



**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: February 9, 2017
Re: Public Works Commission Agenda

Please find information below regarding the next Commission Meeting.

Date: **February 15, 2017**
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 (3 minute per person time limit)
- 4 5 Min Consent Agenda
 - A 94 College St Encumbrance Metered Parking Rates
 - B Traffic Status Report
 - C Modify an Existing Unrestricted Parking Space on King St to a 30 Minute Parking Space on King St
 - D Modify an Existing No Time Limit Metered Parking Space to a 15 Minute Metered Parking Space on St. Paul St
 - E Colchester Ave/Centennial Field Crosswalk Improvement Project

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 30 Min 32 Brookes Ave Appeal – 3rd Floor Egress Issue
A Oral Presentation, Appellant
B Communication, W. Ward & N. Baldwin
C Commissioner Discussion
D Public Comment
E Action Requested –Vote
- 6 30 Min 210 South Union Sprinkler Appeal
A Oral Presentation, Appellant
B Communication, N. Baldwin
C Commissioner Discussion
D Public Comment
E Action Requested –Vote
- 7 20 Min Burlington Harbor Marina Update
A Oral Communication, C. Spencer
B Commissioner Discussion
C Public Comment
D Action Requested –None
- 8 30 Min Maintenance Division Report
A Presentation, R. Green
B Commissioner Discussion
C Public Comment
D Action Requested –None
- 9 5 Min Approval of Draft Minutes of 1-18-17
- 10 10 Min Director's Report
- 11 10 Min Commissioner Communications
- 12 **Adjournment & Next Meeting Date – March 15, 2017**



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Chapin Spencer
DIRECTOR OF PUBLIC WORKS

MEMORANDUM

TO: PUBLIC WORKS COMMISSION
FM: CHAPIN SPENCER, DIRECTOR
DATE: FEBRUARY 9, 2017
RE: PUBLIC WORKS COMMISSION MEETING

Enclosed is the following information for the meeting on February 15, 2017 at 6:30 PM at
645 Pine St – Main Conference Room

1. Agenda
2. Consent Agenda
3. 32 Brookes Ave Appeal – 3rd Floor Egress Issue
4. 210 South Union Sprinkler Appeal
5. Approval of Draft Minutes of 1-18-17

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M E M O R A N D U M

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 - E Colchester Ave/Centennial Field Crosswalk Improvement Project

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Chapin Spencer
DIRECTOR OF PUBLIC WORKS

MEMORANDUM

TO: DPW Commission

FROM: John Sucharzewski, Excavation Inspector
Laura Wheelock, P.E. City Engineer

DATE: Feb 8, 2017

CC: Norman Baldwin, P.E. Assistant Director of Public Works/City Engineer
Chapin Spencer, Director of Public Works.

RE: 94 College Street Encumbrance Application – ICV Project

Request

DPW Commission (2/15/17)

1. We are respectfully requesting that the DPW Commission approve the revised rates for encumbrance of parking meters and payment for those spaces be directed to the Traffic Fund G/L 264-19-200-450.4205.

Overview

The Department of Public Works (DPW) has met with representatives of Investors Corporation of Vermont regarding the development of 94 College Street and the impacts the project will have to the public right-of-way (ROW). This site is located at the intersection of Pine and College Streets. This property is also known as one Burlington Square.

The project is now in the midst of its 15 day public appeal period. Barring any objections, at the end of this time ICV will be granted a planning and zoning permit. ICV owns and operates this existing three-story, 42,000 square foot office building at 94 College St., (one Burlington Square). ICV intends to renovate the building shell and add a 12,700 square feet penthouse level. The proposed building faces are situated on the property line for the combined parcel on College Street, and Pine Street. There is City sidewalk immediately adjacent to the building faces. The project will also replace sidewalk on along the entire length of the parcel on College Street and Pine Street. The construction work is such that long-term use of the ROW on College Street, Pine Street is required for construction.

It is important to note that the enhancements to the City's ROW and replacement of sidewalk are at no cost to the City.

Schedule

In conversations with ICV they seek to encumber the ROW in two phases. The first phase requests use of the ROW between the project property line on College Street and Pine Street to include 5 parking metered spaces on each street. This phase will start in early March 2017 and continue until mid/late September 2017. During this phase the sidewalk, greenbelt and total of 10 metered parking spaces will not be open to the public.

Phase 2 of the work is requesting an encumbrance area on College Street and Pine Street that extend from the project property line to the edge of the curb not to include the 5 metered parking spaces located on College Street and the 5 metered parking spaces on Pine Street. During phase two the total of 10 metered parking spaces will return to public use. This phase of work is estimated to start in mid/late September 2017 and continue through December 2017 per their construction schedule.

DPW Review

ICV and DPW have met many times since October 2016 to discuss what areas of the ROW are needed for the project, identify permits, traffic control for public safety, and fees. The contractor will construct a fence around the project and be responsible for maintaining the fence throughout the duration of the encumbrance. The encumbered space would be used to directly construct the enhancements within the ROW as well as staging/working space in the vicinity of the work area, as well as a safety buffered area from the work.

The encumbered area will leave the travel lanes College Street and Pine Street open. Within the parking spaces that are being encumbered there are 5 blue meters on College and 5 grey meters on Pine Street.

Metered Parking Spaces

ICV has requested to encumber 5 blue metered parking spaces and 5 grey metered parking spaces within the limits of their application. Per the current ordinances the only fee/permit associated with occupying metered parking spaces is by bagging the meters, which is limited to 30 days of consecutive use and at a rate of \$30/day. This project is requesting to occupy the metered parking for approximately 28 weeks from March 2017-September 2017.

DPW in our discussions with ICV, and propose to charge the applicant the maximum daily meter rate for the metered parking spaces they are seeking to include in their encumbered area. For the blue parking meters on College Street that rate is \$10/day per meter, and for the grey parking meters on Pine Street that rate is \$21/day per meter. Revenue from the parking meters is currently collected 6 days a week. Therefore the weekly fee for encumbering the metered parking spaces would be \$930 per week. Given the anticipated duration of this project DPW is seeking that ICV pay \$26,040 for the encumbrance of the metered parking spaces. We also have a provision in the Agreement for payment of any metered parking space at the maximum daily rate should ICV require any of those spaces beyond September 15, 2017 for their work.

It is important to address that while the current daily bagged meter rate is \$30/day for the 24 hour bags, that rate is intended to encourage contractors and residents to limit their use of on

An Equal Opportunity Employer

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street parking for their adjacent projects. However DPW recognizes that projects of the size, scale, duration, and risk to the adjacent public for this project warrants the need to encumber the parking spaces long term. The rate proposed for use of these spaces is set at the maximum daily amount that the meter could collect. This rate is set to ensure the Traffic Fund, which currently collects the revenue from these meters, would be compensated for the loss of those funds into that program which the maximum daily meter rate accomplishes.

Handicap Spaces Pine & College

In our review of the project and encumbrance area there are 3 handicap spaces that will be blocked under this project. One on Pine Street and two on College Street; DPW researched who the original requestor of these three spaces is, and they came from the applicant. The applicant will be required to provide these 3 handicap spaces in an alternate location which will be in the parking lot just west of the project site that is owned and operated by Peoples Trust. These spaces are proximate to the project and can be used by the Public during Phase 1 of the encumbrance.

Other Conditions

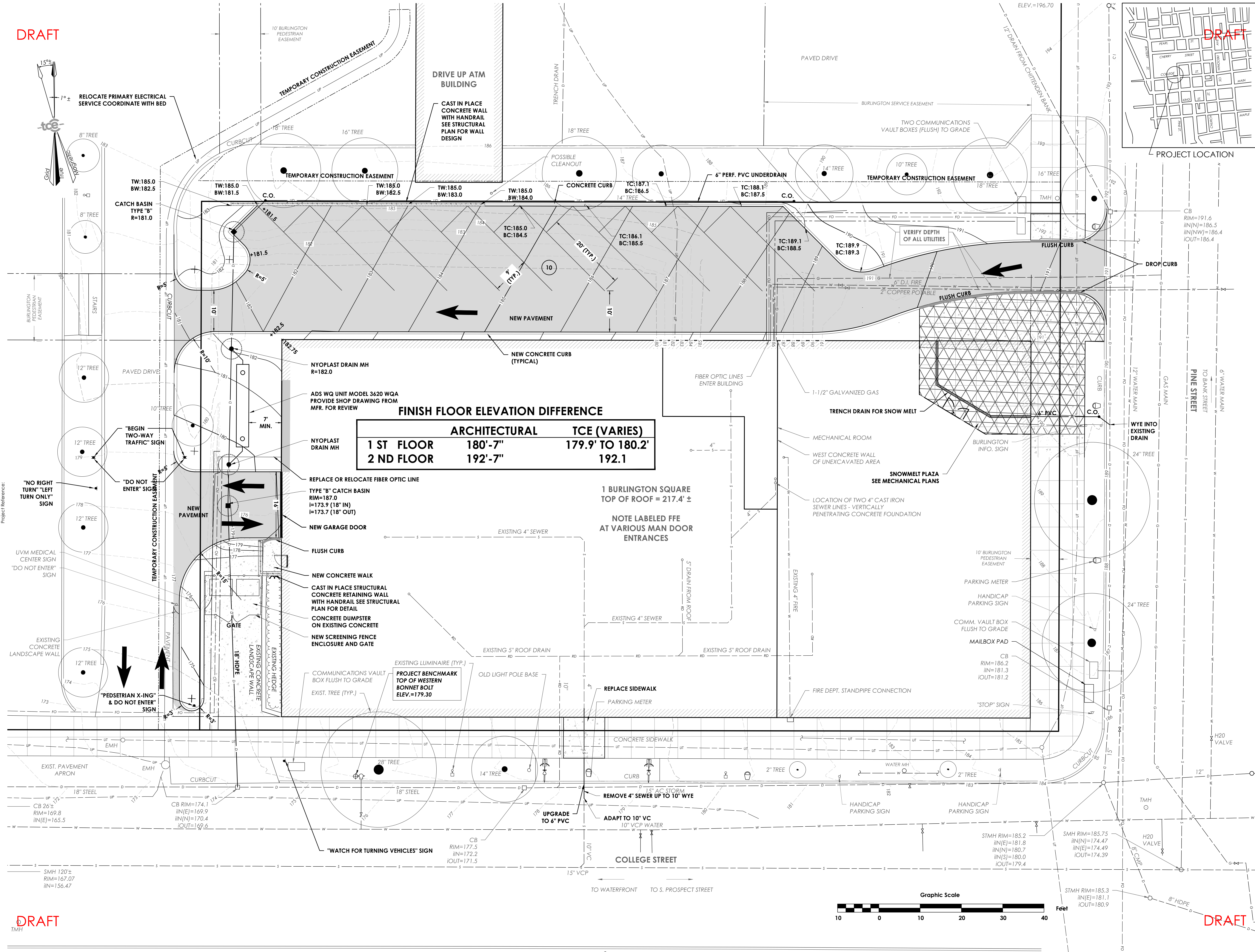
In addition to the impacts outlined above, ICV will be responsible for erecting and maintain all traffic control signage that will be associated with pedestrian detours around the encumbered sidewalk areas. They are responsible for maintenance of the area encumbered and are required to restore the area according to City Standards.

Recommendation

It is the recommendation of DPW to support the use of the ROW under the terms of the License Agreement between the City of Burlington and ICV, and their application for encumbrances on College Street and Pine Street. The proposed License Agreement reflects DPW's recommendations for support of the encumbrance, fee for encumbered space, project schedule, and restoration of the ROW.

Thank you for consideration of this request, please do not hesitate to contact me directly at jsucharzewski@burlingtonvt.gov or Laura Wheelock at lwheelock@burlingtonvt.gov. We will also be available at the meetings to address any questions or concerns directly.

DRAFT



DRAFT



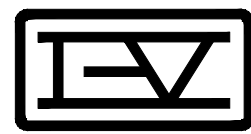
TRUDELL CONSULTING ENGINEERS
478 BLAIR PARK ROAD 1 WILISTON, VERMONT 05495
802.879.4331 WWW.TCEVT.COM

Revisions
No. Description Date By

Use of These Drawings
1. Unless otherwise noted, these Drawings are intended for preliminary planning, coordination with other disciplines or utilities, and/or approval from the regulatory authorities. They are not intended as construction drawings unless noted as such or marked approved by a regulatory authority.
2. By use of these drawings for construction of the Project, the Owner represents that they have reviewed, approved, and accepted the drawings, obtained all necessary permits, and have met with all applicable parties/disciplines, including but not limited to, the Engineer and the Architect, to insure these plans are properly coordinated including, but not limited to, contract documents, specifications, owner/contractor agreements, building and mechanical plans, private and public utilities, and other pertinent permits for construction.
3. Owner and Architect, are responsible for final design and location of buildings shown, including an area measured a minimum five (5) feet around any building and coordinating final utility connections shown on these plans.
4. Prior to using these plans for construction layout, the user shall contact TCE to ensure the plan contains the most current revisions.
5. These Drawings are specific to the Project and are not transferable. As instruments of service, these drawings, and copies thereof, furnished by TCE are its exclusive property. Changes to the drawings may only be made by TCE. If errors or omissions are discovered, they shall be brought to the attention of TCE immediately.
6. It is the User's responsibility to ensure this copy contains the most current revisions. If unsure, please contact TCE.

DRAFT

For Bidding Only



ICV Construction
1 Burlington Square
Burlington, Vermont

Site Plan (ALT)

Date: _____
Scale: 1" = 10'
Project Number: 16-040
Drawn By: _____
Project Engineer: JMM
Approved By: _____
Field Book: _____

C2-01



MEMORANDUM

February 03, 2017

TO: Public Works Commission

FROM: Phillip Peterson, DPW Engineering Technician

CC: Norman Baldwin, City Engineer
Dave Allerton, Public Works Engineer

RE: Traffic Request Status Report

Number of Requests 01/09/17 =	80
New Requests since 01/09/17 =	13
Requests closed since 01/09/17 =	13
Number of Requests 2/02/17 =	80

RFS BREAKDOWN BY TYPE*

Accessible Space:	4
Resident Only Parking:	13
Crosswalks:	19
Driveway Encroachments:	1
Signage:	13
Loading Zone:	6
Area/Intersection Study:	6
Parking Prohibition:	11
Bus Stop:	0
Geometric Issues:	4
Parking Meters:	3
Other:	0
TOTAL:	80



MEMORANDUM

February 03, 2017

TO: Public Works Commission

FROM: Phillip Peterson, DPW Engineer Technician *PMP*

CC: Norm Baldwin, City Engineer

RE: Modify Existing Unrestricted Parking Space to 30-minute Metered Parking Space on King Street

Background:

Staff received a request in January 2017 from Kathleen Donahue of the Kings Corner Deli at 41 King St, asking that the existing unrestricted parking space on the south side of King Street in the first space west of South Champlain Street be modified into a 30-minute metered parking space.

