.

The basis for the appeal is: (1) inaccurate factual allegations; (2) allegations that are unrelated to the minimum housing code, and therefore are outside the jurisdiction of the housing inspector; and (3) any alleged violations related to lead paint are barred by res judicata as these alleged violations are subject to a separate enforcement action by the State of Vermont.

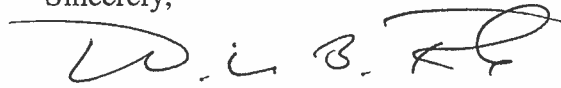
Mr. Kwon requests a determination that these location are not in violation of any

applicable fire safety issues.

These appeals are taken under objection.

As indicated in the enclosed letter to the Housing Board of Review dated February 24, 2016, which is adopted by reference, we believe that these appeals lie correctly with the Housing Board of Review. Mr. Kwon therefore adopts by reference the appeals filed in those pending actions before the Board of Review.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. B. Towle', with a stylized flourish at the end.

William B. Towle

Enclosure: letter to the Housing Board of Review dated February 24, 2016

cc: Client
Bill Ward (without enclosure)
Gene Bergman (without enclosure)

WARD & BABB

ATTORNEYS-AT-LAW

A Trade Name for a Professional Corporation

EUGENE J. WARD, III
GUY L. BABB
WILLIAM B. TOWLE
CYNTHIA R. AMRHEIN (VT, NY)
AMBER L. THIBEAULT
DAVID R. WEIGEL (VT, MA)

REGISTERED LAW CLERK:
HETHBA FATNASSI
CATHERINE M. COLT

www.wardandbabb.com
Sender's e-mail: towle@wardandbabb.com

CLOSING COORDINATOR
DEBRA D.

LEGAL ASSISTANT
TIFFANY R. PEZZIM
ELAINE M. SARKIS

PARALEGAL
JO RICH

February 24, 2016

William Ward
Director of Code Enforcement
Burlington Code Enforcement Office
P.O. Box 849
Burlington, VT 05402-0849

Eugene Bergman, Esq.
Assistant City Attorney
City Attorney's Office
149 Church Street, Room 11
Burlington, VT 05401

RE: 66-68 South Union Street

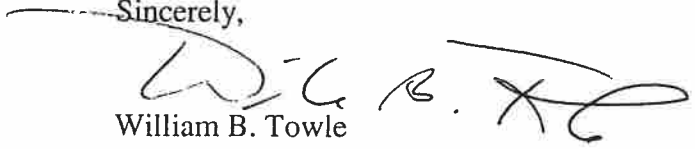
Dear Gentlemen:

This letter serves as notice that Mr. Kwon appeals the recent re-inspection at 66-68 South Union Street, including but not limited to inspection number 299422 and/or any subsequent inspection report for this location.

The basis for the appeal is: (1) inaccurate factual allegations; (2) allegations that are unrelated to the minimum housing code, and therefore are outside the jurisdiction of the housing inspector; and (3) any alleged violations related to lead paint are barred by res judicata as these alleged violations are subject to a separate enforcement action by the State of Vermont.

Mr. Kwon requests a determination that 66-68 South Union Street is not in violation of the minimum housing standards.

Sincerely,


William B. Towle

cc: Client
Chapin Spencer, Department of Public Works

WARD & BABB

ATTORNEYS-AT-LAW

A Trade Name for a Professional Corporation

EUGENE J. WARD, III
GUY L. BABB
WILLIAM B. TOWLE
CYNTHIA R. AMRHEIN (VT, NY)
AMBER L. THIBEAULT
DAVID R. WEIGEL (VT, MA)

REGISTERED LAW CLERK:
HETHBA FATNASSI
CATHERINE M. COLT

www.wardandbabb.com
Sender's e-mail: towle@wardandbabb.com

CLOSING COORDINATOR:
DEBRA DENNY

LEGAL ASSISTANTS:
TIFFANY R. PEZZIMENTI
ELAINE M. SARKISIAN

PARALEGAL:
JO RICHER

February 24, 2016

Lisa Jones
Board Clerk
Housing Board of Review
City of Burlington
149 Church St. Room 11
Burlington, VT 05401

Dear Ms. Jones:

I write in response to your letter of February 19, 2016.

My client does intend to appeal the 66-68 South Union order of February 19, 2016. For the record, we will issue a notice of appeal to Bill Ward on that matter.

I have reviewed your suggestion that certain provisions of the appeal related to fire safety must be appealed to the Public Works Commission. Although I do ask that you transfer those matters to the Public Works Commission as cross-appealed – and we will file our own notices as well -- we do so under objection.

We believe under the controlling state statute this entire appeal is correctly before the Housing Board of Review.

The current Minimum Housing Standards Ordinance of the City of Burlington were passed in 1986. Although based on an earlier ordinance, it is clear that the updated ordinances were passed under 24 V.S.A. Chapter 123, specifically 24 V.S.A. § 5003, and were not passed under the older municipal code statute, 24 V.S.A. Chapter 83. As proof, we point out that Division 2 of the ordinance establishes a housing board of review pursuant to 24 V.S.A. § 5005, which is solely authorized under ordinances established under 24 V.S.A. § 5003. We conclude that the current Ordinance Chapter 18, the Minimum Housing Standards Ordinance of the City of Burlington, was passed under authority of 24 V.S.A. Chapter 123.

All of the items referenced in the reports under appeal reference violations under Ordinance Chapter 18 (or are silent on their basis). I also note that there is no warning in the violation notice that appeal might be due to Public Works. Also, the split appeal is unnecessarily

confusing.

I recognize that Ordinance 18-94 purports to make violations of Division 5 (18-94 through 18-101) appealable to "the appeals board under the rules established in Chapter 8 of this Code of Ordinances." It appears the Ordinance anticipates that certain fire related appeals are to be heard by the older appeals board, which is how older municipal codes under ordinances passed under the older 24 V.S.A. Chapter 83 (§3101-3120) handled appeals. The Ordinance explains the reason is for "consistent enforcement."

Regardless, Public Works is a misplaced destination for an appeal for an updated ordinance, such as Burlington's. 24 V.S.A. § 5010 specifically states that ordinances adopted pursuant to the newer 24 V.S.A. Chapter 123 are not subject to the provisions of the older 24 V.S.A. Chapter 83 ("The provisions of this chapter and ordinances and regulations adopted under its authority, shall not be subject to limitations, requirements or provisions contained in said chapter 83."). We find that by passing an ordinance under 24 V.S.A. Chapter 123 and setting up an enforcement scheme under that chapter, Burlington has removed statutory basis for an appeal to the appeal board as per the older statute. Instead, 24 V.S.A. § 5005.(b)(2) states that "[a]ny person aggrieved by an order issued by the enforcing officer may appeal to the [housing] board."

We believe under 24 V.S.A. § 5005.(b)(2), the Board is the only permissible review of any alleged violation under Ordinance Chapter 18.

Sincerely,

A handwritten signature in black ink, appearing to read "W. B. Towle", with a horizontal line extending from the left side of the first letter.

William B. Towle

cc: Client
Bill Ward
Eugene Bergman
Chapin Spencer

WARD & BABB
ATTORNEYS-AT-LAW
3069 WILLISTON ROAD
SOUTH BURLINGTON, VERMONT 05403-6044

BURLINGTON VT 054

24 FEB 2016 PM 1 L 0

RECEIVED
FEB 26 2016
City Of Burlington
Department Of Public Works

Chapin Spencer
Director of Public Works
Department of Public Works
PO Box 849
Burlington, VT 05402-0849

Burlington Department of Public Works Special Commission Meeting
Draft Minutes, 8 March 2016
53 Lavalley Ln

Commissioners Present: Robert Alberry; Tiki Archambeau (Vice Chair); Chris Gillman; Jeff Padgett (Chair); Tom Simon (*arrives at 6:39pm*). **Commissioners Absent:** Jim Barr; Solveig Overby.

Item 1 Call to Order – Welcome – Chair Comments

Chair Padgett calls meeting to order at 6:36PM and makes opening comments.

Item 2 – Agenda

Commissioner Alberry makes motion to remove Agenda Item 3 i Public Forum and approve the altered Agenda and is seconded by Vice Chair Archambeau.

Action taken: motion approved;

ñAyesò are unanimous.