Observations:

- **Street Characteristics:** King Street is a 35-foot-wide low volume residential roadway with metered on-street parking on the north side and south side of the street between Battery Street and South Champlain Street. There are two existing 15-minute metered parking spaces, two existing 30-minute metered parking spaces, fifteen existing 10-hour metered parking spaces, and one unrestricted parking space situated on the street.
- **Public Outreach:** Staff distributed flyers to the apartment buildings, homes, and businesses on King Street between Battery Street and South Champlain Street on January 23rd, 2017. Staff received responses from three residents, all three support the unrestricted space be modified into a 30-minute metered parking space.

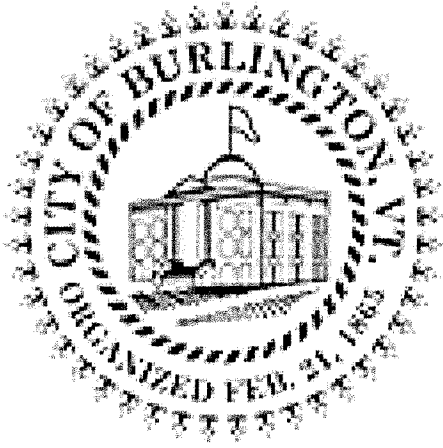
Conclusions:

Without opposing feedback from other residents in the area, staff is recommending changing the unrestricted space to a 30-minute metered space.

Recommendations:

Staff recommends that the Commission adopt:

- The modification of the unrestricted parking space located on the south side of King Street in the first space west of South Champlain Street to a 30-minute metered parking space.



CITY OF BURLINGTON

SERVICE REQUEST

Name and Address

Name: Kathleen Donahue

Request Date: 01/13/2017

12:25

Due Date: 3/14/2017

Address: 41 King Street

Phone Number: 202-669-8327

Email Address:

kingscornerdeli@gmail.com

Request

Location: 120 Pine St

Request Description: Requests 15 minute parking for the one space in front of Deli

Assign History

Date	Assigned To	Description
1/13/2017 12:25:39 PM	Phillip Peterson	Request Assigned

Work History

Date	Staff Person	Description
01/23/2017	Phillip Peterson	Spoke to Ms. Donahue and explained the process. kingscornerdeli@gmail.com (Entered on 1/23/2017 1:04:41 PM by Phillip Peterson)
01/23/2017	Phillip Peterson	Called and left Ms. Donahue a message. (Entered on 1/23/2017 9:46:22 AM by Phillip Peterson)
01/13/2017	Phillip Peterson	King Street Deli, 41 King St, Burlington, VT 05401 (Entered on 1/13/2017 12:47:35 PM by Phillip Peterson)

Customer Service

Status: New

Request created by: Nicole Losch

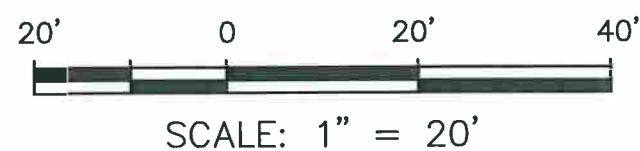
Print Date: 2/6/2017 3:39:52



NOTES:

Staff recommends that the Commission adopt:

- The modification of the unrestricted parking space located on the south side of King Street in the first space west of South Champlain Street to a 30-minute metered parking space.



KINGS CORNER DELI
PARKING MODIFICATIONS



**BURLINGTON
PUBLIC WORKS
ENGINEERING DIV.**
645 PINE STREET
BURLINGTON, VT 05401
(802) 895-9094

DESIGNED PMP	RFS MK 14018
DRAWN PMP	SCALE 1"=20'
CHECKED DA	DRAWING
DATE	



MEMORANDUM

February 03, 2017

TO: Public Works Commission

FROM: Phillip Peterson, DPW Engineer Technician *PP*

CC: Norm Baldwin, City Engineer

RE: Modify Existing No Time Limit Metered Parking Space to 30-minute Metered Parking Space on Saint Paul Street

Background:

Staff received a request in January 2017 from Andrew of the Monarch and the Milkweed at 111 Saint Paul St, asking that one or both of the existing No Time Limit Metered parking spaces on the west side of Saint Paul Street in the second and third spaces south of College Street be modified into one or two 30-minute metered parking spaces.

Observations:

- **Street Characteristics:** Saint Paul Street is a 50-foot-wide mixed-use arterial roadway with metered on-street parking on the west side and east side of the street between College Street and Main Street. There are twenty-eight existing No Time Limit Metered parking spaces, one parking space reserved for the mayor, and two accessible parking spaces situated on the street. Additionally, there are five 30-minute metered parking spaces and seven 15-minute metered parking spaces within a two block radius.
- **Monarch and the Milkweed** is a pastry shop and restaurant. The business is open Monday 7:30AM–3:30PM, Tuesday 7:30AM–3:30PM, Wednesday 7:30AM–11PM, Thursday 7:30AM–11PM, Friday 7:30AM–1AM, Saturday 7:30AM–12AM, Sunday 7:30AM–10PM. The pastry shop does require quick pick-ups, additionally the restaurant does take out orders.
- **Public Outreach:** Staff distributed flyers to the apartment buildings, homes, and businesses on Saint Paul Street between College Street and Main Street on January 23rd, 2017. Staff received a response from one resident, supporting that one of the No Time Limit Metered spaces be modified into a 15-minute metered parking space.

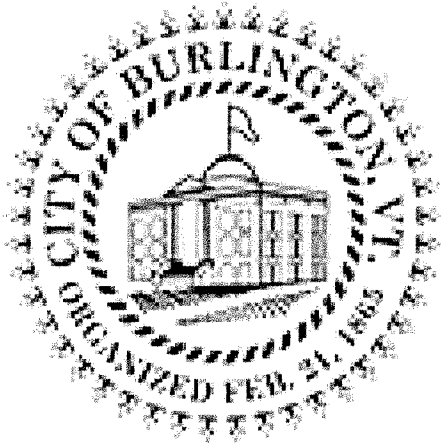
Conclusions:

Without opposing feedback from other residents in the area, staff is recommending changing one of the No Time Limit Metered spaces to a 30-minute metered space. Due to the density of 30-minute and 15-minute metered parking spaces in the area, staff would not recommend modifying both No Time Limit Metered parking spaces to 30-minute metered spaces.

Recommendations:

Staff recommends that the Commission adopt:

- The modification of the No Time Limit Metered parking space located on the west side of Saint Paul Street in the third space south of College Street to a 30-minute metered parking space.



CITY OF BURLINGTON

SERVICE REQUEST

Name and Address

Name:

Request Date: 01/31/2017 4

Due Date: 1/6/2

Address:

Phone Number:

Email Address:

andrew@monarchandthemilkweed.com

Name: Andrew (w/ Monarch and the Milkweed)

Request Date: 12/30/2016 3

Due Date: 1/6/2

Address:

Phone Number: 317-679-2227

Email Address:

Request

Location: 111 Saint Paul St

Request Description: There are currently 2 parking spaces in front of the business. They are looking to have one or both of these spots turned in "15-minute Only" parking.

Assign History

Date	Assigned To	Description
12/30/2016 3:13:43 PM	Phillip Peterson	Request Assigned

Work History

Date	Staff Person	Description
01/30/2017	Phillip Peterson	Called and left Andrew another message. (Entered on 1/30/2017 4:27:11 PM by Phillip Peterson)
01/20/2017	Phillip Peterson	Called and left Andrew a message. (Entered on 1/20/2017 10:19:00 AM by Phillip Peterson)

Customer Service

Status: New

Request created by: Steve Cormier

Print Date: 2/6/2017 3:40:28



NOTES:

Staff recommends that the Commission adopt:

- The modification of the No Time Limit Metered parking space located on the west side of St. Paul Street in the third space south of College Street to a 30-minute metered parking space.



SCALE: 1" = 30'



111 SAINT PAUL STREET
PARKING MODIFICATIONS



**BURLINGTON
PUBLIC WORKS
ENGINEERING DIV.**
645 PINE STREET
BURLINGTON, VT 05401
(802) 863-8084

DESIGNED PMP	RFS 139
DRAWN PMP	SCA 1"=
CHECKED DA	DRAWN
DATE	



MEMORANDUM

February 8, 2017

TO: Public Works Commission

FROM: David Allerton, P.E. *DA*
Ashley Toof, DPW Engineer Technician

CC: Norman Baldwin, P.E.

RE: Centennial Parking Removal around Crosswalk

Background:

As part of the 2011 Colchester Avenue corridor study, safety concerns were identified, including the need for two improved crosswalks, one at Centennial Field and the other at Fletcher Place. During staff's evaluation of the mid-block crosswalk at Centennial Field, deficiencies were identified related to signage, sightlines, lighting, and accessibility standards. At the January DPW Commission meeting, staff presented the option that provided the least amount of parking space removal while providing safety improvements to the Centennial Field crosswalk. After the option was presented, the DPW Commissioners desired to see additional options to the east and west on Colchester Avenue, and for staff to contact UVM to get their opinion on possibly removing the eastern driveway entrance to the Centennial Field Parking lot, and widening the western driveway entrance.

Observations and Discussion:

After further desktop review and a site visit to the Centennial Field parking lot entrance, additional locations for the crosswalk were identified and laid out. The plan staff proposed at the January DPW Commission meeting required the removal of one parking space. All other options require the removal of two or more spaces. There are currently three parking spaces on the north side of Colchester Avenue going east between the Centennial Field crosswalk and Nash Place. By closing off the eastern driveway entrance/exit to Centennial Field and moving the crosswalk to the east, two parking spaces would need to be eliminated on the north side of Colchester Ave., and potentially spaces on the south side as well, in order to get the required separation distances and sight lines. Moving the crosswalk location to the west of the existing

11B 1/9/17

crosswalk, would require the removal of three to four parking spaces on both the north and south sides of Colchester Ave.

Two options are presented below, which result in the least amount of parking space losses on Colchester Ave., and still provide necessary safety enhancements to the crosswalk.

The first option is the same as presented at the January Commission meeting, and would require the following:

- a. Removal of one parking space in front of 278 Colchester Avenue.
- b. Reconstruct the existing median between the western and eastern driveways to Centennial Field.
- c. Construct two new crosswalk landings that are ADA compliant and with detectable warning strips.
- d. The alignment is slightly modified, and remains directed at a slight diagonal across Colchester Avenue.
- e. The installation of two Rectangular Rapid Flashing Beacons (RRFBs).
- f. Gets lighting upgrades as designed by Burlington Electric Department.
- g. Maintains two separate ingress and egress driveways for access to Centennial field parking, which is utilized by UVM, the Kampus Kitchen, and for Vermont Lake Monster games.

The second option would be to close off the eastern driveway at Centennial field, extend the sidewalk to the west, and increase the width of the western driveway to accommodate two-way traffic. This option would require the following:

- a. Removal of two parking spaces, one in front of 278 Colchester Avenue, and the other in front of 280 Colchester Avenue.
- b. Reconstruct the median and additional sidewalk to close off the eastern driveway. Additional funding would be required for this work, which could come from the sidewalk program.
- c. Construct two new crosswalk landings that are ADA compliant and with detectable warning strips.
- d. This option results in a perpendicular crosswalk alignment.
- e. The installation of two Rectangular Rapid Flashing Beacons (RRFBs).
- f. Gets lighting upgrades as designed by Burlington Electric Department.
- g. Provides one driveway entrance, which would need to be adequately sized for ingress and egress for UVM.
- h. Would require UVM to relocated fencing and gates south of the entrance to accommodate the new single, two-way driveway.
- i. The City Attorney indicated they would need time to evaluate issues such as street and highway acceptance and designation, easements, ROW, etc.

Staff contacted both the owner of the Kampus Kitchen, and UVM to discuss the closing of the eastern driveway entrance to Centennial Field. The owner of the Kampus Kitchen was troubled with the idea of closing off the eastern entrance because the two-way driveway provides easy

accessibility for deliveries and for his customers to run in and out of the store quickly. Linda Seavey, the Director of Campus Planning Services at UVM provided the attached letter indicating that they would not be in favor of closing the eastern driveway. Staff did not solicit additional input from local residents concerning option 2 at this time.

Conclusions:

Two options are considered for parking space removal as part of the Colchester Avenue/Centennial Field crosswalk safety improvements. Option 1 included the removal of one parking space and safety enhancements to the existing crosswalk, and Option 2 included the removal of two parking spaces, the closing of the eastern driveway entrance to Centennial Field, and additional sidewalk construction. Option 2 is not preferred by the Kampus Kitchen, UVM or the Vermont Lake Monsters.

Recommendations:

Staff recommends the Commission adopt:

- Option 1, to include the removal of one parking space at 278 Colchester Ave on the North/East side of the crosswalk.

L:\Engineering Technicians\Ashley Toof\Colchester Avenue\Centennial Crosswalk\Centennial crosswalk memorandum 02-08-2017.doc

OPTION 1



MEMORANDUM

~~December 5, 2016~~

1/5/17

DA

TO: Public Works Commission

FROM: Ashley Toof, DPW Engineer Technician

CC: Norman Baldwin, P.E., City Engineer
Dave Allerton, P.E., Public Works Engineer

RE: Centennial Parking Removal around Crosswalk

Background:

As part of the 2011 Colchester Avenue corridor study, safety concerns were identified, including the need for two improved crosswalks at Centennial Field and Fletcher Place. During staff's evaluation of the mid-block crosswalk at Centennial Field, deficiencies were identified related to signage, sightlines, lighting and accessibility standards. In the summer of 2015, DPW applied for a VTrans grant to help fund the construction of the crosswalk upgrades. In June of 2016, DPW signed the cooperative agreement for the VTrans grant which covers 80% of construction with a 20% local match. The total amount of the grant is \$18,800 with a \$4,700 local match for a total of \$23,500.

Observations:

On street parking is available on the north and south sides of Colchester Avenue with vehicles routinely parking immediately to the North/East of the crosswalk, obstructing the line of sight for pedestrians and motorists. Providing adequate line of sight is necessary, and consistent with the VTrans 2015 Guidelines for Pedestrian Crossing Treatments. Installing two Rectangular Rapid Flashing Beacons (RRFB), lighting and accessible ramps would improve the safety for pedestrians using the crosswalk. Additionally, VTrans standards from the Vermont Pedestrian and Bicycle Facility and Design Manual requires a minimum of 20 feet of no parking on both sides of a crosswalk to insure that adequate sight lines and stopping distance are met.

As part of our evaluation, in May 2016, there was a public meeting at UVMM to discuss the conceptual plans of the project. We also delivered flyers to the neighborhood and spoke with two residents. Additionally, we received two emails from residents concerned about the project.

NB 1/9/17

We responded to the two residents and explained the safety concerns along the Colchester Avenue corridor. We received no further response from them. Emails are attached.

Conclusions:

During the crosswalk evaluation, it was determined that line of sight at the mid-block crosswalk does not meet the stopping sight distance consistent with the VTrans 2015 Guidelines for Pedestrian Crossing Treatments. Prohibiting parking at 278 Colchester Avenue will improve safety at this mid-block crosswalk. See the attached drawing showing the parking prohibition along with improved signage for the midblock crosswalk.

Recommendations:

Staff recommends the Commission adopt:

- Removal of one parking space at 278 Colchester Ave on the North/East side of the crosswalk.

L:\Engineering Technicians\Ashley Toof\Centennial Crosswalk



Dear Colchester Avenue Residents,

The Department of Public Works (DPW) has received requests to improve the crosswalk and lighting by Centennial Field. Partial funding for the improvements has been received from VTrans. There will be two Rectangular Rapid Flash Beacon's (RRFB) installed with new lighting to increase the safety for those using the crosswalk. Also, DPW would eliminate a parking space in front of 278 Colchester Ave, to increase the sight lines between pedestrians and motorists.

As part of our evaluation process, we are engaging residents of Colchester Ave between Thibault Parkway and Nash Place to gauge whether there might be any issues with this parking restriction. If you would like to offer any comments regarding this request please contact me by Friday December 23rd.

Thank you!

Ashley Toof, Engineering Technician
Burlington Public Works Department
645 Pine St. Burlington VT 05401
Desk: 802.540-2547
Email: atoof@burlingtonvt.gov
Web: www.burlingtonvt.gov/dpw



SCALE: N.T.S.



COLCHESTER AVE
CROSSWALK & RAPID
FLASHING BEACONS
PROPOSED PLAN (OPTION 1)



**BURLINGTON
PUBLIC WORKS
ENGINEERING DIV.**
445 PINE STREET
BURLINGTON, VT 05401
(802) 253-5000 (ext.)

DESIGNED	DATE	BY	DATE
CHECKED	DATE	BY	DATE
DATE	DATE	DATE	DATE
DATE	DATE	DATE	DATE

NOTES:

1. UTILITY LOCATIONS DEPICTED IN THE DRAWING ARE BASED ON CITY GIS DATA AND GOOGLE EARTH IMAGES. CONTRACTOR SHALL CALL DIGSAFE AND CONFIRM UTILITY LOCATIONS PRIOR TO STARTING WORK.

Colchester Ave

University Rd



COLCHESTER AVE
CROSSWALK & RAPID
FLASHING BEACONS
EXISTING PLAN



445 PINE STREET OFFICE
BURLINGTON, VT 05401
(802) 883-3000 (Fax)

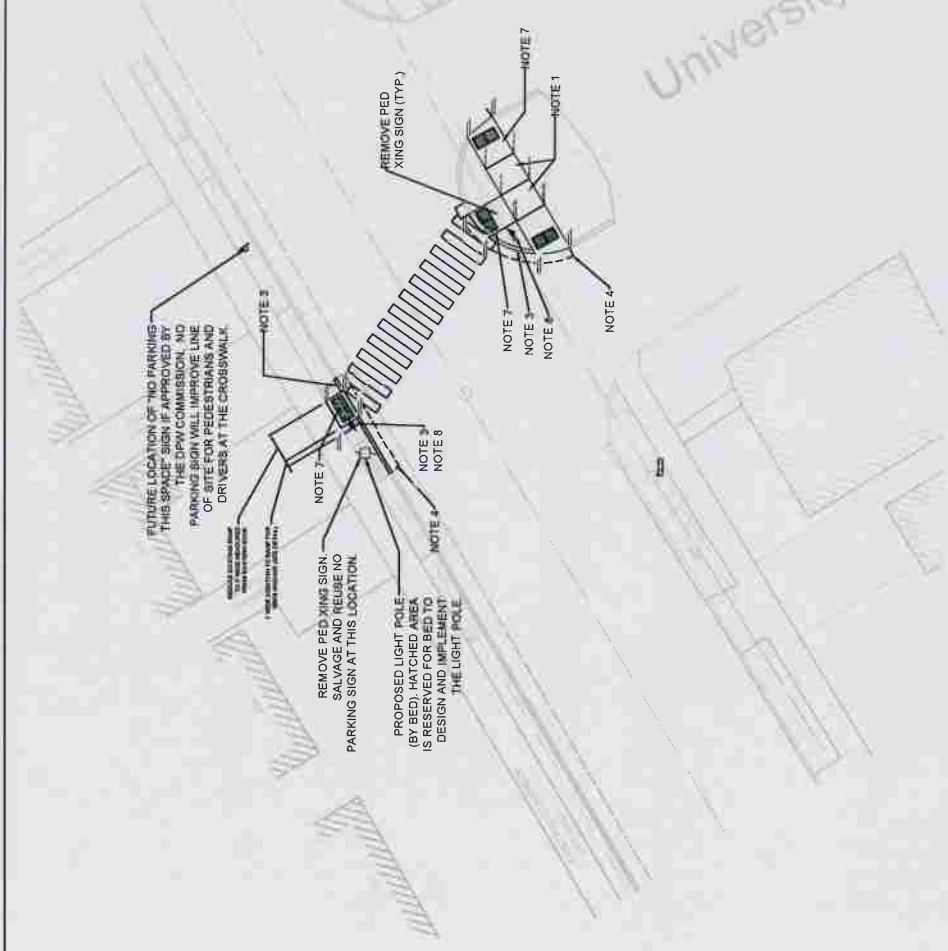
DESIGNED DATE 09/27/16	DRAWN DATE 09/27/16	CHECKED DATE 09/27/16	IN CHARGE DATE 09/27/16
DESIGNED BY XXX	DRAWN BY XXX	CHECKED BY XXX	IN CHARGE BY XXX

Colchester Ave

University Rd

NOTES:

1. REMOVE EXISTING CONCRETE PANEL. REPLACE WITH ADA COMPLIANT SIDEWALK PER VTRANS DRAWING C-2A AND VTRANS SPECIFICATION SECTION 618. MIN. OF 6" SUBBASE REQUIRED.
2. SURFACE RESTORATION SHALL INCLUDE TOPSOIL, SEED, AND MULCH TO SURROUNDING GRADE AS NEEDED. SEEDING RATES AND MULCHING RATES SHALL MATCH THE VERMONT LOW RISK SITE HANDBOOK FOR EROSION PREVENTION AND SEDIMENT CONTROL.
3. INSTALL CLASS B CURB PER VTRANS DRAWING C-10 AND VTRANS SPECIFICATIONS. MIN. OF 6" SUBBASE REQUIRED.
4. SAW CUT 18" BEYOND EDGE OF CURB AND PATCH PAVEMENT ($\frac{1}{2}$ " TOP COURSE AND 2" BASE COURSE).
5. TRANSITION TO DROP CURB AT SIDEWALK RAMPS (TYP. ALL LOCATIONS).
6. TRANSITION TO NEW CURB WITH 7" REVEAL ALONG 2' OF THE EXISTING CURB-LINE (TYP. ALL LOCATIONS).
7. INSTALL NEW ADA COMPLIANT RAMP WITH TRUNCATED DOME PER VTRANS DRAWING C-3A. THE DETECTABLE WARNING SURFACE SHALL BE CAST IRON AND ON THE VTRANS APPROVED LIST.
8. PROPOSED LOCATION OF RRFB (SEE RRFB DETAIL SHEET)



COLCHESTER AVE
CROSSWALK & RAPID
FLASHING BEACONS
PROPOSED PLAN (OPTION 1)



**BURLINGTON
PUBLIC WORKS
ENGINEERING DIV.**
445 PINE STREET
BURLINGTON, VT 05401
(802) 255-3444 (Fax)

DESIGNED	MSL	DATE	09/27/14
CHECKED	MSL	DATE	09/27/14
IN CHARGE	MSL	DATE	09/27/14
SCALE	1" = 10'	DATE	09/27/14
SHEET	2	OF	3

Ashley Toof

From: Bompastore, Nicholas J <nicholas.bompastore@med.uvm.edu>
Sent: Thursday, December 08, 2016 9:33 PM
To: Ashley Toof
Subject: concern over proposed crosswalk changes at 278 colchester ave

Dear Ashley,

My name is Nicholas Bompastore and I am one of the tenants of 278 Colchester Ave. I would like to first thank you for asking for local input on the issue presented. Unfortunately, I have several concerns with the proposed changes presented. My biggest concern is losing the parking space in front of 278 Colchester Avenue. We have four tenants living in 278 Colchester with separate vehicles and a single lane driveway, thus parking is very limited and two of us must park on the street. Many of our neighbors also have a single lane driveways and multiple residents with vehicles so they consistently use the street parking as well. Already it is very difficult to find street parking, and sometimes I am forced to park far away from my house. I am afraid that losing another parking space will only make the situation worse. In addition, I am concerned with the flashing lights you propose being added to the crosswalk. My room at 278 Colchester is upstairs with two windows facing the street so these lights will be shining directly into my room at night.

I agree that there is a dangerous crosswalk in front of my house, but I believe that there are ways to make it safer while addressing these concerns. If you decide to take away the parking space in front of 278 Colchester I feel that you need to address our parking concerns and designate more places for us to park. Perhaps you should allow us to park across the street from 278 Colchester at the Centennial Field lot. With regards to the flashing lights at the crosswalk, I believe that there are better ways to make drivers aware that the crosswalk is present. You could place a free standing "yield to pedestrians sign" in the center of the road on the crosswalk as you did for the crosswalks present across from the hospital on East Ave. and further down Colchester Ave. You could also paint the crosswalk a brighter color and add reflectors to the signs. Finally you could paint "yield to pedestrians" in big white letters on the pavement leading up to either side of the crosswalk as I have seen done in many cities and towns. Again thank you for reaching out, and please keep me updated if any developments occur.

Best Regards,

Nicholas Bompastore
278 Colchester Ave.
Burlington, VT

Ashley Toof

From: David Allerton
Sent: Wednesday, December 14, 2016 4:36 PM
To: langlandsbill@gmail.com
Cc: Ashley Toof
Subject: FW: 278 Colchester Ave Owner

Mr. Langlands,

Thank you for contacting Ashley in our office with your concern over the upcoming safety improvements/enhancements along Colchester Avenue. This project, including the construction of two new crosswalks along Colchester Ave. was developed as part of the 2011 Colchester Avenue Corridor Study, which noted numerous safety concerns in this corridor. Below are several items to note pertaining to the project:

1. There is a substantial amount of jaywalking along Colchester Ave. between the two campuses of UVM, with the observation that pedestrians are crossing at random locations that may not always be visible to motorists.
2. This crosswalk in question, which is located near Centennial Field, is not ADA accessible (Americans with Disabilities Act),
3. The visibility of pedestrians at this crosswalk is not ideal due to on-street parking and the placement of nearby streetlights.
4. The crosswalk is in the middle of a horseshoe driveway, where pedestrians waiting to cross are left standing in the entry to a driveway of a busy parking lot.
5. We will also be constructing a new crosswalk near Fletcher Place, to improve pedestrian accessibility to both sides of Colchester Ave., and to provide additional safe places for pedestrians to cross along this corridor.
6. In May 2016 there was a public meeting at UVMCMC to discuss the conceptual plans of the project.
7. The RRFBs (Rectangular Rapid Flashing Beacons) we have currently specified for the project are similar to the ones at the Main Street crossing by the Edmunds Elementary School. These are pretty much typical pedestrian crossing signs.
8. The timing of the flashing lights is set to provide ample time for a pedestrian to cross the street, and is only activated when a pedestrian pushes the button. These lights do not flash all of the time.

Hopefully this discussion has provided you some additional insight into this project. You are welcome to attend one of the monthly Department of Public Works Commission meetings to discuss your concerns with the DPW Commissioners. The next meeting is Wednesday, December 21, 2016, starting at 6:30 PM. The meetings take place at the DPW Offices at 645 Pine Street, and there is a public comment period at the start of each meeting.

Hope this helps. Thanks for contacting us.

David K. Allerton, P.E.
Burlington Department of Public Works
645 Pine Street
Burlington, VT 05402
802-865-5830 (phone)
dallerton@burlingtonvt.gov

"Please note that this communication and any response to it will be maintained as a public record and may be subject to disclosure under the Vermont Public Records Act."

From: William Langlands [<mailto:langlandsbill@gmail.com>]
Sent: Tuesday, December 13, 2016 3:48 PM
To: Ashley Toof <atoof@burlingtonvt.gov>
Subject: RE: 278 Colchester Ave Owner

Are they the same lights that are in use in Winooski, by the rotary?
Those lights are eye pollution and obnoxious.

Do you really think that they are necessary. I worry about standards that are applied statewide.

On Dec 13, 2016 10:56 AM, "Ashley Toof" <atoof@burlingtonvt.gov> wrote:

Hi Bill,

Thank you for getting back to me, I'm sorry I haven't called you. I am in and out of the office all week for meetings so email will be the best way to get in contact. With the flashing lights, VTRANS has a new standard that the City of Burlington is trying to follow to improve the safety of the pedestrians and roadways.

The only time these will be going off is when someone pushes the button and crosses the street. The lights only flash from 15-30 seconds and don't have a high LED. Also, the lights will be in direction of the street and not towards your house.

Thank you,

Ashley Toof

Engineering Technician

Burlington Department of Public Works

645 Pine Street

Burlington, VT 05401

PH: 802-540-2547

AToof@burlingtonvt.gov

From: William Langlands [mailto:langlandsbill@gmail.com]
Sent: Monday, December 12, 2016 4:44 PM
To: Ashley Toof <atoof@burlingtonvt.gov>
Subject: 278 Colchester Ave Owner

Dear Ashley,

I am the owner of 278 Colchester Ave. I have no problem with the removal of the parking space in front of 278 Colchester Ave.

I do have some concerns about the flashing lights in front of the house. I sit on the front porch often and those yellow flashing lights could be a real annoyance. Is there a way to shield the lights so I won't be looking directly at them from my front porch?

Please give me a call at [802 236 0077](tel:8022360077) so we may discuss this further.

--

Bill Langlands
Darkside Snowboards
Killington Stowe Okemo
P.O. Box 507
1842 Killington Road
Killington, VT 05751
[802 422 8600](tel:8024228600) work

Please note that this communication and any response to it will be maintained as a public record and may be subject to disclosure under the Vermont Public Records Act.