Commissioner Simon arrives

Item 3 – 10-12 Intervale Ave Appeal of Plumbing Code

A) Staff Presentation introduced by Assistant Director of Technical Services Norm Baldwin (introducing a copy of the Notice of Hearing), Senior Assistant City Attorney Eugene Bergman (introducing copies of appellant's 2 plumbing permit applications; of Burlington City Ordinances 25-2 i 25-4, 25-9, 25-10; of the Inspection Agreement Between the State of Vermont and the City of Burlington; of pages 1 i 3, 5, 9 i 11 in the Vermont Plumbing Rules), and given by Plumbing/Mechanical Inspector John Ryan who presents the city's case concerning the 2 denials of issuance for the appellant's 2 separate permit applications; Appellant Presentation by Dr. Chris Khamnei who responds to the city's case (introducing copies of page 11 of document listed as (A); of page 28 of document listed as (B); of pages 240 i 245 of Public Acts, 1959; of pages 130 i 133 of Public Acts, 1979; of Public Acts, 1994 number 176; of page 5 of document listed as (F)) with Attorney Bergman replying.

B) Commission Questions

Chair Padgett, Vice Chair Archambeau, and Commissioners Alberry, Gillman, and Simon ask questions concerning staff's presentation with Attorney Bergman and Inspector Ryan answering; Chair Padgett, Vice Chair Archambeau, and Commissioner Simon ask questions with Dr. Khamnei answering and Attorney Bergman replying.

C) Public Comment

D) Commissioner Discussion

E) Motion made by Commissioner Alberry to move into Executive Session.

Seconded by Vice Chair Archambeau.

Discussion

Action taken: motion passed;

ñAyesò unanimous.

Item 4 – Executive Session for Appeal

Item 5 – Adjournment

No action taken.

Burlington Department of Public Works Commission Meeting
Draft Minutes, 16 March 2016
645 Pine Street

Commissioners Present: Robert Alberry; Tiki Archambeau (Vice Chair); Jim Barr; Chris Gillman (*arrives at 6:38pm*); Solveig Overby; Jeff Padgett (Chair); Tom Simon (*arrives at 6:34pm*). **Commissioners Absent:** None.

Item 1 – Call to Order – Welcome – Chair Comments

Chair Padgett calls meeting to order at 6:32pm making no comments.

Item 2 – Agenda

Action taken: Agenda approved;
“Ayes” are unanimous.

Commissioner Simon arrives

Item 3 – Public Forum

Caryn Long, Ward 1, speaks on lost green space and lot coverage.

Commissioner Gillman arrives

Item 4 – Permit Reform Introduction to Consultant Matrix

A. Oral Communication introduced by Public Works Director Chapin Spencer and given by Matrix Consulting Group Senior Consultant Aaron Baggarly who speaks on the process of permit reform consultation going forward.

B. Commissioner Discussion

Commissioner Overby asks questions on Agenda Item 4 with Mr. Baggarly answering.

C. Action Requested – None

Item 5 – Residential Parking Implementation Update

A. Communication given by Senior Planner Nicole Losch who speaks on the city’s near-term implementation of the Residential Parking Management Plan.

B. Commissioner Discussion

Vice Chair Archambeau asks question on Agenda Item 5 with Planner Losch and Engineering Technician Damian Roy answering.

C. Public Comment

Sharon Bushor, Ward 1, speaks on Agenda Item 5.

D. Action Requested – None

- * *Appellant Attorney William Towle, Senior Assistant City Attorney Gene Bergman, and Chair Padgett engage in a discussion over the procedure of the appeal. Commissioner Simon moves to amend Agenda Items 6, 7, and 8, swapping items B and C in each, with Commissioner Barr seconding.*

Action taken: motion approved;

“Ayes” are unanimous.

Item 6 – 66 South Union St – Appeal

A) Staff Oral Presentation to Commission by Assistant Director of Technical Services Norm Baldwin who introduces the appeals of the 3 different properties.

B) Communication by Code Enforcement Director William Ward who presents the city's case concerning the appeal of the 66 South Union St inspection findings, introducing Code Enforcement's "66-68 South Union Street" exhibit (via Power Point presentation) for the record – Appellant Attorney Towle and City Attorney Bergman reply.

C) Oral Presentation by Appellant Attorney Towle and Appellant Soon Kwon who respond to the city's case, introducing Appellant's "66-68 South Union" exhibit (via Power Point presentation) for the record – City Attorney Bergman and Director Ward reply.

D) Commissioner Discussion

Chair Padgett, Vice Chair Archambeau, and Commissioners Gillman and Overby ask questions on the city's case with City Attorney Bergman and Director Ward answering – Appellant Attorney Towle and Mr. Kwon reply.

Vice Chair Archambeau and Commissioners Alberry, Barr, Gillman, Overby, and Simon ask questions on the appeal with Appellant Attorney Towle and Mr. Kwon answering – City Attorney Bergman and Director Ward reply.

E) Public Comment

F) Action Requested – Vote

Item 7 – 41 South Willard St – Appeal

A) Staff Oral Presentation to Commission

B) Communication by Director Ward who presents the city's case concerning the appeal of the 41 South Willard St inspection findings, introducing Code Enforcement's "41 South Willard Street" exhibit (via Power Point presentation) and the Division of Fire Safety's "Secondary Means of Escape: Emergency Egress Windows" handout for the record.

C) Oral Presentation by Appellant Attorney Towle and Mr. Kwon who respond to the city's case, introducing Appellant's "41 South Willard" exhibit (via Power Point presentation) for the record.

D) Commissioner Discussion

Chair Padgett, Vice Chair Archambeau, and Commissioners Barr, Gillman, and Simon ask questions on the city's case with City Attorney Bergman and Director Ward answering – Appellant Attorney Towle replies.

Vice Chair Archambeau and Commissioners Alberry, Barr, Gillman, Overby, and Simon ask questions on the appeal with Appellant Attorney Towle and Mr. Kwon answering – City Attorney Bergman and Director Ward reply.

E) Public Comment

F) Action Requested – Vote

- * *On Commissioner Alberry's suggestion, the the 8:50pm "time-certain" deadline for appeal items is extended by 10 minutes, allowing for Agenda Item 7 presentations to be finished. Assistant Director Baldwin addresses the future presentation of Agenda Item 8, telling both City and Appellant to note of the next scheduled meeting on April 20, 2016. City Attorney Bergman asks the commission to consider a special meeting for the appeal but due to scheduling Chair Padgett points out the likelihood being Agenda Item 8 being held over until the April 20, 2016 meeting.*

Item 8 – 40-42 Colchester Ave – Appeal

- * *The Commission moves first to Agenda Item 10, needing time with Draft Minutes of 2-17-16.*

Item 10 – Director's Report

Director Spencer reports on the upcoming March 17, 2016 meeting for the Champlain Elementary Pedestrian Improvements Project, the Manhattan Drive Slope project soon going out to bid, moving ahead with the North Ave Pilot project, and his intent in the next week or two to notifying the Commission of using his power under ordinance to initiate a 1 month pilot project concerning driveway encroachment in

the Loomis St area. Commissioners Alberry and Overby ask questions concerning the encroachment pilot with Assistant Director Baldwin answering.

Item 9 – Draft Minutes of 2-17-16

Vice Chair Archambeau makes motion to accept minutes of 2-17-16 and is seconded by Commissioner Barr.

Action take: motion approved;

Commissioner Alberry: abstained (*due to absence at 2-17-16 meeting*)

Vice Chair Archambeau: Aye

Commissioner Barr: Aye

Commissioner Gillman: Aye

Commissioner Overby: Aye

Chair Padgett: Aye

Commissioner Simon: abstained (*due to absence at 2-17-16 meeting*)

Item 11 – Commissioner Communications

Item 12 – Executive Session For Appeals

Item 13 – Adjournment & Next Meeting Date – April 20, 2016

Motion to adjourn made by Commissioner Simon and seconded by Vice Chair Archambeau.

Action taken: motion approved;

“Ayes” are unanimous.

Meeting adjourned at 9:16pm.



**CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS**

645 Pine Street, Suite A
Burlington, VT 05401
802.863.9094 VOICE
802.863.0466 FAX
802.863.0450 TTY
www.burlingtonvt.gov/dpw

To: DPW Commissioners
Fr: Chapin Spencer, Director
Re: **Director's Report**
Date: April 13, 2016

PREVENTATIVE MAINTENANCE INNOVATIONS:

Culture of Innovation is one of our Department's three overarching goals. We have been making significant progress on this front in using new technology to extend the lifespan of our aging assets. Here is a quick summary of techniques we have initiated in FY'16:

1. **Crack Sealing:** We are currently procuring a contractor to crack seal several of the City's major streets during the month of June 2016. Crack sealing is a cost-effective pavement preservation strategy to maximizing the lifespan of our pavement. It is the first time in recent years that the City has pursued pavement preservation within our roadway network. It is a strategy that DPW Commissioners have requested to preserve the investment in our streets.
2. **Water Line Relining:** Water Resources has spent the past year researching an exciting technology for rehabilitation of water mains. While similar to CIPP (cured-in-place-pipe) technology we've been using for years on our sewer and storm pipes, the difference is that water main liner is approved for drinking water use and is rated to handle pressures associated with water systems. We will soon be receiving a construction permit from the Vermont Water Supply Division and will be opening the doors for use of this technology in the State. While this technology is still fairly expensive, the savings in time and reduction in street disruption is significant. We also expect pricing to come down as more companies enter this field. Just like sewer and storm pipes, we fully expect this technology to become the "new normal" for us.
3. **Sidewalk Cutting:** For the first time last fall, we contracted with a firm that employs a special diamond blade for cutting vertical displaced sidewalk panels so as to reduce trip hazards and make the route ADA accessible. It was very successful and we are budgeting to continue this work in FY'17.

YARD PARKING

The Commission has periodically received public comment regarding enforcement of yard parking. To make sure the Commission is briefed on what the City has been doing to address these concerns, I have asked Code Enforcement Director Bill Ward to provide a memo to the Commission. The City has been taking this issue seriously. Please feel free to follow up with Bill Ward or me.

VOSHA INSPECTION

The City received an unannounced inspection by Vermont OSHA last fall as was reported in my November 2015 Director's Report. There were violations identified in several departments in

the City including Public Works. Our department responded quickly to all issues within our domain. When the informal conference was held on March 17, VOSHA acknowledged that all DPW-related violations had been abated and fines were reduced by 50%. We have taken a number of steps to further strengthen our safety program including an developing an annual training roster, formalizing policies and procedures and explicitly making mid-level managers responsible for complying with safety policies and regulations.

184 CHURCH STREET

Commissioners may have seen the coverage of recent incidents at 184 Church Street covered by the Free Press and VPR last week. The incident that most engaged Public Works was a blocked sewer on the private property. DPW had personnel onsite very soon after we were contacted. We were on site over two hours prior to the property owner's repair person. We closed the affected sidewalk with signs. We called the property owner twice and stopped by his place of employment to ensure a response. We confirmed there was no blockage in the City's main. The public was kept away from the affected area. Lime was applied. We called Code Enforcement and were ready to shut the water service off to the entire building to stop the flow of grey water when the property owner's repair person did arrive. The ROW was thoroughly cleaned afterwards. Team DPW's response was appropriate. I have not found a statute or provision in our permits, main plant or MS4, that would make this leak into our ROW a reportable incident. The State has suggested we report similar incidents to them and we are open to this as long as it is a clear policy direction for all municipalities.

PROJECT UPDATES

- The final work items are being completed at **Waterfront Access North** this spring. The pavilion at the skatepark is under construction currently and as a result the skatepark is closed for the next few weeks.
- Cleared final hurdle before putting the **Manhattan Drive slope failure** out to bid. Project construction will occur this season.
- Our **construction season has started** and the Maintenance Division is underway with sidewalk and catch basin construction. Construction updates are posted on DPW's website at: <https://www.burlingtonvt.gov/DPW/CONSTRUCTION-UPDATES>.
- **Permit reform effort** is fully underway. Lead consultant Matrix is currently interviewing key stakeholders. Public engagement will occur this spring and summer.
- Staff is continuing to advance preparations for the **North Avenue pilot project** which will begin this summer. The draft striping plan is now available at: <https://www.burlingtonvt.gov/node/1074>.
- The City Council recently approved the contracts for significant **relining of stormwater and wastewater pipes** this spring and summer.
- We are still waiting on the release of the final **Total Maximum Daily Load (TMDL)** document regulating phosphorous in Lake Champlain from the EPA.
- Capital repair work has resumed at **College Street and Marketplace garages**. We are working hard to minimize the disruption to the public and adjacent businesses.

WELCOME PAT!

- Pat Cashman, our new Assistant Director – Parking & Traffic, started at the end of March. He will attend the April Commission meeting.

**CODE ENFORCEMENT OFFICE**

645A Pine St, PO Box 849
Burlington, VT 05402-0849

VOICE (802) 863-0442

FAX: (802) 652-4221

To: Chapin Spencer
From: Bill Ward *Ward*
Date: April 13, 2016
Re: Driveway expansion complaints.

At the March, 16 2016 the Public Works Commission heard public forum comments on lost green space not being enforced. I will be available at the public works commission meeting to discuss the issue if there are additional questions. The properties that were discussed were:

- 1) **18-20 Weston Street** - The property was issued a Zoning Notice of Violation for the expansion of the driveway in February 2015. The property owner appealed to the Development review board and has since appealed the findings of the Development review Board to the Vermont Environmental Court. We do not have a trial date confirmed with the Environmental Court. It is important to note that there is enforcement action at this property and regular monitoring of the conditions. We fully intend to hold the property accountable to the zoning ordinance and ultimately the Environmental Court judge's ruling.
- 2) **80 North Union Street**- A complaint was filed in 2014 that heavy equipment was being used on site without a permit. We determined that a permit was in place for the adjoining property at 76 N. Union which required the use of heavy equipment to be in the driveway. In July 2015 we received an e-mail complaint from the same person stating there was expanded parking at 80 N. Union Street with no permits. We sent a warning notice to the property owner in July 2015 and they responded with a site plan and permit request in August, 2015. The application was set for DRB review at their October 20, 2015 meeting. The property asked for additional time and the project remained in application status until March 2016 when the Zoning Administrator noted that the property owner withdrew the permit request. The Zoning Administrator gave the property owner until May 2016 to bring the property back to the previous condition.

Complaints- The complaint process for these complaints is very simple. We encourage residents to use the SeeClickFix.com reporting system. It is transparent for the public to see what we do or don't do and it can be used across multiple departments to track problem locations. When we receive a complaint we investigate the current conditions and compare them to previous conditions and the approved zoning site plan for the property. If there is a lawn parking violation we issue the vehicle \$75 ticket. One ticket is sometime enough to deter any further yard parking. The Code Enforcement office and the Burlington Police Parking unit have issued a combined 100 yard parking tickets since January 1, 2016.

If there is a second yard parking incident/ticket we send a zoning warning letter to the property owner indicating we have initiated an investigation which may result in a Zoning Notice of Violation being issued. Monitoring then takes place and if the property is not brought into compliance a Zoning Notice of Violation is issued. That NOV process includes a 7 day period for the property owner to correct the violation, or a 15 day period to appeal the violation. Appeals can take months to resolve so the process does not provide immediate justice. We have three pending yard parking appeals currently.

CITY OF BURLINGTON, VERMONT

Development and Construction Permitting Review

The Matrix Consulting Group has been engaged to review the development and construction permitting processes utilized by the City of Burlington, Vermont. We are coordinating our work with the consultant that has been selected to perform the Historic Preservation code and evaluation.

The major tasks of our project approach include the following:

- Task 1 Develop a Profile of Services and Develop “As Is” Process Flows.
- Task 2 Interview and Survey Customers to Identify Service Levels and Issues from Customer Perspective.
- Task 3 Survey Staff Attitudes Regarding the Permitting Process.
- Task 4 Benchmark the Construction and Permitting Operations and Services Levels Against Best Practices and Peer Entities.
- Task 5 Evaluate Regulations, Development Processes and Develop Recommended Business Processes and Staffing Impacts.
- Task 6 Document Recommendations in a Final Report and Action Plan.

Our overall project schedule is shown in the following chart, and represents an effort spanning from March through August.