OPTION 2

[illegible]

-
- SCALE: 1" = 20'



COLCHESTER AVE
CROSSWALK & RAPID
FLASHING BEACONS

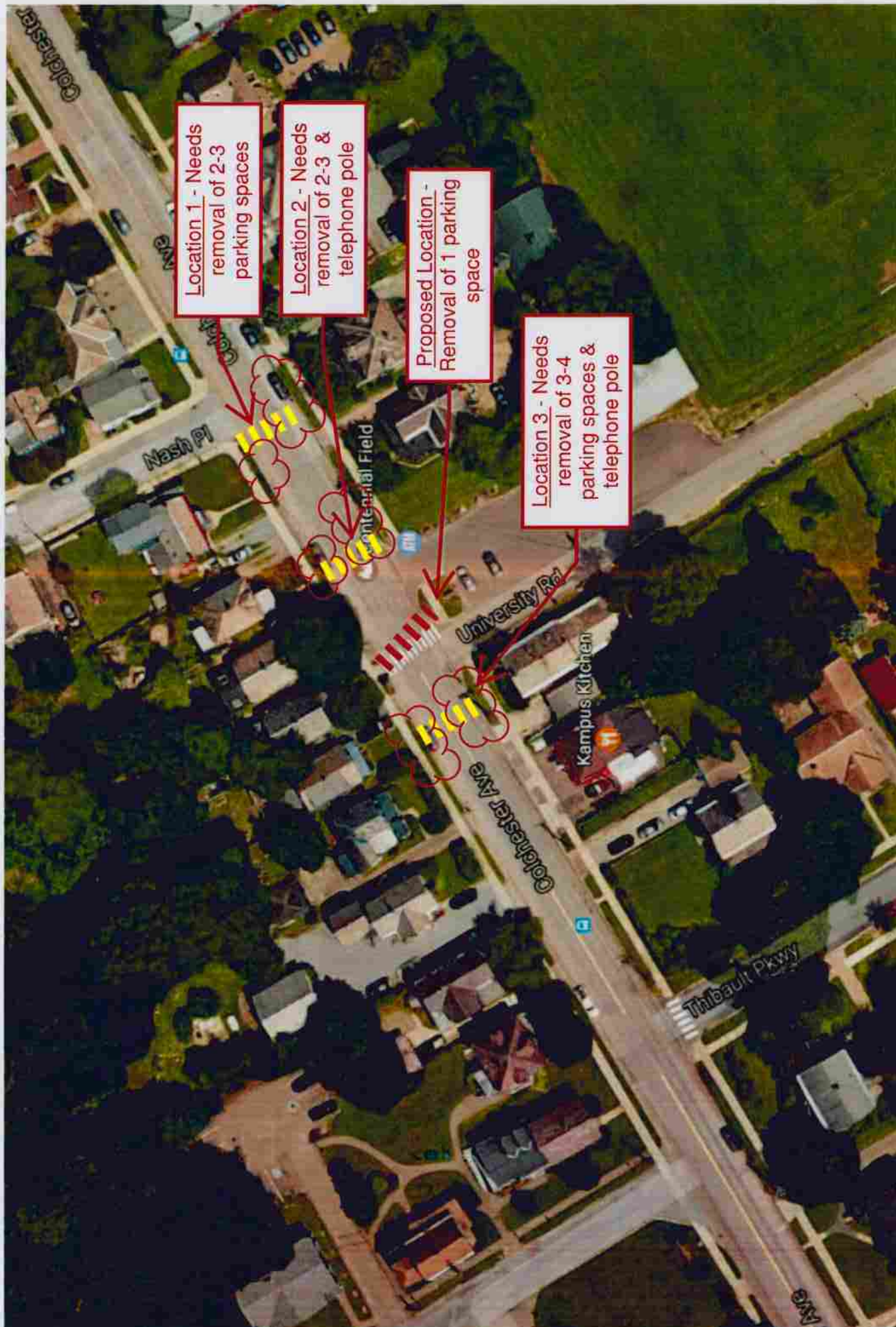
PROPOSED PLAN (OPTION 2)



**BURLINGTON
PUBLIC WORKS
ENGINEERING DIV.**

DESIGNED	NETL	REFS NO.	XXXX
DRAWN	NETL	SCALE	$1"=10'$
CHECKED	XXXX	DRAWING NO.	
DATE	09/27/98		

SHEET 2 OF 3





CAMPUS PLANNING SERVICES

February 8, 2017

David K. Allerton, P.E.
Burlington Department of Public Works
645 Pine Street
Burlington, VT 05402

RE: Centennial Field/Colchester Avenue Crosswalk

Dear David,

Thank you for reaching out to UVM regarding the Department of Public Works' plans to improve the crosswalk at the Colchester Avenue entrance to Centennial Field.

Per our conversations during the week of February 6th, DPW is currently considering two options:

1. Improve the existing sidewalk by replacing the landing area on the south side of Colchester Ave at the Centennial Field entrance, and install rectangular rapid flashing beacons and new street lighting.
2. Redesign the entrance to Centennial Field by making it have only one wider driveway on the west and close off the eastern driveway. Rectangular rapid flashing beacons and improved street light would be installed in this option too.

UVM supports improving safety for pedestrians and is in favor of option 1. Option 1 aligns with the recommendation in the Colchester Avenue Corridor Plan as a short-term option until the entire roadway from East Avenue to Riverside Avenue is redesigned

We cannot support option 2 for a number of reasons.

The entrance to Centennial Field provides access to both the baseball park and soccer field, but also provides access to the main area for UVM's Physical Plant operations, parking (currently leased to UVM Medical Center), UVM's North Campus Stormwater Facility, and VELCO's East Avenue Substation. Though there is also access from East Avenue, both UVM and the Lake Monsters use the Colchester Avenue access as the main ingress/egress to avoid the more residential area of East Avenue. This creates the following concerns with Option 2:

1. Large trucks, buses, snowplows, etc use the Colchester Avenue access on a regular basis and UVM is concerned that eliminating one of the two driveways may inhibit our use of this due to the limited turning radii. This may also cause traffic and safety impacts on Colchester Avenue as vehicles may need additional room in the roadway to make a narrower turn.
2. UVM would incur a loss of parking spaces if the east entrance is eliminated and parking land is absorbed into the redesigned sidewalk area.



CAMPUS PLANNING SERVICES

3. During baseball season, Lake Monsters' traffic begins arriving at the ballpark as UVM Medical Center staff are leaving. Again, in deference to the East Avenue neighbors, the Colchester Avenue entrance is the main entrance/exit. During rush hour on game days, the east egress is used for exiting and the west egress is used for entering. At the end of the game, Burlington Police Department officers use both driveways to direct traffic in the direction of travel. The elimination of one driveway would prevent both of these practices from occurring and would result in traffic backups on Colchester Avenue, would vastly increase the number of idling vehicles as patrons leave the ballpark, or would necessitate the need to direct some traffic to the more residential East Avenue.
4. UVM is concerned about the cost of a redesign and construction, including permitting costs and potential impacts on stormwater.

Again, we support the City's efforts to improve this intersection, but feel that Option 2, with the removal of one of the entrances to Centennial Field, creates too many issues with traffic and safety to be considered viable. We do support improvements to the existing crosswalk and also encourage the City to consider alternate locations on Colchester Avenue that would allow for a straight crosswalk without impacting existing ingress/egress locations.

I appreciate the opportunity for University review of the options. Please let me know if you have questions or wish to discuss prior to the next Public Works Commission meeting.

Regards,

Linda Seavey
Director
UVM Campus Planning Services

Cc: Lani Ravin, CPS Associate Planner, UVM
Lisa Kingsbury, CPS Planning Relations Manager, UVM
Jim Barr, Director, Transportation & Parking, UVM



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

Date: February 8, 2017

To: Public Works Commission
From: Norman J. Baldwin, P.E. *NJB*
City Engineer/Ass't Director of Public Works

C.C. William Ward, Director of Code Enforcement
Joseph Finnegan, Esq. Appellant
Chapin Spencer, Director of Public Works

Subject: 32 Brookes Avenue-Appeal of Code Enforcement Inspection Report identifying two egress deficiencies

The Department of Public Works received an appeal from Mr. Joseph M. Finnigan, ESQ as the representative to a family owned rental property at 32 Brookes Avenue. Mr. Finnigan is seeking to appeal Code Enforcements Inspection Report, identifying two items identified as deficient in providing proper egress.

The appeal is associated with Code Enforcement Inspection Report, inspected on November 18, 2016. Requirement BCO 18-95 Means of Egress

- Item #19 of the Inspection Report: Third floor (or higher) occupied without second means of egress
- Item #20 of the Inspection Report : Exit method does not comply with building code

As staff to the Commission I have provided notice to both the Code Enforcement Office as well as the appellant Mr. Joseph Finnigan. The Code Enforcement has confirmed their ability to attend, however I have yet to received firm confirmation of Mr. Finnigan's attendance unless you consider receipt of signed for certified mail as confirmation of attendance.

- I had called and left a message with Mr. Finnigan's receptionist providing the date, time, location of the hearing on Monday, January 30, 2017. I did not receive a return call.
- I sent a certified letter to Mr. Finnigan on Wednesday, February 1, 2017 and received a return receipt card signed for on February 2, 2017.
- I sent an email to Mr. Finnigan to the email address 'joe@jflawvt.com' on Wednesday, February 1, 2017 that provided the appeal hearing notice and instructions, seeking written confirmation Mr. Finnigan's ability to attend. I have not to date received an email response confirming attendance.
- I attempted to call Mr. Finnigan's office Wednesday, February 8, 2017 at 5:16 p.m.

Attached is Mr.Finnigan's letter of appeal as well as my correspondence providing notice of the hearing and the instructions. I look forward to the Commission hearing this appeal and will be available to answer any questions you may have for me as staff to the Commission.

JOHNSON & FINNIGAN, LLP

ATTORNEYS AT LAW

80 Midas Drive, 3rd Floor

South Burlington, VT 05403

Telephone (802) 660-9393

Fax (802) 660-9396

December 14, 2016

Director
Office of Code Enforcement
City of Burlington
PO Box 849
Burlington, VT 05402-0849

RE: Inspection of 32 Brookes Avenue, Inspection
Appeal of Findings

Dear Director:

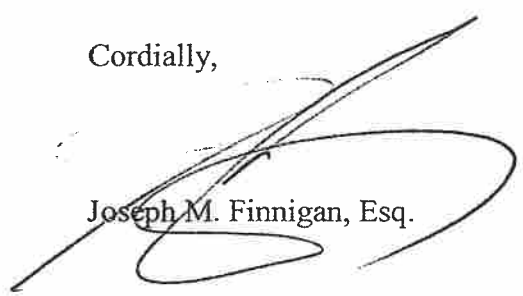
Enclosed please find the letter I sent to the department appealing the same finding last time the building was inspected.

I communicated that this issue had already been addressed, twice actually, with your staff but have not heard anything back so I thought it would be best to preserve the record by sending it in writing.

I also did not receive the findings of the inspection when it was completed. I requested after two weeks a copy and one was sent to me via email, which is fine I just wanted to point out a potential kink in the system.

My crew has been diligently working to repair all the other items on the findings.

Cordially,



Joseph M. Finnigan, Esq.

Enclosure

JOHNSON & FINNIGAN, LLP
ATTORNEYS AT LAW

80 Midas Drive, 3rd Floor
South Burlington, VT 05403

Telephone (802) 660-9393
Fax (802) 660-9396

June 19, 2014

Director
Office of Code Enforcement
City of Burlington
PO Box 849
Burlington, VT 05402-0849

RE: Inspection of 32 Brookes Avenue, Inspection # 263609
Appeal of Findings

Dear Director:

I along with my parents and brother own the property located at 32 Brookes Avenue in Burlington. I am writing to appeal the findings of the above referenced minimum housing inspection on that property.

Specifically, we would like to appeal the finding #2 of 3 on page 1 of 1, in the Inspection Detail provided by Housing Inspector, Ted Miles.

It reads: "Exit method does not comply with the building code, the metal ladder off the rear of the house for the third floor unit does not meet code"

We respectfully disagree and appeal that finding on the following basis:

1. Our family has owned the property since 1982, the ladder referred to pre-exists our ownership and during the period we have owned the property has not been altered in any way. During that period we've had multiple code enforcement inspections with your department and the fire exit has never before been deemed a violation.

2. The unit in question has its main entrance on the second floor of the building, so I am under the opinion that under the code no additional means of egress is required at all.

Housing Code 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.

Even though this apartment occupies the third floor of the building its entrance and first room are on the 2nd floor, so from a life safety perspective it does have access to the 2nd floor via the main entry way and not require an additional means of egress at all. I've been told that by inspectors in the past but saw no reason to remove the ladder even if it was not required.

3. We do not believe the ladder itself is a violation.
Housing Code 18-95 simply states:

(b) Ladders or any other exit method which does not comply with the Requirements of the building code as adopted by the city in section 8-2 of this Code are not an acceptable means of egress and shall be removed or augmented by an acceptable means of egress.

There is no definition for what constitutes a ladder that does not comply versus a ladder that does comply in that section or referenced Section 8-2 of the Building code.

For these three reasons we respectfully appeal the Findings, and again specifically only find #2 of 3, we have no objection to the remaining findings both of which have been addressed.

Thank you for your consideration.

Cordially,

Joseph M. Finnigan, Esq.



**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.
*ASSISTANT DIRECTOR OF PUBLIC WORKS
CITY ENGINEER*

February 1, 2017

Joseph M. Finnigan, Esq.
Johnson & Finnigan, LLP
80 Midas Drive, 3rd Floor
South Burlington, Vermont 05403

Delivery: 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 for 32 Brookes Avenue.

The two items under appeal are associated with Code Enforcements Minimum Housing Inspection Report, inspected on November 18, 2016.

- Requirement BCO 18-95 Means of Egress
- Item #19: Third floor (or higher) occupied without second means of egress
- Item #20: Exit method does not comply with building code

The appeal will be heard at the Public Works Commission Meeting, the Commission meeting will begin at approximately:

Time: 6:30 p.m.
Date: Wednesday, February 15, 2017
Location: Front Conference Room, Central Maintenance Facility
645 Pine Street
Burlington, Vermont.

Given the agenda has yet to be formalized I am not in the position to provide you with a time certain when this item will be heard.

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 specific 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. In order to have documentation included in the packet I must have your documents no later than 12:00 p.m., Tuesday, February 7, 2017. **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.

Sincerely,

A handwritten signature in black ink, appearing to read "Norman Baldwin", with a stylized flourish at the end.

Norman J. Baldwin, P.E.
Assistant Director of Public Works

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

Norm Baldwin

From: Norm Baldwin
Sent: Wednesday, February 01, 2017 11:52 AM
To: 'joe@jflawvt.com'
Cc: jeffpadgett10@gmail.com; Chapin Spencer; William Ward; Eugene Bergman; Valerie Ducharme
Subject: Notice of Appeal Hearing for 32 Brookes Avenue
Attachments: 32 Brookes Avenue-Appeal Hearing Notice 2_1_17.pdf

Mr. Finnigan,

At your request I am seeking to schedule to your appeal heard for Minimum Housing Orders for 32 Brookes Avenue. I am attaching for your consideration a letter that provides you instructions regarding:

- the process of appeal
- the Date, time and location of the Appeal Hearing

The Appeal Hearing is scheduled for Wednesday, February 15, 2017 6:30 p.m., at our facility at 645 Pine Street in Burlington. Please confirm in writing your ability to attend.

If there are any further questions please feel free to give me a call at 865.5826.

Thank you.

Norman J. Baldwin, P.E.
City Engineer/Ass't Director
Burlington Public Works Department
645 Pine Street
Burlington, Vermont 05401

V: 802.865.5826
F: 802.863.0466
EMAIL: nbaldwin@burlingtonvt.gov

Please note that this communication and any response to it will be maintained as a public record and may be subject to disclosure under the Vermont Public Records Act.