Task	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
1. Data Collection and Profile																		
2. Stakeholder/Public Input																		
3. Employee Input																		
4. Best Practices/Comparative																		
5. Process/Regulation Evaluation																		
8. Report Development																		

Our work will be coordinated with the firm that has been selected to perform the Historic Preservation review and analysis.

If you have any questions regarding the project, the project status, or wish to talk with a member of the Matrix Consulting Group project team, please feel free to contact Alan Pennington, Project Manager, at apennington@matrixcg.net or 618.692.9085.

Lori Olberg

From: RFS <emailautomation@burlingtonvt.gov>
Sent: Wednesday, February 17, 2016 11:26 AM
To: Lori Olberg
Subject: [City Council] Parking meters

COMMUNICATION
DATE 3/7/16
AGENDA ITEM # 4.04

This message was sent to you because you are a designated recipient for: City Council

Message ID: 28275

IP Address from: 71.161.109.30

Message from: David A Martel

Reply to address: davidm@vermontsystems.com

Message:

I was in Burlington on 02/16/2016 and I must say it was the first time in a long time and I was shocked how expensive it is for parking. It use to be you only paid for parking to 06:00PM and now I see it is until 10:00PM. Whose bright idea was that? Not a great plan. I can eat at restaurants just about any ware other than Burlington and park for free why would I want to travel into Burlington to have dinner and pay dearly for parking. I don't think I will make that mistake again. I travel for work and for a small city the rates are as high as or higher than a major city. I see the fancy new meters and I was wondering. How much revenue is generated by meters and how much revenue is generated by fines? I would like to have these separated for a year. How much does it cost for the meters, Purchasing and installation and maintenance. How many enforcement officials/meter maids and what is the total salary and dollar value of benefits are paid out per year. Thank you for your time and I look forward to receiving the information. Sincerely: David A Martel After paying for the meters, Purchas, installation and maintenance, and the meter maids salary and benefits to monitor them. Not including the fines, is it worth it. I can see parking discourage people from visiting Burlington. It use to be called Nickel Diming people but I think Burlington has went to the next level of arm robbery. If the city of Burlington is desperate for money maybe it should look at cutting spending and operating cost.

DO NOT REPLY DIRECTLY TO THIS MESSAGE

At their meeting of 3/7/16
the Burlington City Council voted to
waive the reading, accept this communication
and place it on file.

Attest:

Lori Olberg

and send copies to DPW
Director Spencer and the
Public Works Commission
Members.

****PLEASE MOVE ALL BASKETBALL HOOPS OFF THE SIDE OF THE ROAD FOR SWEEPING****

STREET SWEEPING ZONE A

CLEAN SWEEP

is coming to North Avenue
East Side Only! *Is that your
neighborhood?*

From 10:00 PM, Wednesday, April 27, 2016
until 7:00 AM, Thursday, April 28, 2016 cars
must be off all HIGHLIGHTED streets on this
map. Any cars not off these streets will be
towed at owner's expense (\$125). Parking
ban lights will be on.

Free parking will be available at the following city lots
from 10:00 PM, April 27, 2016 till 8:00 AM, April 28, 2016:
Cherry Street Garage (Macy's - 45 Cherry St), College Street
Garage (Hilton), South Winooski Ave Garage (Marketplace).

Your cooperation will make it possible for Public Works to do a great
job in sweeping the streets of your neighborhood!

Any Questions? Please call 658-7669 or 863-9094 x3 or visit our website at
www.burlingtonvt.gov/dpw

ONLY STREETS THAT ARE HIGHLIGHTED WILL BE SWEPT

EAST SIDE ONLY OF NORTH AVE ONLY – NOT BOTH SIDES



is coming to North Avenue - West Side Only!
Is that your neighborhood?

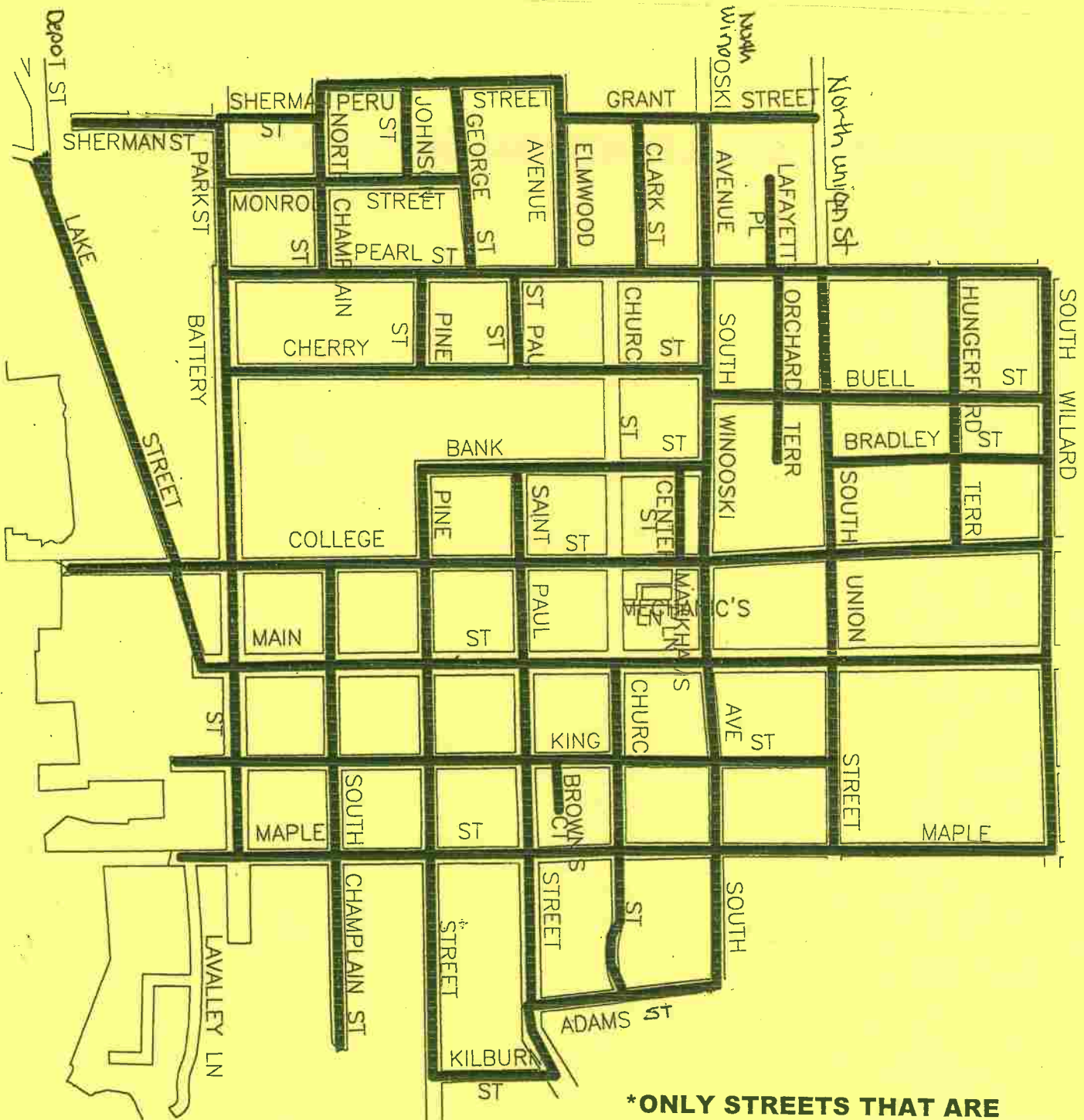
Your cooperation will make it possible for Public Works to do a great job in sweeping the streets of your neighborhood!

WEST SIDE OF NORTH AVE – NOT BOTH



STREET SWEEPING ZONE F

****PLEASE MOVE ALL BASKETBALL HOOPS OFF THE SIDE OF THE
ROAD FOR SWEEPING****



CLEAN SWEEP

***ONLY STREETS THAT ARE
HIGHLIGHTED WILL BE SWEPT
(SEE BACK FOR STREET LISTING)**

is coming to The Downtown area! *Is that your neighborhood?*

From 12:00 AM, Monday, May 2, 2016 until 7:00 AM, Monday, May 2, 2016 cars must be off **All HIGHLIGHTED** streets on this map. Any car not off these streets will be towed at owner's expense (\$125). Parking ban lights will be on.

Free parking will be available at the following city lots from 10:00 PM, May 1, 2016 till 8:00 AM, May 2, 2016: Cherry Street Garage (Macy's - 45 Cherry St), College Street Garage (Hilton), South Winooski Garage (Marketplace).

Your cooperation will make it possible for Public Works to do a great job in sweeping the streets of your neighborhood!

Any Questions? Please call 658-7669 or 863-9094 x3 or visit our website at www.burlingtonvt.gov/dpw (See Reverse side for street listings)

Streets	From	To
Adam Street	St Paul Street	South Winooski Ave.
Bank Street	Pine Street	South Winooski Ave
Battery Street	Pearl Street	Maple Street
Bradley Street	South Union	South Willard Street
Browns Court	King Street	End of Street
Buell Street	South Winooski Ave	South Willard Street
Center Street	College Street	Bank Street
Cherry Street	Battery Street	South Winooski Ave
Church Street	Main Street	Adams Street
Clark Street	Pearl Street	Grant Street
College Street	Lake Street	South Willard Street
Elmwood Ave	Pearl Street	Peru Street
George Street	Pearl Street	Peru Street
Grant Street	Elmwood Ave	North Union Street
Hungerford Terr	Pearl Street	College Street
Johnson Street	Monroe Street	Peru Street
King Street	King Street Dock	South Union Street
King Street	Lake Street	South Willard Street
Lafayette Place	Pearl Street	End of Street
Lake Street	Main Street	Depot Street
Maple Street	Lavalley Lane	South Willard Street
Main Street	Battery Street	South Willard Street
Monroe Street	Battery Street	George Street
North Champlain Street	Pearl Street	Peru Street
North Winooski Ave	Grant Street	Pearl Street
Orchard Terr	Pearl Street	End of Street (co-op)
Park Street	Sherman Street	Pearl Street
Pearl Street	Battery Street	South Willard Street
Peru Street	Elmwood Ave	North Champlain Street
Pine Street	Pearl Street	Cherry Street
Pine Street	Bank Street	Kilburn Street
Sherman Street	North Champlain Street	Park Street
South Champlain Street	College Street	End of Street
South Union Street	Pearl Street	Maple Street
South Winooski Ave	Pearl Street	Adams Street
St Paul Street	Pearl Street	Cherry Street
St Paul Street	Bank Street	Adams Street

Zone-F



STREET SWEEPING ZONE G

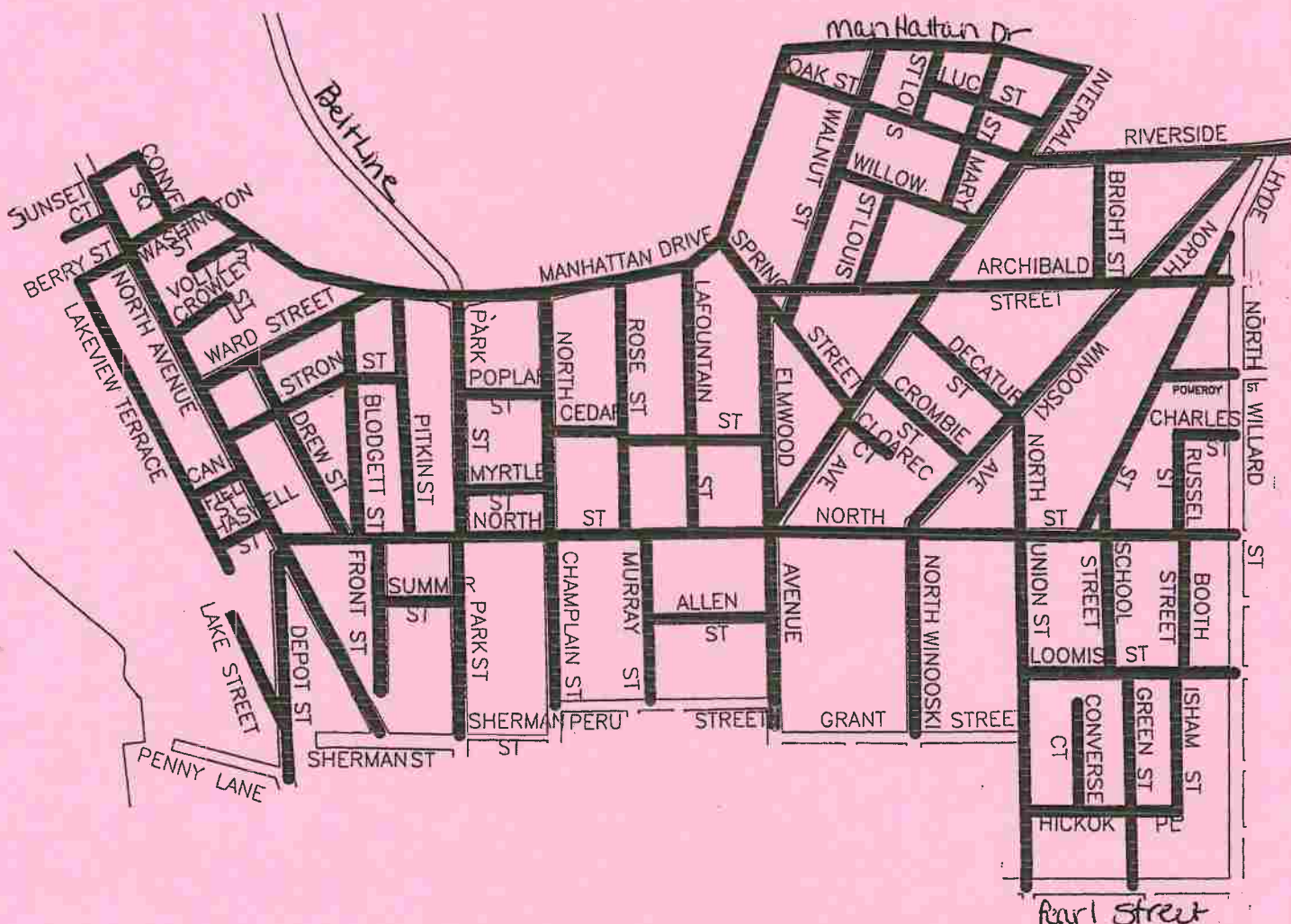
CLEAN SWEEP

is coming to The Old North End!

Is that your neighborhood?

From 10:00 PM, Monday, May 2, 2016 until
7:00 AM, Tuesday, May 3, 2016 cars must be off
all HIGHLIGHTED streets on this map:

****PLEASE MOVE ALL BASKETBALL HOOPS OFF THE SIDE OF
THE ROAD FOR SWEEPING****



***ONLY STREETS THAT ARE
HIGHLIGHTED WILL BE SWEEPED*
(SEE BACK FOR STREET LISTING)**

Any car not off these streets will be towed at owner's expense (\$125). Parking ban lights will be on.

Free parking will be available at the following city lots from 10:00 PM, May 2, 2016 till 8:00 AM, May 3, 2016: Cherry Street Garage (Macy's - 45 Cherry St), College Street Garage (Hilton), South Winooski Garage (Marketplace).

Your cooperation will make it possible for Public Works to do a great job in sweeping the streets of your neighborhood!