SENDER: COMPLETE THIS SECTION

- ☒ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- ☒ 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:

2. Article Number
(Transfer from sel)

7015 0640 0003 0628 3049

PS Form 3811, July 2013

Domestic Return Receipt

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? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail® ☐ Priority Mail Express™
- ☐ Registered ☐ Return Receipt for Merchandise
- ☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee)

☐ Yes

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com

Certified Mail Fee

\$

- Extra Services & Fees (check box, add fee if applicable)
- ☐ Return Receipt (hardcopy) \$
 - ☐ Return Receipt (electronic) \$
 - ☐ Certified Mail Restricted Delivery \$
 - ☐ Adult Signature Required \$
 - ☐ Adult Signature Restricted Delivery \$

Postage

\$

Total Postage and Fees

\$

Sent To

Street and Apt. No. for PO Box No.

Circ. Mark ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

Postmark
Here

640E 9290 E000 0490 5102

UNITED STATES POSTAL SERVICE

02-658 2017 PM 3



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

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

Washington Public Works
1000 1st Street
Washington, VT 05401

1000 1st Street
Washington, VT 05401

Code Enforcement DPW appeal hearing

32 Brookes Avenue



Code Enforcement Timeline of inspections at this property

DATE	ACTION	INSPECTOR/STAFF	DEFICIENCIES
11/8/2016	Routine Housing Inspection	Inspector Kim Ianelli	21 Items
11/21/2016	Order Sent	Sybil Thomas	
12/16/2016	Follow-up Inspection *actual date 1-6-17	Inspector Kim Ianelli	5 Items
1/10/2017	Order Sent	Sybil Thomas	
2/6/17	2nd Follow-up Inspection	Inspector Kim Ianelli	3

There are 2 deficiencies from the November 2016 inspection under appeal

Unit 4 **(Item 19 of 21)**

Ladder

Finding: Third floor (or higher) occupied without second means of egress

Remedy: Obtain permits and construct second means of egress to code. Building permit required.

Status: Non Complied

Correct By: Dec 16, 2016

Code Section: Means of egress

18-95 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.

Unit 4 **(Item 20 of 21)**

Ladder

Finding: Exit method does not comply with building code

Remedy: Obtain required Building permit and construct exit path to code.

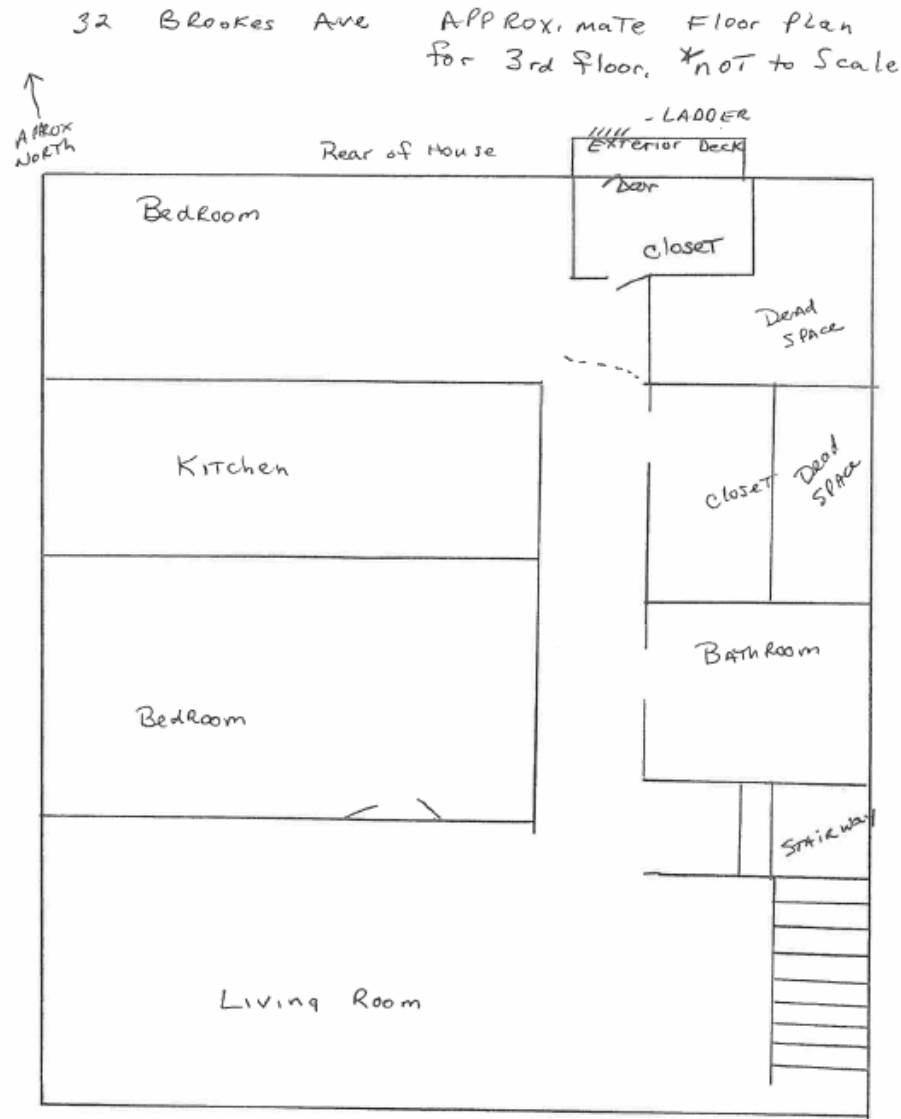
Non Complied

Correct By: Dec 16, 2016

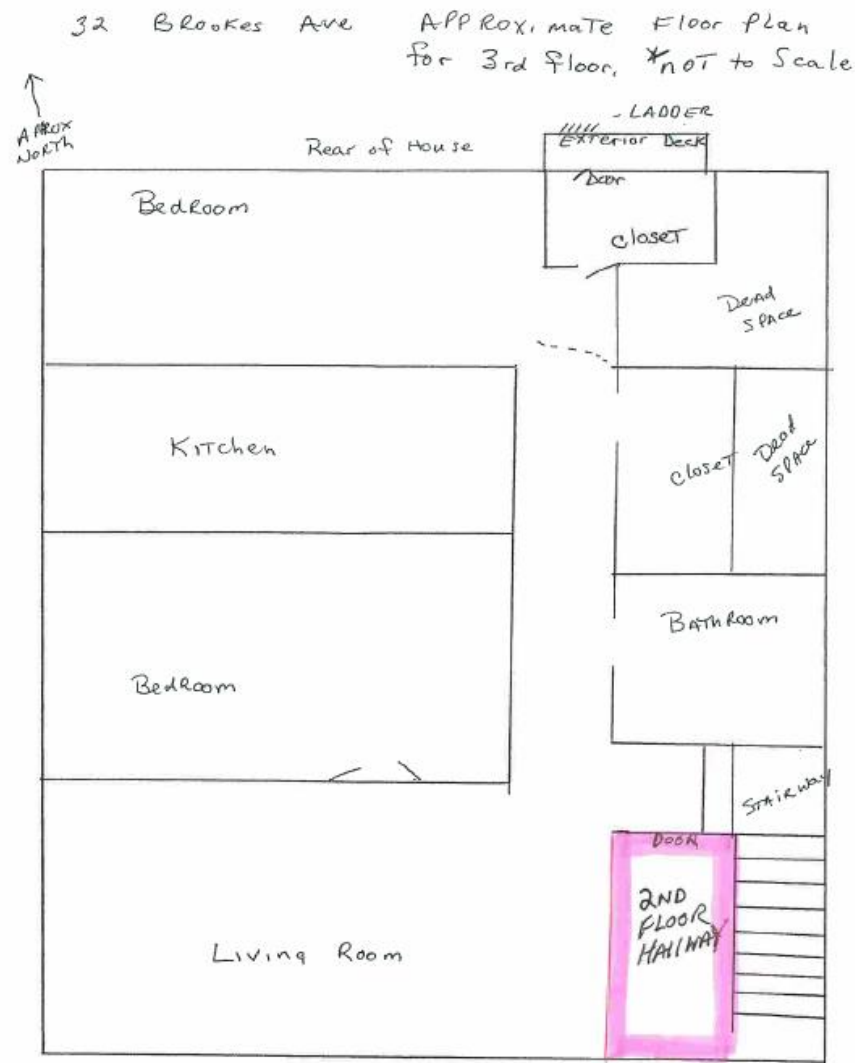
Code Section: Means of egress

18-95 Ladders or any other exit method that does not comply with the requirements of the building code as adopted by the City in section 8-2 of this code are not an acceptable means of egress and shall be removed or augmented by an acceptable means of egress.

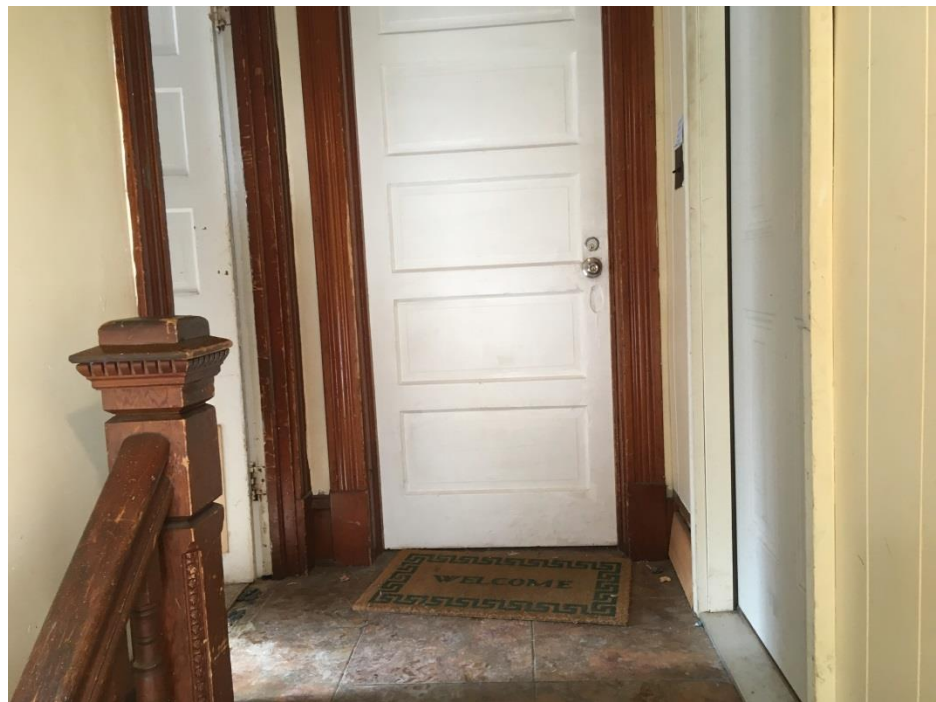
Sketch of the floor plan of third floor- 32 Brookes Avenue



Sketch indicating highlighted area on 2nd floor which is part of 3rd floor unit



This is the view at the 2nd floor landing. The door to Unit 4 is on the left in this photo



This photo depicts the view looking in the doorway of Unit #4

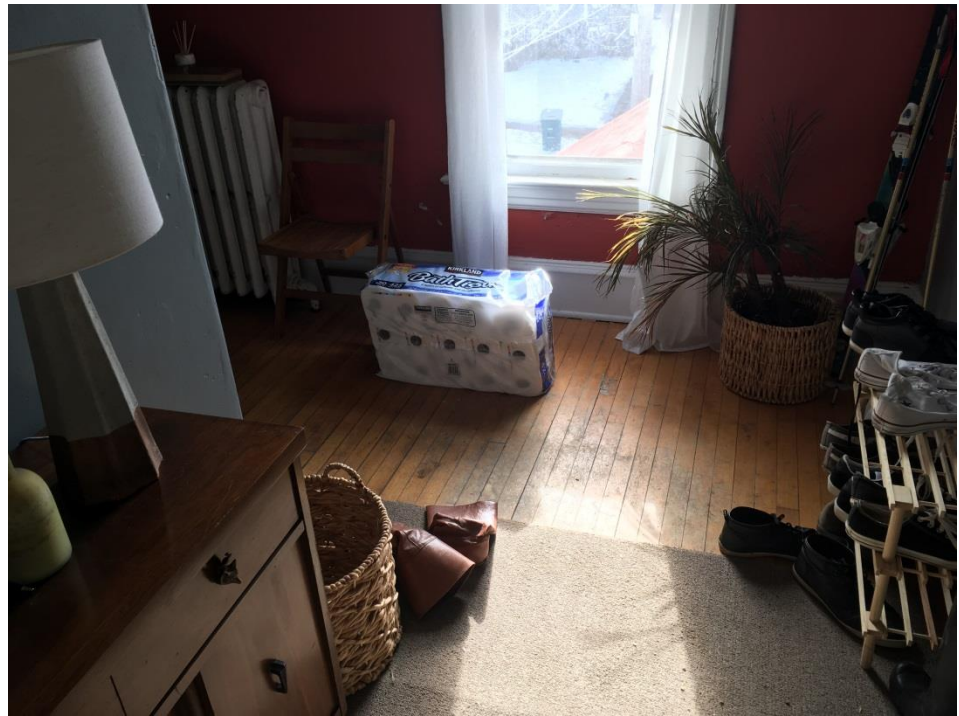




Photo depicts the view looking in the doorway of the third floor bedroom on the North side of 32 Brookes Avenue. The second doorway is a closet which leads to the exit door.



Photo depicts the view from the parking area in the North end of the property looking South toward the rental units at 32 Brookes Avenue 8

City ordinance

18-95 Means of egress

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 (2) 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 unless the building is protected by a fire prevention, protection and alarm system permitted and approved by the Burlington fire marshal, in which case the unit shall have the same means of egress required of first and second floor dwelling units. At a minimum, standards for the maintenance of a required means of egress shall be governed by the following:**

- (a) All doors in the required means of egress shall be readily openable from the inner side without the use of keys. Exits from dwelling units shall not lead through other such units or through toilet rooms or bathrooms.
- (b) Ladders or any other exit method which does not comply with the requirements of the building code as adopted by the city in Section [8-2](#) are not an acceptable means of egress and shall be removed or augmented by an acceptable means of egress.**
- (c) All required fire escapes shall be structurally sound and maintained safe and usable and free of snow and ice.
- (d) All required exit signs shall be maintained illuminated and visible.

(Ord. of 8-4-86; Ord. of 11-8-93; Ord. of 12-1-14(1))

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.



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

Date: February 8, 2017

To: Public Works Commission
From: Norman J. Baldwin, P.E. *NJB*
City Engineer/Ass't Director of Public Works

C.C. Chapin Spencer, Director of Public Works
Chad Tyler, Appellant

Subject: Appeal of Inspection Services verbal and written orders requiring a Compliant 13D sprinkler system at 201 South Union Street

The Department of Public Works received an appeal from Chad and Patsy Tyler as owners of a recently renovated carriage barn converted into a single family home at 210 South Union Street. The Tyler's are seeking to appeal Inspection service verbal and written orders requiring a complaint 13D sprinkler system. The appeal is associated with renovation project permitted under Building Permit #14-191027.

As staff to the Commission leading up to the hearing I have provided notice to both the appellant Chad and Patsy Tyler. Mr. Tyler has confirmed his ability to be in attendance.