Any Questions? Please call 658-7669 or 863-9094 x 3 or visit our website at www.burlingtonvt.gov/dpw (See reverse side for a list of streets to be swept)

Street	From	To
Allen Street	Elmwood Ave	Murray Street
Archibald Street	North Willard Street	Spring Street
Berry Street	North Ave	Lakeview Terr
Blodgett Street	Ward Street	North Street
Booth Street	North Street	Loomis Street
Bright Street	Riverside Ave	Archibald Street
Canfield Street	North Ave	Lakeview Terr
Cedar Street	Elmwood Ave	North Champlain Street
Charles Street	North Willard Street	Russell Street
Cloarec Court	Intervale Ave	End of Street
Convent Sq.	North Ave	Washington Street
Converse Court	Hickok Place	End of Street
Crombie Street	North Winooski Ave	Intervale Ave
Crowley Street	North Ave	End of Street
Decatur Street	North Winooski Ave	Intervale Ave
Depot Street	Parking Lot	Lake Street
Drew Street	Ward Street	North Street
Elmwood Ave	Spring Street	Grant Street
Front Street	North Street	End of Street
Green Street	Loomis Street	Pearl Street
Haswell Street	North Ave	Lakeview Terr
Hickok Place	North Union Street	Isham Street
Hyde Street	North Street	Riverside Ave
Intervale Ave	North Street	Manhattan Drive
Isham Street	Loomis Street	Hickok Place
Lafountain Street	Manhattan Drive	North Street
Lakeview Terr	Berry Street	Burlington College Parking Lot
Loomis Street	North Union Street	North Willard Street
Luck Street	Intervale Ave	St Louis Street
Manhattan Drive	Washington Street	Intervale Ave
Murray Street	North Street	Peru Street
Myrtle Street	North Champlain Street	Park Street
North Ave	Sherman Street	Convent Sq
North Champlain Street	Manhattan Drive	Peru Street
North Street	North Willard Street	North Ave
North Union Street	Pearl Street	North Winooski Ave
North Winooski Ave	Riverside Ave	Grant Street
Oak Street	Manhattan Drive	Intervale Ave
Park Street	Manhattan Drive	Sherman Street
Pearl Street	North Union Street	North Willard Street
Pitkin Street	Manhattan Drive	North Street
Pomeroy Street	North Willard Street	Hyde Street
Poplar Street	North Champlain Street	Park Street
Riverside Ave	Hyde Street	Intervale Ave
Rose Street	Manhattan Drive	North Street
Russell Street	Charles Street	North Street
School Street	Loomis Street	Hyde Street
Spring Street	Intervale Ave	Manhattan Drive
St Louis Street	Manhattan Drive	Oak Street
St Louis Street	Willow Street	Archibald Street
St Mary Street	Willow Street	Manhattan Drive
Strong Street	Pitkin Street	North Ave
Summer Street	Front Street	Park Street
Sunset Court	North Ave	End of Street
Voltz Street	Manhattan Drive	End of Street
Walnut Street	Manhattan Drive	Spring Street
Ward Street	Manhattan Drive	North Ave
Washington Street	Manhattan Drive	North Ave
Willow Street	Walnut Street	Intervale Ave

Zone- G



STREET SWEEPING ZONE D

***ONLY STREETS THAT ARE
HIGHLIGHTED WILL BE SWEPT
(SEE BACK FOR STREET LISTING)**

****PLEASE MOVE ALL BASKETBALL
HOOPS OFF THE SIDE OF THE
ROAD FOR SWEEPING****

CLEAN SWEEP

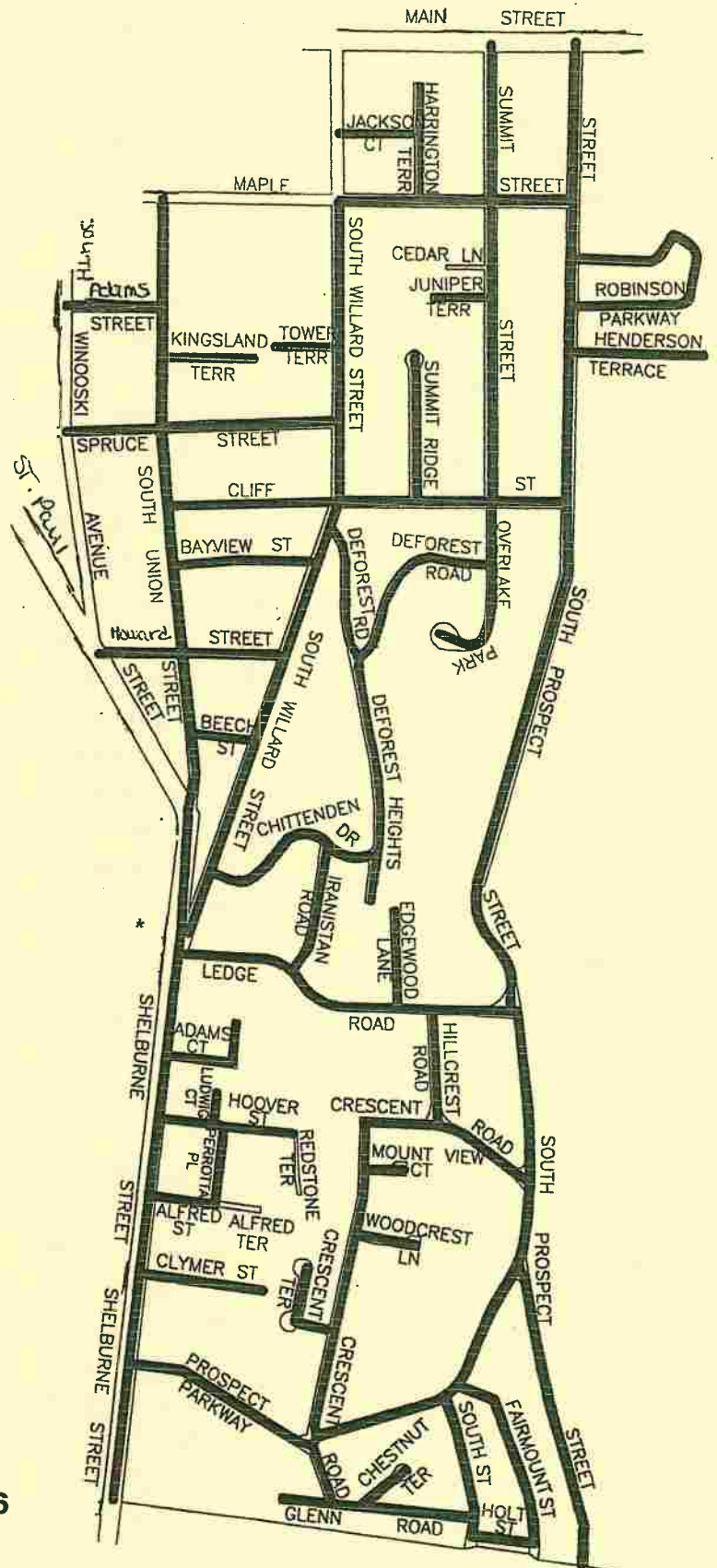
**is coming to The Hill Section!
*Is that your neighborhood?***

**From 10:00 PM, Tuesday, May 3, 2016
until 7:00 AM, Wednesday, May 4, 2016
cars must be off all HIGHLIGHTED
streets on this map. Any car not off these
streets will be towed At owner's expense
(\$125). Parking ban lights will be on.**

**Free parking will be available at the following city lots from 10:00 PM, May 3,
2016 till 8:00AM, May 4, 2016: Cherry Street Garage (Macy's - 45 Cherry St),
College Street Garage (Hilton), South Winooski Garage (Marketplace).**

**Your cooperation will make it possible for Public Works to do a great job in
sweeping the streets of your neighborhood!**

**Any Questions? Please call 658-7669 or 863-9094 x3 or visit our website at
www.burlingtonvt.gov/dpw (See reverse side for a list of streets to be swept)**



Street	From	To
Adams Court	Shelburne St	End of Street
Adams St	South Winooski Ave	South Union St
Alfred Street	Shelburne St	Perotta Place
Bayview Street	South Union Street	South Willard Street
Beech Street	South Union Street	South Willard Street
Chestnut Terrace	Glenn Rd	End of Street
Chittenden Dr	South Willard Street	Deforest Heights
Cliff Street	South Union Street	South Prospect Street
Clymer Street	Shelburne St	End of Street
Crescent Rd	Glenn Rd	South Prospect Street
Crescent Terrace	Crescent Rd	End of Street
Deforest Heights	Deforest Rd	End of Street
Deforest Road	South Willard Street	Overlake Pkwy
Edgewood Lane	Ledge Rd	End of Street
Fairmount Street	Prospect Pkwy	Rice High School
Glenn Rd	South Street	End of Street
Harrington Terrace	Maple Street	End of Street
Henderson Terrace	South Prospect Street	End of Street
Hillcrest Rd	Crescent Rd	Ledge Rd
Holt Street	Fairmount Street	South Street
Hoover Street	Shelburne Rd	Redstone Terr
Howard Street	South Winooski Ave	South Willard Street
Iranistan Rd	Ledge Rd	Chittenden Dr
Jackson Court	South Willard Street	Harrington Terr
Juniper Terr	Summit Street	End of Street
Kingsland Terr	South Union Street	End of Street
Ledge Rd	Shelburne St	South Prospect Street
Ludwig Court	Hoover Street	End of Street
Maple Street	South Willard Street	South Prospect Street
Mount View Court	Crescent Rd	End of Street
Overlake Park	Cliff Street	End of Street
Perrotta Place	Hoover Street	Alfred Street
Prospect Parkway	Shelburne St	South Prospect Street
Robinson Parkway	South Prospect Street	South Prospect Street
Shelburne St	East Side Only	
South Prospect Street	Main Street	End of Street by Rice
South Street	Prospects Pkwy	Holt Street
South Union Street	Shelburne St	Maple Street
South Willard Street	Shelburne St	Maple Street
Spruce Street	South Winooski Ave	South Willard St.
Summit Ridge	Cliff Street	End of Street
Summit Street	Main Street	Overlake Park
Tower Terrace	South Willard St	End of Street
Woodcrest Lane	Crescent Rd	End of Street

Zone- D

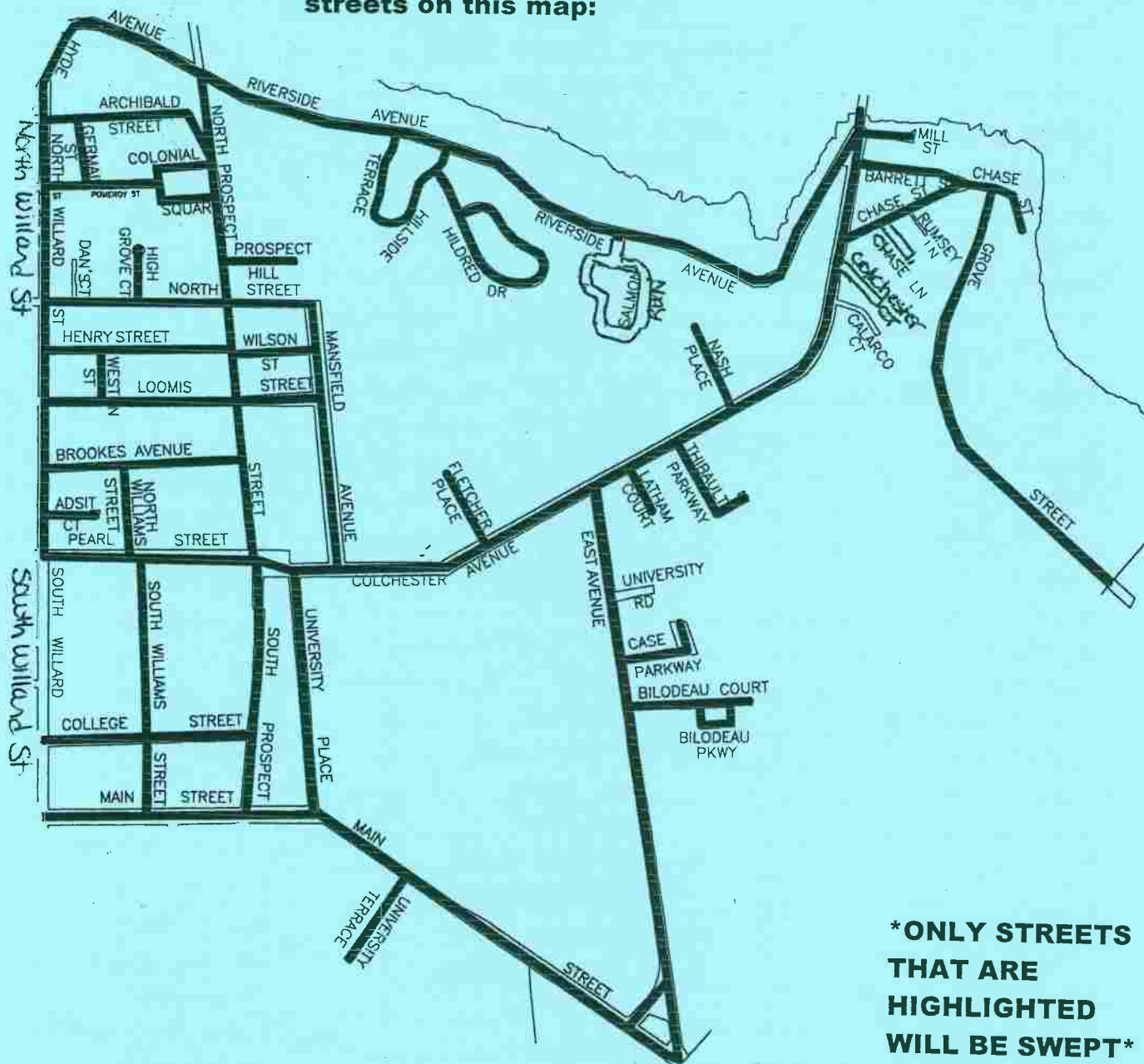
STREET SWEEPING ZONE E



CLEAN SWEEP

is coming to The University Area! *Is that your neighborhood?*

From 10:00 PM, Wednesday, May 4, 2016 until 7:00 AM, Thursday, May 5, 2016 cars must be off all HIGHLIGHTED streets on this map:



***ONLY STREETS
THAT ARE
HIGHLIGHTED
WILL BE SWEEP*
(SEE BACK FOR
LISTING)**

**Any car not off these streets will be towed
At owner's expense (\$125). Parking ban lights will be on.**

Free parking will be available at the following city lots from 10:00 PM, May 4, 2016 till 8:00 AM, May 5, 2016 : Cherry Street Garage (Macy's - 45 Cherry St), College Street Garage (Hilton), South Winooski Garage (Marketplace).

Your cooperation will make it possible for Public Works to do a great job in sweeping the streets of your neighborhood!

Any Questions? Please call 658-7669 or 863-9094 x3 or visit our website at www.burlingtonvt.gov/dpw (See reverse side for a list of streets to be swept)

****PLEASE MOVE ALL BASKETBALL HOOPS OFF THE SIDE OF THE ROAD
FOR SWEEPING****

Street	From	To
Adsit Ct.	North Willard Street	End of Street
Archibald Street	North Willard Street	North Prospect Street
Barrett Street	Colchester Ave	Chase Street
Bilodeau Court	East Ave	End of Street
Bilodeau Pkwy	Bilodeau Ct	Bilodeau Ct.
Brookes Ave	North Willard Street	North Prospect Street
Case Pkwy	East Ave	End of Street
Chase Street	Colchester Ave	Barrett Street
Chase Street	Barrett Street	End of Street
Colchester Ave	North/South Prospect Street	Winooski Bridge
Colchester Court	Colchester Ave	End of Street
College Street	South Willard Street	South Prospect Street
Colonial Sq	Pomeroy Street	North Prospect Street
East Ave	Main Street	Colchester Ave
Fletcher Place	Colchester Ave	End of Street
Germain Street	Pomeroy	Archibald Street
Grove Street	Chase Street	City Line
Henry Street	North Willard Street	North Prospect Street
Highgrove Court	North Street	End of Street
Hildred Drive	Hillside Terr	Hillside Terr
Hillside Terr	Riverside Ave	Riverside Ave
Latham Court	Colchester Ave	End of Street
Loomis Street	North Willard Street	Mansfield Ave
Main Street	South Willard Street	Jug Handle
Mansfield Ave	Colchester Ave	North Street
Mill Street	Colchester Ave	Pump Station
Nash Place	Colchester Ave	End of Street
North Prospect St	Pearl Street	Riverside Ave
North Street	North Willard Street	Mansfield Ave
North Willard St	Pearl Street	Hyde Street
North Williams St	Pearl Street	Brookes Ave.
Pearl Street	South Willard Street	South Prospect Street
Pomeroy Street	North Willard Street	Colonial Sq
Prospect Hill	North Prospect Street	End of Street
Riverside Ave	North Prospect Street	Winooski Bridge
South Prospect St	Main Street	Pearl Street
South Willard	Main Street	Pearl Street (both sides)
South Williams St	Main Street	Pearl Street
Thibault Pkwy	Colchester Ave	End of Street
University Place	Main Street	Colchester Ave
University Terr	Main Street	End of Street
Weston Street	Loomis Street	Henry Street
Wilson Street	North Prospect Street	Mansfield Ave