For your records, I have:

- Spoken to Mr. Tyler over the phone on Monday, January 30, 2017 providing him instructions regarding the appeal hearing process and confirming his ability to attend.
- Sent through certified mail the notice of the hearing and instructions on Friday, February 3, 2017. I have attached for your consideration the written correspondence. I have not received the return receipt card, however have attached for your consideration the USPS tracking information to today's date.
- Sent an email to Mr. Tyler to the email address 'chad@tylerplace.com' on Friday, February 3, 2017 that provided the appeal hearing notice and instructions, seeking written confirmation from Mr. Tyler's ability to attend. I have attached for your consideration my email correspondence and Mr. Tyler's response confirming in writing his ability to attend.

I will be present at the meeting representing the Inspection Services Program with my colleagues Building Inspectors Ned Holt and Brad Biggie along with Fire Marshal Barry Simays and legal counsel to staff Gene Bergman. Given my role defending the order of the Inspection Services team I will not be in a position to provide staff support to the Commission. I will leave the duty of staff to the Commission in the capable hands of our Director Chapin Spencer who has been properly briefed.

RECEIVED

MAR 14 2016

BURLINGTON PUBLIC
WORKS

Mr. Norman J. Baldwin, P.E.
City Engineer
Assistant Director of Public Works
Department of Public Works
645 Pine Street, Suite A
Post Office Box 849
Burlington VT 05402

March 9, 2016

Dear Mr. Baldwin,

This is a letter of appeal for building permit #14-191027 on our property at 210 South Union Street for the renovation of our existing 3 story carriage barn into a 2 bedroom owner occupied residence on top, with unheated parking in the middle and storage space in the basement. I'm not too sure how to even begin this letter so I apologize in advance if the format or tone isn't correct. It is a difficult letter to write as I have had a great relationship with the Department of Public Works since my wife and I purchased our property almost 10 years ago. As first time homeowners, the DPW has been very helpful and patient with our lack of knowledge and desire to improve our property and it has always been a pleasure to walk into the building on Pine St. It is also difficult because we fear there is little precedent for our appeal and we don't want to make things even worse.

We should probably give you some history first. The lot we purchased has an 1893 Queen Anne house on the street with a carriage barn out back that is thought to pre date the house but we have not been able to find any specific year for when it was built. Both the house and the barn are included in the national register of historic places and they place the barn as circa 1875. The house was rather poorly converted into apartments in the late 1960s and the barn had been converted into storage. The barn was in particularly rough shape as the roof had leaked for years and the basement had seasonal water infiltration through the floor. Its foundation had also shifted due to the east sill becoming buried under the driveway dressing that had been added over the years to the ROW that runs alongside it. After fixing up the apartments we came to the realization that the income they produced would never really cover the cost of repairing and maintaining the property. However, we had the good fortune of a recent zoning change which would allow us to convert the barn into another residence if we met the coverage and code requirements. We spent a couple of years researching and designing before we went before the DRB in 2014. They were quite happy to see us restore an existing historic building and our application was approved with conditions to preserve the original character of the structure as much as possible.

As part of this process we retained the services of an architect and an engineer to help us. I also made a courtesy call to Barry Simay and had our local fire station (#1) walk through the property with me to confirm that the barn was accessible and to locate the nearest hydrant. I spoke with John Ryan and met a couple of times with Ned Holt to make sure there were no code issues that would put a damper on the project and had a formal meeting with both Ned and Bob Neeld, our engineer. At this meeting and the prior one, the question of whether a sprinkler system was needed or not came up. Both times it was decided that as a single family residence with parking and storage it wasn't required so long as all other fire mitigation measures were taken. Our building permit was issued in July of 2014.

After the foundation work was finally completed we moved inside and had a couple of visits from the new inspector Brad Biggie. Brad was very helpful and would address even the smallest of our questions from stair winder widths to blocking distances. In March of 2015 Brad called me to say that he had asked Barry Simay to visit the property with him and they had come to the conclusion that a sprinkler system was now needed. I thanked him for the visit although I was a bit surprised that he hadn't asked me to join them. He told me the next step was to have a sprinkler company give me a quote. A few weeks later I had my first visit from Albert at Alpine Sprinkler who asked me "what does Barry want?" According to him there are different systems depending on what is required. I was told that could range from a \$15000 "domestic" system with on-site storage to a "Full 13" which runs off the city's system and would cost \$90000! After talking to two other contractors I got almost the exact same response, that the choice of system was up to Barry and the costs were all similar. I then set up a meeting with Barry as I was coming to the realization that this decision could easily cripple us and put an end to our project after we had already invested an enormous amount of time and money. Barry's take was that the building's location made it difficult to access (the first time we had heard this) and therefore he recommended the sprinkler. He said the type of system was up to the installer and that the ultimate decision to have one at all rested with Brad. I then set up a meeting with Brad and Ned to find out what was going on. They said their hands were now tied as Barry had recommended the system. When I told them that Barry said the decision rested with them, they said that our only recourse was to appeal the decision with you. While wrestling with this idea I continued to seek advice from sprinkler installers. In September I met with Debbie Winters from Firetech who then contacted Barry about the project, his response (which is attached and was also sent to Brad) seems to advocate for the 13D system.

So this is how we find ourselves writing this letter to you. We think that we must make some sort of appeal for a number of reasons. First is the sense that we were a bit blindsided by this decision. The building in question is an historic existing structure that we have had to work with and we wished to follow the DRB's lead on maintaining its original character. To do so we had to jump through many hoops and make many design changes to maintain the intent of our zoning permit. Ned was terrific in understanding this and helping us as we moved forward. It is obviously no easy task forcing a 19th century structure into our 21st century building codes. When we received our building permit we gulped with apprehension but also sighed a bit of relief knowing that the parameters of the project had finally been set. To then find that we are required to install a major fire retardant system almost a year into our permit is really dispiriting. We felt that we have been very open with all parties about what was expected from us but we were never informed that the conditions of the building permit could be changed any time after it was issued. This may well be the case and it could be that changes to the permit are allowed until it is closed but we would certainly like to have known that as codes and practices are constantly revised and maybe we could have at least planned for the possibility.

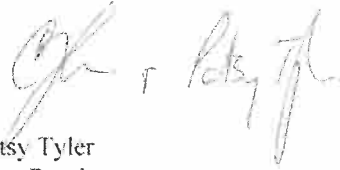
Secondly we question why the system is required at all. This is a structure that has already been almost completely rehabbed with a new full foundation, tons of extra structural steel and timber, new windows, insulation, venting, wiring and roofing. We have followed the guidelines for fire blocking, the sheetrock is ready to go on the ceilings, the windows are sized for egress, the hard wired detectors will go in as expected and sprinkler heads are already set for the two heat sources. If this was a new building it would certainly meet or exceed code. The only question is the access. The barn sits on a ROW exactly 141 feet from Maple Street and 150 feet from South Union. According to our local fire station they have no problem with the distance and a fire hydrant sits right at the corner. If an engine were to drive right up to the building the narrowest point in the ROW is 14 feet at curb height and 16' between buildings. Again, our local engine (Station 1) found this access satisfactory but I believe Barry is reading the latest NFPA recommendation which calls for a 20' wide access and we gather he has authority over all the stations. We would also like to point out that just 75 feet to the north of our building is our neighbor's drive at 196 South Union. This drive is well over 20 feet wide and would allow a truck to back up within ladder distance if necessary. We understand that our conditional use permit makes this a dwelling which calls for more fire safety and we are more than willing to add any extra mitigation within our means. We can add more blocking, double up on drywall, install a direct alarm or add any other equivalent that would help delay the spread of a potential fire and ease the access concern. We have also come to empathize with the sprinkler companies as the requirements for their installation has been something of a wagon before the horse approach with many of these companies left struggling to handle the correct installation while taking on the potential liability. I've attached a recent article published by the National Association of Home Builders Research Center to illustrate the point. It doesn't really surprise me that we have yet to get an actual written quote from any of the four companies that have looked at our building.

Finally the cost is really an issue for us. We are first time developers and to our horror this project blew its budget before the excavators left. Aside from the extra engineering and work needed to create a storm water containment system (which didn't work) the builder under estimated the scope of the job and his subs did the same. By the time the first summers build season ended we were down to the wire before we even moved indoors. Brad's visit with Barry basically put an end to any momentum we had. Once it became apparent that we couldn't close up the ceilings or walls until the sprinkler issue was resolved I quickly lost my crew to other projects and this was right at the beginning of the second build season. My new builder has been able to come back periodically since then to work on those areas that won't be affected but the reality is this is all we can afford now in any case. I have attempted on my own to do as much of the footwork and labor as possible to save us some money for contractors but we are nearly at a point where we can go no further without a decision on the sprinkler no matter what. I know Burlington has experienced something of a boom recently but for us this is our only asset, one that we committed to when my wife returned to school here 10 years ago. We hope that eventually the property will provide us with some steady retirement income and we continue to try and focus on the long term. However, the reality is that \$15000 is a major sum at this point. It is the difference between when and how we do the kitchen and bath or the deck that is designed and the paint when we are through, to say nothing of the insulation, drywall or the unknown sum we need to correct the storm water issue. I have looked into grants for historic barns but urban carriage barns are specifically exempted from receiving any funds.

Basically we need a little help here. We are on the agenda with the DRB to have our permit extended for another year and we really want to complete this project and move into our new home. At this late date having to install an expensive system that will need continuous maintenance, testing and inspection just sets us back to a point that will be very difficult to recover from. We gather that this decision rests with the AHJ in Burlington and it seems this person is you. If so, we are asking that you please review our project and provide us with a variance if possible.

Thank you for your time and please don't hesitate to contact us if you have any questions.

Sincerely,

Handwritten signatures of Chad and Patsy Tyler in blue ink.

Chad and Patsy Tyler
491 St. Albans Road
Swanton VT 05488
cpl.tyler@comcast.net
802-752-7426



**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.
*ASSISTANT DIRECTOR OF PUBLIC WORKS
CITY ENGINEER*

February 3, 2017

Chad and Patsy Tyler
491 St. Albans Road
Swanton, Vermont 05488

Sent: Certified Mail & Email

NOTICE OF HEARING

Pursuant to Burlington Code of Ordinances Chapter 8 Buildings, the **Public Works Commission** will hold a hearing related to an appeal of :

- Department of Public Works verbal and written orders requiring a complaint 13D sprinkler system for 210 South Union Street under Building Permit 2014-191027.

This issue will be heard **6:30 p.m. on Wednesday, February 15, 2017 in the Front Conference Room of the Department of Public Works at 645 Pine Street** in Burlington, Vermont.

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.

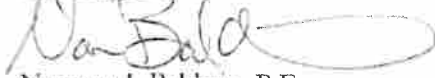
Each party will be given the opportunity to present the facts, as they believe them to be, and to make legal arguments. The Commission will hear testimony and take documentary evidence in support of each party's position.

You are welcome to provide supporting documentary evidence in advance of the hearing. In order to have documentation included in the packet I must have your documents no later than 12:00 p.m., Tuesday, February 7, 2017. **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.

Sincerely,

A handwritten signature in dark ink, appearing to read "Norman J. Baldwin", with a large, sweeping flourish at the end.

Norman J. Baldwin, P.E.

Ass't Director/City Engineer

c.c

Eugene Bergman, Assistant City Attorney
Chapin Spencer, Director of Public Works
Valerie Ducharme, Customer Service Representative
Ned Holt, Building Inspector
Brad Biggie, Building Inspector
Barry Simays, Fire Marshall

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Updated Delivery Day: Monday, February 6, 2017

Product & Tracking Information

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DATE & TIME	STATUS OF ITEM	LOCATION
February 6, 2017 , 10:54 am	Notice Left (No Authorized Recipient Available)	SWANTON, VT 05488

We attempted to deliver your item at 10:54 am on February 6, 2017 in SWANTON, VT 05488 and a notice was left because an authorized recipient was not available. You may arrange redelivery by using the Schedule a Redelivery feature on this page or calling 800-ASK-USPS, or may pick up the item at the Post Office indicated on the notice beginning February 7, 2017. If this item is unclaimed by February 21, 2017 then it will be returned to sender.

February 6, 2017 , 7:48 am	Arrived at Unit	SWANTON, VT 05488
February 6, 2017 , 4:02 am	Departed USPS Facility	ESSEX JUNCTION, VT 05452
February 5, 2017 , 5:35 pm	In Transit to Destination	
February 3, 2017 , 7:14 pm	Arrived at USPS Facility	ESSEX JUNCTION, VT 05452

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Norm Baldwin

From: Norm Baldwin
Sent: Monday, February 06, 2017 10:07 AM
To: 'Chad Tyler'
Cc: Eugene Bergman; Ned Holt; Chapin Spencer; jeffpadgett10@gmail.com
Subject: RE: 210 South Union Street Appeal Hearing Notice

Chad,

We will be providing your appeal letter and all of my communications to organize the meeting.

Separately the City will be preparing its packet of information relevant to the defense of our order, cover letter, email timeline, code requirements, etc.

From: Chad Tyler [mailto:chad@tylerplace.com]
Sent: Monday, February 06, 2017 10:01 AM
To: Norm Baldwin <nbaldwin@burlingtonvt.gov>
Cc: 'Chadwick Tyler' <cpl.tyler@comcast.net>
Subject: RE: 210 South Union Street Appeal Hearing Notice

Good Morning Norm,

Could you please let me know what will already be available in the Commission Packet so I don't double up on anything and have an idea of what the Commission has seen?

Thanks,

Chad

From: Norm Baldwin [mailto:nbaldwin@burlingtonvt.gov]
Sent: Friday, February 03, 2017 3:42 PM
To: chad@tylerplace.com
Cc: Eugene Bergman; Chapin Spencer; Barry Simays; jeffpadgett10@gmail.com; Ned Holt; Brad Biggie
Subject: 210 South Union Street Appeal Hearing Notice

Chad,

As a follow up to our previous conversation I am sending you this formal notice of the appeal hearing along with the associated appeal hearing instructions, with the understanding from our previous verbal conversation that you will be able to attend.

Please reply to this email confirming your ability to attend the Wednesday, February 15, 2017 Commission Meeting.

I would also like to not to you that the Commission Packet goes out this coming Thursday and ask that if you would like documents submitted in the packet in advance of the meeting that you get that information to us by noon on Tuesday, February 7, 2017.

Please feel free to call me if you have any further questions.

Norman J. Baldwin, P.E.
City Engineer/Ass't Director
Burlington Public Works Department

645 Pine Street
Burlington, Vermont 05401

V: 802.865.5826

F: 802.863.0466

EMAIL: nbaldwin@burlingtonvt.gov

Please note that this communication and any response to it will be maintained as a public record and may be subject to disclosure under the Vermont Public Records Act.