Zone-E



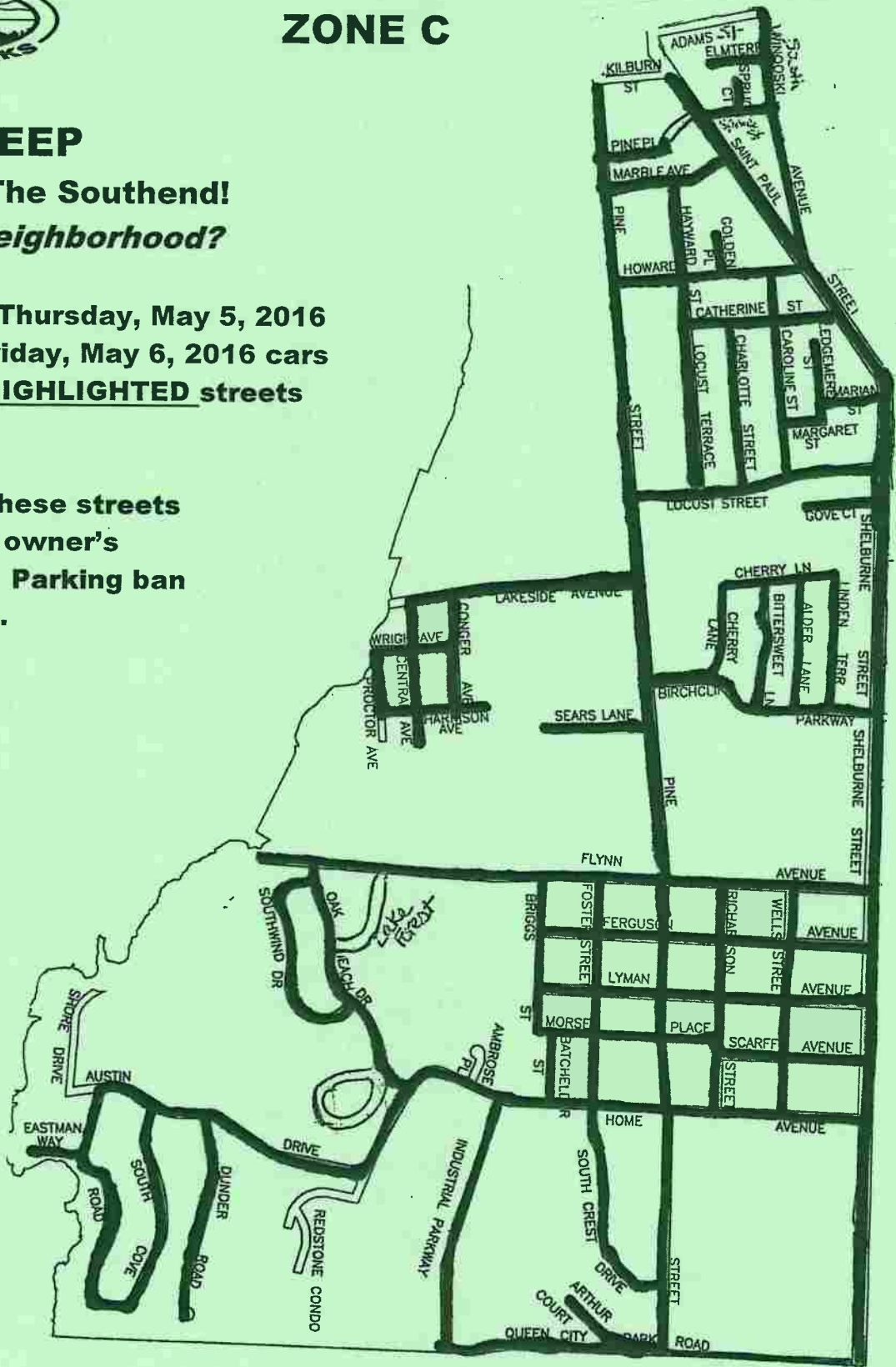
STREET SWEEPING ZONE C

CLEAN SWEEP

is coming to The Southend!
Is that your neighborhood?

From 10:00 PM, Thursday, May 5, 2016
until 7:00 AM, Friday, May 6, 2016 cars
must be off all HIGHLIGHTED streets
on this map:

Any car not off these streets
will be towed at owner's
expense (\$125). Parking ban
lights will be on.



*** ONLY STREETS THAT ARE HIGHLIGHTED
WILL BE SWEEPED (SEE BACK FOR LISTING) ***

Free parking will be available at the following city lots from 10:00 PM, May 5, 2016 till 8:00 AM, May 6, 2016 at the Cherry Street Garage (Macy's - 45 Cherry St), College Street Garage (Hilton), South Winooski Garage (Marketplace).

Your cooperation will make it possible for Public Works to do a great job in sweeping the streets of your neighborhood!

Any Questions? Please call 658-7669 or 863-9094 x3 or visit our website at www.burlingtonvt.gov/dpw (See reverse side for a list of streets to be swept)

**** PLEASE MOVE ALL BASKETBALL HOOPS OFF THE SIDE OF THE ROAD
FOR SWEEPING ****

Street	From	To
Alder Lane	Birchcliff Pkwy	Cherry Lane
Arthur Court	Queen City Park Road	End of Street
Austin Drive	Industrial Pkwy	South Cove Drive
Batchedler	Morse Place	Home Ave
Birchcliff Pkwy	Shelburne Street	Pine Street
Bittersweet Lane	Birchcliff Pkwy	Cherry Lane
Briggs Street	Flynn Ave	Morse Place
Caroline Street	Howard Street	Locust Street
Catherine Street	St Paul Street	Locust Terr
Central Ave	Lakeside Ave	Harrison Ave
Charlotte Street	Catherine Street	Locust Street
Cherry Lane	Birchcliff Pkwy	Linden Terr
Conger Ave	Lakeside Ave	Harrison Ave
Dunder Road	Austin Drive	End of Street
Eastman Way	South Cove	End of the Street
Elm Terr	South Winooski Ave	End of Street
Ferguson Ave	Shelburne Street	Briggs Street
Flynn Ave	Shelburne Street	Oakledge Park Gate
Foster Street	Flynn Ave	Home Ave
Golden Place	Howard Street	End of Street
Gove Court	Shelburne Street	End of Street
Harrison Ave	Proctor Ave	End of Street
Hayward Street	Marble Ave	Catherine Street
Home Ave	Shelburne Street	Industrial Pkwy
Howard Street	St Paul Street	Pine Street
Industrial Pkwy	Home Ave	Queen City Park Road
Lakeside Ave	Pine Street	Central Ave
Ledgemere Street	Margaret Street	End of Street
Linden Terr	Birchcliff Pkwy	Cherry Lane
Locust Street	Shelburne Road	Pine Street
Locust Terr	Catherine Street	Locust Street
Lyman Ave	Shelburne Street	Briggs Street
Marble Ave	St Paul Street	Pine Street
Margaret Street	Ledgemere Street	Caroline Street
Marian Street	Shelburne Street	Ledgemere Street
Morse Place	Richardson Street	Briggs Street
Oak Beach Drive (Not Including the Loop)	Flynn Ave	Austin Drive
Pine Place	Pine Street	End of Pavement
Pine Street	Kilburn	Queen City Park Road
Proctor Ave	Wright Ave	Harrison Ave
Queen City Park Road	Shelburne Road	Industrial Pkwy
Richardson Street	Flynn Ave	Home Ave
Scarff Ave	Shelburne Street	Richardson Street
Sears Lane	Pine Street	End of Street
Shelburne St	St. Paul Street	Queen City Park Road
South Cove Road	Austin Drive	Austin Drive
South Crest Drive	Home Ave	Pine Street
Southwind Drive	Oak Beach Drive	Oak Beach Drive
South Winooski Ave	Adams St	St Paul St
Spruce Ct	Spruce St	End of Street
St. Paul Street	Kilburn	Shelburne Street
Wells Street	Flynn Ave	Home Ave
Wright Ave	Conger Ave	End of Street

Zone C