Department of Public Works

Permit No: 2014 191027 00000 B

BUILDING PERMIT

645 Pine Street, Suite A

P.O. Box 849, Burlington, VT 05402

Telephone (802) 863-9094/ Fax (802) 863-0466

Working Together for Burlington - Preserving, Improving Our Community

Fees

	\$765.00
Admin Fees	\$0.00
Recording Fees	\$20.00
	\$785.00

Issue Date: 07/17/2014

Street Address: 210 SOUTH UNION STREET

Estimated Cost: \$90,000.00

Construction Starting Date: 07/17/2014

Owner Chad Tyler
491 ST. ALBANS ROAD
SWANTON VT 05488

Tel No: 802-524-2021

Owner/Contractor Chad Tyler
491 ST. ALBANS ROAD
SWANTON VT 05488

Tel No: 802-524-2021

DESCRIPTION OF WORK:

CODE ID: New Construction

OLD BARN; Add one residential unit (OLD HAY LOFT AREA) over parking garage (CARAGE STORAGE FLOOR) to include new accessory workshop below parking in old HORSE STABLES basement area.

CONDITIONS OF PERMIT: All work performed by the applicant shall comply with the codes and ordinances of the City of Burlington. This permit authorizes the applicant to proceed with the work described above in accordance with these codes. This permit shall not be construed as authority to violate, cancel or set aside any of the provisions of the codes. The applicant must contact the department to schedule inspections of the work and obtain final project approval.

APPLICANT SIGNATURE:

LICENSE #:

- ☐ CALL FOR FOUNDATION INSPECTION
- ☒ CALL FOR ROUGH FRAMING OR ROUGH-IN INSPECTION
- ☒ CALL FOR FINAL INSPECTION
- ☒ BUILDING CERTIFICATE OF OCCUPANCY IS REQUIRED
- ☒ ZONING CERTIFICATE OF OCCUPANCY IS REQUIRED
- ☒ LEAD SAFE PRACTICES REQUIRED


Inspector

Date

210 S. Union

Copy page (i)

Reduce energy utilization:
New construction is required to meet the requirements of Article VI. Energy Code. Affirmative finding as conditioned

RECEIVED

FEB 07 2017

BURLINGTON PUBLIC
WORKS

(g) **Make advertising features clear.**
No signage is proposed. Not applicable.

(h) **Integrate infrastructure into building design.**
Exterior machinery and equipment in mailboxes, and similar accessory features, shall be integrated into the building design using mitigation or screening methods to minimize impact on neighboring properties.

Vents for heating units will need to be defined and illustrated on appropriate elevations. No auditory impact is anticipated on neighboring properties with incorporation of traditional heating and dryer vents.

Rooftop mechanicals, including heating and cooling devices and elevator equipment, should be incorporated into the structure's design, and shall be arranged to minimize their visibility from the street level. Such features, in excess of one foot in height, shall be either enclosed within the roof structure, outer building walls, or parapets, or designed so that they are integrated into the overall design and materials of the building. Where such rooftop features do not exceed ten percent (10%) of the total roof area, they may be considered "ornamental and symbolic features" pursuant to Sec. 5.2.7 for the purposes of measuring building height.

No rooftop mechanicals are proposed. Not applicable.

Any development involving the installation of machinery or equipment which emits heat, vapor, fumes, vibration, or noise shall minimize any adverse impact on neighboring properties and the environment pursuant to the requirements of Article 5, Part 5 Performance Standards.

Heat vents are proposed, although their visual appearance and building location have not been identified on plans. Unfortunately many older structures in Burlington have seen the negative visual impacts of these "blemishes" on primary elevations without any thought to their visual discord or negative impact. The applicant shall provide the location and appearance of these units prior to release of the zoning permit for staff review and approval. Venting will need to be located away from the primary (west) elevation. Affirmative finding as conditioned.

(i) **Make spaces secure and safe:**

Plans include fire blocking and draft stopping to keep fire in the floor assemblies from getting into the space below stairs and burning stair stringers away. All development shall be required to meet appropriate ingress and egress standards as defined by Burlington's building inspector and fire marshal. Affirmative finding as conditioned.

Article 8: Parking

This property is within the Shared Use Parking District. One parking space is the requirement for every residential unit. The ZBA previously approved four parking spaces within the carriage barn; the addition of another residential unit will require one more parking space. The site plan illustrates 4 existing parking

8-8 Appeals from order.

(a) Any owner of a building or structure, or any other interested person, including any official of the city, may appeal to the board of appeals any action or failure to act by a building inspector, except as provided in Section 8-47 in an abatement action. A request for appeal shall be made by filing a notice of appeal with the administrator of the department of public works within ten (10) days of receiving actual notice of the order or action complained of setting forth in detail his or her grievances. The administrator of the department of public works shall notify the chairperson of the appeals board of the notice of appeal forthwith. The board shall meet upon notice of the chairperson within forty-five (45) days of the filing of the notice of appeal. All hearings shall be public, and all interested parties shall be given an opportunity to be heard and to present evidence and arguments.

(b) The board of appeals shall consist of the members of the public works commission and shall each have terms on the board of appeals concurrent with their individual terms as commissioners.

The board shall select one (1) of its members to serve as secretary chair who shall call and chair meetings and who shall keep a detailed record of all proceedings on file.

A member of the board shall not pass on any question in which that member has any fiduciary, personal, or financial interest, or which otherwise constitutes a conflict of interest.

(c) Four (4) members of the board must be present to constitute a quorum. That board shall affirm, modify or reverse an action appealed by a majority vote of the members present. A tie vote shall be an affirmance of the decision from which the appeal is taken. The board shall give written notice of its decision, which shall include findings of fact and all necessary orders, to all interested parties no later than thirty (30) days after the date of the hearing. The building inspector may take action in accordance with the decision of the board immediately upon the sending of the written decision to all interested parties.

(d) Any interested person may appeal a decision of the board of appeals by instituting relief in the Chittenden Superior Court under V.R.C.P. 74

(Rev. Ords. 1962, § 706; Ord. of 10-18-82; Ord. of 5-23-83; Ord. of 9-24-84; Ord. of 1-11-93; Ord. of 5-20-13)

8-4 Duties and powers of building inspector.

The building inspector is hereby authorized and empowered to enforce all adopted codes and ordinances relating to the construction, equipment, management, and condition of all buildings and structures within the city, and to issue written orders pursuant to these powers, and to supervise the issuance of permits for the construction, reconstruction, and removal of all buildings.

Whenever a building inspector finds that a building or structure is maintained, used, erected, constructed, altered, or added to in violation of the provisions of any ordinance, plan, certificate, permit, or of any adopted code or ordinance, the inspector may:

- (1) Serve a written order upon the person responsible directing discontinuance of the alleged action and ordering the remedy of the condition that is in violation; or
- (2) Serve a written stop-work order requiring the suspension of all further work until the condition that is in violation has been corrected; or both.
- (3) Building permits shall not be granted by the building inspector if plans submitted do not comply with all provisions of section 8-2
- (4) Neither temporary nor permanent certificates of occupancy shall be granted to any public building or any residential unit in the development if the development's plans or construction are in violation of section 8-2(c). Furthermore, any violation of section 8-2(c) shall be abated as a nuisance, and any person who is injured as a result of a violation of paragraph (c) may seek to recover damages and other just relief as contemplated by section 54 of the Charter of the City of Burlington. Also, the City of Burlington may bring an action for equitable relief in the Chittenden Superior Court to restrain actual or threatened violations of paragraph (c) as contemplated by section 49 of the Charter of the City of Burlington.

(Rev. Ord. 1962, § 702; Ord. of 10-18-82; Ord. of 12-12-83; Ord. of 5-20-02)

Charter reference—Power to prescribe duties of building inspector, § 48(XIV).

Cross reference—Director of public works designated as enforcement officer of housing code, § 18-17; director of public works to make periodic inspection of dwellings within city, § 18-20.

State law reference—Building inspector generally, 24 V.S.A. § 3102 et seq.

Annotation—In an action challenging the legality of the delegation of powers to the building inspector and the validity of the ordinances for lack of provision for judicial review, the Vermont Supreme Court held that the powers of the building inspector are specified and sufficient standards set as to fall within the requisite constitutional requirements and further the lack of provision for judicial review does not invalidate the ordinance inasmuch as nothing in the ordinance forecloses any review. *Eno V. City of Burlington*, 209 A2d 499(1965).

Bugbee Insulation Nov. 2016

Garage Ceiling (2 Layers R13) 3316.-
about

Garage Level Walls (Dense Pack) 1935.-
cellulose

Apt. Level Walls (5' Dense Pack) 3685.-
Fiberglas

Roof Deck (Dense Pack) 3316.-
cellulose

11,762.-

Jan. 2015

Garage Ceiling (R30 Fiberglas) 1050.-

Garage Level Walls (Dense Pack Cellulose) 1935.-

Apt Level walls (R13 Fiberglas) 1368.-

Roof Deck Dense Pack Cellulose 3316.-

7169.-

NFPA 1 Fire Code 2012

18.2.3.2 Access to Building.

18.2.3.2.1 A fire department access road shall extend to within 50 ft (15 m) of at least one exterior door that can be opened from the outside and that provides access to the interior of the building.

18.2.3.2.1.1 Where a one- or two-family dwelling is protected with an approved automatic sprinkler system that is installed in accordance with NFPA 13D, the distance in 18.2.3.2.1 shall be permitted to be increased to 150 ft (46 m).

18.2.3.2.2 Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of the building is located not more than 150 ft (46 m) from fire department access roads as measured by an approved route around the exterior of the building or facility.

18.2.3.2.2.1 When buildings are protected throughout with an approved automatic sprinkler system that is installed in accordance with NFPA 13, NFPA 13D, or NFPA 13R, the distance in 18.2.3.2.2 shall be permitted to be increased to 450 ft (137 m).

18.2.3.3 Multiple Access Roads. More than one fire department access road shall be provided when it is determined by the AHJ that access by a single road could be impaired by vehicle congestion, condition of terrain, climatic conditions, or other factors that could limit access.

18.2.3.4 Specifications.

18.2.3.4.1 Dimensions.

18.2.3.4.1.1 Fire department access roads shall have an unobstructed width of not less than 20 ft (6.1 m).

18.2.3.4.1.2 Fire department access roads shall have an unobstructed vertical clearance of not less than 13 ft 6 in. (4.1 m).

18.2.3.4.1.2.1 Vertical clearance shall be permitted to be reduced, provided such reduction does not impair access by fire apparatus, and approved signs are installed and maintained indicating the established vertical clearance when approved.

18.2.3.4.1.2.2 Vertical clearances or widths shall be increased when vertical clearances or widths are not adequate to accommodate fire apparatus.



N
→

ANY MODIFICATIONS OR DEVIATIONS FROM THESE PLANS
 REQUIRE ZONING APPROVAL PRIOR TO CONSTRUCTION.
 ALL ERRORS IN DIMENSIONS, PLANS OR DETAILING ARE
 FULLY THE RESPONSIBILITY OF THE APPLICANT/OWNER.

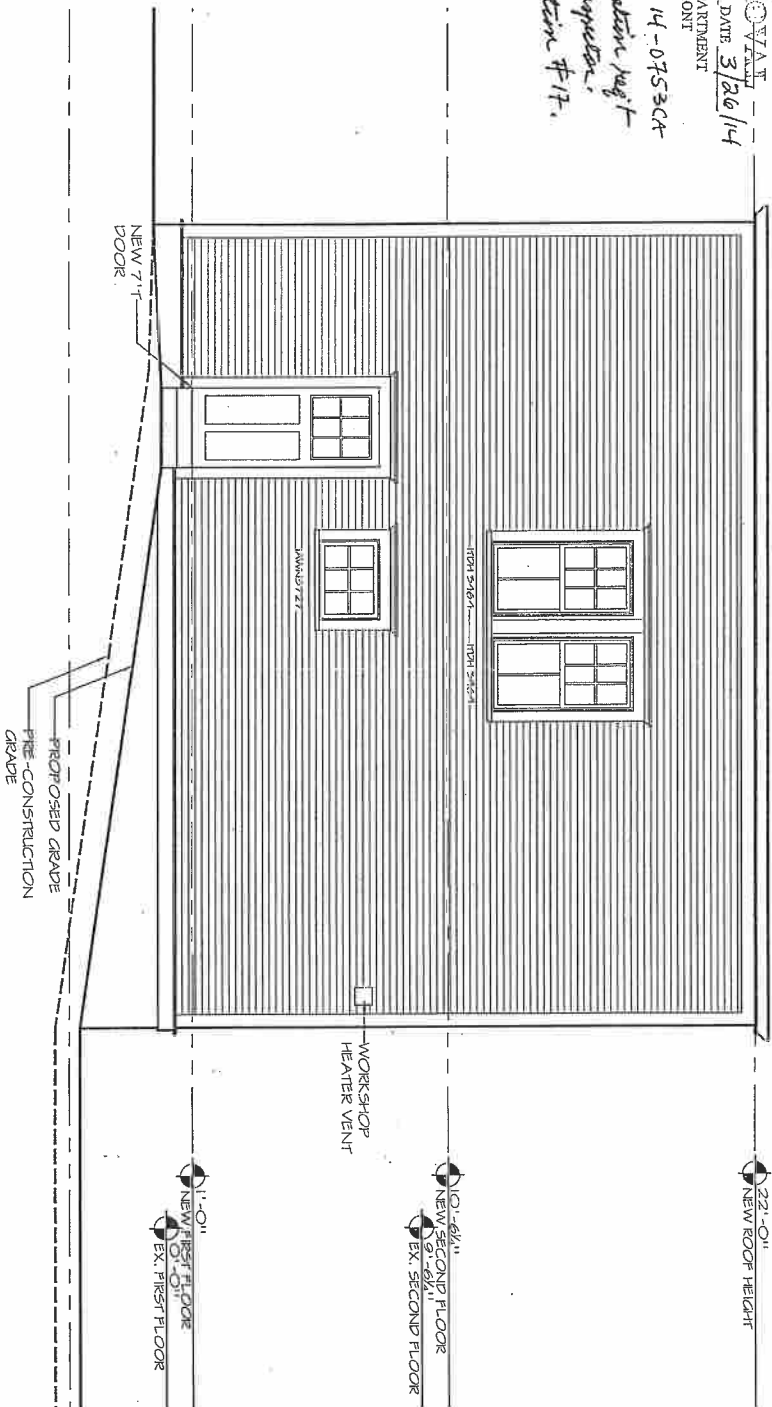
NOTE

SIGNED FINAL APPROVAL DATE 3/26/14
 PLANNING & ZONING DEPARTMENT
 BURLINGTON, VERMONT

2P 14-0753CA

*building alternative layout
 by bldg inspector
 per condition #17.*

NORTH ELEVATION
 OPTION 1 - REVISED



4' 2' 0' 4' 8'
 FULL SCALE: 1/4" = 1'-0"

RECEIVED
 MAR 14 2014

DEPARTMENT OF
 PLANNING & ZONING
Revised

TYLER BARN

210 SOUTH UNION STREET
 BURLINGTON, VT

A2.3

3.14.2014

Copyright © 2013
 Tyler Barn
 Reg. Architect, AIA
 All Rights Reserved

architecture
 10 North Street, 2nd
 Burlington, VT 05401

Burlington Department of Public Works Commission Meeting
Draft Minutes, 18 January 2017
645 Pine Street

Commissioners Present: Robert Alberry; Jim Barr; Chris Gillman (Clerk) (*arrives at 6:38pm*); Solveig Overby; Jeff Padgett (Chair). **Commissioners Absent:** Tiki Archambeau (Vice Chair); Justine Sears.

Item 1 – Call to Order – Welcome – Chair Comments

Chair Padgett calls meeting to order at 6:32pm and makes opening comments.

Item 2 – Agenda

Commissioner Barr requests moving Consent Agenda Item D Agenda to Item 4.5 and is seconded by Commissioner Alberry.

Action taken: motion approved;

“Ayes” are unanimous.

Item 3 – Public Forum (3 minute per person time limit)

Fred Magdoff, Ward 1, speaks on Parking Enforcement issues.

Caryn Long, Ward 1, speaks on Parking Enforcement issues and Lake Champlain cleanup.

Sharon Bushor, Ward 1, speaks on Agenda Item 9.

Clerk Gillman arrives

Item 4 – Consent Agenda

A. UVMMC Parking Agreement

B. Peoples United Bank Parking Agreement

C. Status of Traffic Requests

Commissioner Barr makes motion to accept altered Consent Agenda and is seconded by Commissioner Alberry.

Action taken: motion approved.

“Ayes” are unanimous.

Item 4.1 – Colchester Ave/Centennial Field Crosswalk Improvement Project

A) Staff Communication by DPW Engineer David Allerton who speaks on the city designing a new crosswalk at 278 Colchester Ave.

B) Commission Questions

Chair Padgett and Commissioners Alberry, Barr, and Overby ask questions on Agenda Item 4.1 with Engineer Allerton answering.

C) Public Comment

D) Commissioner Discussion

E) Motion made by Commissioner Overby to accept staff’s recommendation: removal of one parking space at 278 Colchester Ave on the North/East side of the crosswalk.

Seconded by Commissioner Alberry.

Discussion

The Commission, Ms. Bushor, and Engineer Allerton talk on Agenda Item 4.1.

Action taken: motion fails;

Commissioner Alberry: Aye

Vice Chair Archambeau: *not present*

Commissioner Barr: Aye

Clerk Gillman: Nay

Commissioner Overby: Aye

Chair Padgett: Nay

Commissioner Sears: *not present*

F) Motion made by Clerk Gillman to table staff's recommendation: removal of one parking space at 278 Colchester Ave on the North/East side of the crosswalk.

Seconded by Commissioner Alberberry.

Discussion

Action taken: motion approved;

"Ayes" are unanimous.

Item 5 – New Staff Introductions – Phillip Peterson & Ashley Toof

A) Staff Communication by Engineer Allerton who speaks on DPW's two new Engineering Technicians.

B) Commission Questions

C) Public Comment

D) Commissioner Discussion

E) Action Requested – None

Item 6 – Online Parking Ticket Payment

A) Staff Communication by Parking Enforcement Manager John King who speaks on the city's new online payment option for parking tickets.

B) Commission Questions

Chair Padgett, Clerk Gillman, and Commissioners Barr and Overby ask questions on Agenda Item 6 with DPW Director Chapin Spencer, City Engineer and Assistant Director for Technical Services Norm Baldwin, and Manager King answering.

C) Public Comment

D) Commissioner Discussion

E) Motion made by Commissioner Barr to accept staff's recommendation: adoption of changes to BCO Ordinance 20-67 to allow City of Burlington Parking Tickets be paid online or with a credit card.

Seconded by Clerk Gillman.

Discussion

Action taken: motion approved;

"Ayes" are unanimous.

Item 7 – King St & St. Paul St. Meter Adjustments – Changes to Traffic Regulations in Appendix C of the City Ordinance

A) Staff Communication by Director Spencer who speaks on the city's adjustment of meter heads on King St & St Paul St after the closure of the Brown's Ct parking lot earlier this month, introducing "City of Burlington Traffic Regulations" document for the record.

B) Commission Questions

Chair Padgett, Clerk Gillman, and Commissioners Barr and Overby ask questions on Agenda Item 7 with Director Spencer and DPW Engineer Laura Wheelock answering.

C) Public Comment

D) Commissioner Discussion

E) Motion made by Commissioner Barr to accept changes in ordinance and staff's recommendation: authorize the meter adjustments related and adjacent to the Eagle's Landing Project so that the changes can continue beyond the 30-day demonstration period.

Seconded by Clerk Gillman.

Discussion

Action taken: motion approved;

"Ayes" are unanimous.

Item 8 – 194 St. Paul Street – Parking Meter Rates for Encumbrance Application

A) Staff Communication by Engineer Wheelock who speaks on city's revised rates for the encumbrance permits for the 194 St. Paul St. "Eagles Landing" project.

B) Commission Questions

Chair Padgett and Commissioner Overby ask questions on Agenda Item 8 with Engineer Wheelock answering.

C) Public Comment

D) Commissioner Discussion

E) Motion made by Commissioner Barr to approve staff's recommendation: support the use of the ROW under the terms of the License Agreement between the City of Burlington and HPC, and their application for encumbrances – at revised rates – on St. Paul Street/King Street/Maple Street.

Seconded by Clerk Gillman.

Discussion

Action taken: motion approved;

"Ayes" are unanimous.

Item 9 – Intersection Scoping Update: Colchester Ave/Riverside Ave/Barrett St

A) Oral Communication by Senior Transportation Planner Nicole Losch and Chittenden County Regional Planning Commission (CCRPC) Senior Transportation Planning Engineer Jason Charest who speak on the city's scoping study of the Colchester Ave/Riverside Ave/Barrett St intersection.

B) Commission Questions

The Commission asks questions on Agenda Item 9 (Commissioner Overby introducing "PAC Meeting #3" and "Historic Resources Identification" documents for record) with Senior Planner Losch and Engineer Charest answering.

C) Public Comment

Ms. Bushor speaks on Agenda Item 9.

D) Commissioner Discussion

E) Action Requested – None

*****Item 10 – 6 Month Check in on Annual Work Plan – moved to 2-15-17 Commission Meeting*****

Item 11 – Approval of Draft Minutes of 12-21-16

Commissioner Alberry makes motion to approve draft minutes of 12-21-16 and is seconded by Clerk Gillman.

Action take: motion approved;

"Ayes" are unanimous.

Item 12 – Director's Report

Director Spencer reports on Assistant Director for Parking & Traffic Patrick Cashman's resignation and DPW bringing on an Interim Assistant Director – Paul Bohne – for next 3-6 months; the Parking & Transportation Agreement; thanking staff for reviewing the many incoming development projects; and the ongoing water main breaks in south end along Pine St. City Engineer Baldwin reports on the hiring of a new DPW Engineer Mike Weide and the new DPW Associate Planner Neil Milcarek-Burke.

Item 13 – Commissioner Communications

Commissioner Barr comments on an intersection change at North Prospect St & Loomis St; Chair Padgett comments the powers of the Commission; Commissioner Overby comments on the binder commissioners receive upon joining the Commission with Director Spencer responding.

Item 14 – Adjournment & Next Meeting Date – February 16, 2017

Motion to adjourn made by Commissioner Barr and seconded by Clerk Gillman.

Action taken: motion approved;

“Ayes” are unanimous.

Meeting adjourned at 8:40pm.



**CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS**

645 Pine Street, Suite A
Burlington, VT 05401
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www.burlingtonvt.gov/dpw

To: DPW Commissioners
Fr: Chapin Spencer, Director
Re: **Director's Report**
Date: February 8, 2017

THANK YOU PAUL!

I'm pleased to report that **Paul Bohne** is filling in as our Interim Assistant Director overseeing Parking and Traffic. He was the long time Town Manager for Shelburne, and more recently filled in as interim Town Manager for Milton and Richmond. He's jumped right in and is helping us continue the momentum while we hire a permanent replacement. Paul's email is pbohne@burlingtonvt.gov.

DRAFT PARKING & TRANSPORTATION AGREEMENT

The City Council approved the Parking & Transportation Agreement between the City and BBA on January 23, 2017. A key effort is to begin Phase II capital repairs underway in the College Street Garage this spring.

CHAMPLAIN PARKWAY PROGRESS REPORT

Attached you will find my latest progress report on the Champlain Parkway. Key takeaways are the commitment from VTTrans on future flexibility along the project corridor and that the projected start date for construction is now less than two years away (fall of 2018). See the progress report for more detail.

WATER SYSTEM INSPECTION REPORT

Attached you will find a two page letter from the VT DEC Drinking Water Division summarizing their latest inspection of our water system. The key message: *"During the sanitary survey and file review no deficiencies were identified. The Division appreciates your dedication to providing safe drinking water to your customers. It is apparent that your team works well together and is committed to managing and operating a safe and reliable water system."*

It also notes that we are working on addressing our aging infrastructure and implementing an asset management program: *"Infrastructure Management: The Division is aware that the Water System is pursuing a management strategy that identifies assets and assess[es] their criticality. During the survey...the aging distribution system infrastructure [was] discussed as [an asset] in need of maintenance and replacement. The Division anticipates that the Water System's proactive strategy will be beneficial to maintain the system's level of service."* Special thanks go to Chief Plant Operator Steve Asselin, Water Resources Engineer Steve Roy, Assistant Director Megan Moir and the entire Water Resources staff.

FY'17 MID-YEAR WORKPLAN REVIEW

An update on the department's FY'17 workplan will be presented at the Commission meeting. One Workplan item was to compile key performance indicators (KPI's). We have attached a presentation of our initial KPI's. We welcome the Commission's input.

Don't hesitate to contact me with any questions prior to Wednesday's meeting.

Burlington Dept. of Public Works FY'17 Key Initiatives

	DIVISION	KEY INITIATIVE	Operational Excellence	Exemplary Cust. Serv.	Culture of Innovation	EXPECTED OUTCOMES & NOTES	COMMISSION ROLE	METRICS	FY'17 MID YEAR STATUS
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.	Have implemented a cross-departmental project management platform Teamwork.com.
2	DPW-wide	Complete asset management plan to advance City's capabilities and begin implementation of a CMMS (computerized maintenance management system)	✓	✓	✓	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, service complaints. Will develop and refine operational metrics through plan development.	Phase II for WR Division is underway https://www.burlingtonvt.gov/AssetManagement
3	DPW-wide	Continue to close capital funding gaps across asset classes (Water, WW, Stormwater, Fleet, Streets, Sidewalks, Signals, Facilities) by implementing strategies with stakeholders	✓			The city-wide capital plan sets funding targets. Adequate capital funding levels replace assets on schedule, increase service reliability and reduce costly emergency repairs.	Evaluate and recommend funding sources	Annual capital expenditures vs.the total annual capital needs for each asset class	Successful bond vote in November will increase capital reinvestment for next 5 years in Water, Streets, Sidewalks, Fleet, Buildings.
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.	GF and enterprise / revenue funds all performed better than budget in FY'16. FY'17 tracking well.
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 Diector or Assistant Directors	Additional SOP's in development. Expect to have 10 signed SOP's completed in FY.
6	DPW-wide	Increase employee participation in professional development opportunities	✓	✓	✓	Further increase productivity of workforce, staff morale and internal promotions. Expectation is that every employee will take advantage of at least one prof. development opporunity each year.		At least 90% of staff that took advantage of professional development opportunity over last year	Strengthening safety trainings. Developing training log to better record certifications and trainings obtained.
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	Existance and use of KPI's	Developed KPI's for BTV Stat. See attached.
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	Commission Chair attended diversity training. Additional recruitment efforts being made to reach out to diverse communities.
9	DPW-wide	Strengthen safety program	✓	✓		Safety Manual completed in FY'16, printed in FY'17. Actively participate in citywide risk management effort. DPW Safety Team meets at least quarterly. Host voluntary Project Worksafe Audit.		Number of workdays lost to work-related injuries	Hosting Project Worksafe inspections. Increased trainings. Safety team meeting quarterly. Set benchmarks.
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 departments.	Recommend Commission-related communication improvments	Completion of plan	With upcoming expanded capital reinvestment, we are proposing a communications staffer.
11	DPW-wide	Begin to measure department-wide customer service		✓	✓	More responsive department. Begin customer service surveys in FY'17.		Response time for a subset of Request For Service categories	Included in BTV Stat KPIs.
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	City policy on document retention developed. Now a document mnagement system needs to be developed.
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. Number of potholes, sewer plugs, main breaks decrease.	Now included in 10-Year Capital Plan.
14	Tech Services, Water Res.	Develop engineering standards and street design guidelines	✓		✓	Contract out development of standards, guidelines that will efficiently direct future investments. Initially focus on downtown for TIF streetscape investments.	Recommend adoption of standards to Council	Adoption of standards	Great Streets consultant developing street design standards for downtown. More detailed engineering standards will also be needed.
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.	In process.
16	Tech Services	Increase technical staff capacity in Technical Services	✓	✓		Team has resources to tackle additional capital projects (including 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.	Positions posted. Hiring process underway for Engineer, Associate Planner.
17	Tech Services	Advance high priority capital projects in accordance with project schedules	✓			High priority projects (Champlain Parkway, Great Streets, PlanBTV Walk/Bike implementation, Railyard Enterprise Project) advance on schedule.		Projects advance according to project schedules.	Champlain Parkway project construction date of fall 2018 has held for the last year.

Burlington Dept. of Public Works FY'17 Key Initiatives

18	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	Phase I completed. Seeking Council authorization to borrow for Phase II this month. Expect to start work in spring.
19	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	Enhanced PARCS system installed. Begin to see increased net income from the garages.	Commission has approved updated leases/agreements. Consultant hired to develop RFP for PARCS procurement. Collaborating with Airport and BBA.
20	Traffic	Implement downtown parking and transportation improvements -- Phase II policy and funding recommendations from Downtown Parking Study	✓	✓		Improve customer experience while also enhancing the sustainability of our parking system. Begin to have Traffic Fund support broader downtown transportation and related infrastructure needs.	Review and approve changes	Phase II policy and rate changes implemented	Council approved Parking & Transportation Agreement with BBA on 1-23-17.
21	CIO, Tech Services	Assist completion of permit reform report and begin implementation	✓	✓	✓	Led by CIO. Inspection Services will be actively engaged.		Plan substantially complete	Final draft of recommendations being reviewed currently. Report will be out by spring.
22	Maintenace, CT, Parks	Explore City-wide fleet model for managing City's vehicles			✓	Launch pilot to share DPW and Parks admin fleet. Review existing structure and make recommendations to Administration. May 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'17	Behind schedule. Have discussed merging fleet maintenance with BSD. Upgrading shop this spring.
23	Traffic, Water Resources, CT office, Schools	Improve cost allocations between DPW and other departments (ie. have Water credited for fire protection service, contain growth of PILOT payments, 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 aging systems.		FY'18 budget has fairer allocation of costs	PILOT conversations underway. Parking enforcement transfer reduced.
24	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 biosolids (in partnership with CSWD).		Capital plans complete for Wastewater and Stormwater	Dubois & King developed 10 Yr prioritized capital plan. Launching Pipe Condition assessments work for SW and WW. Vast improvements in coordination between WR and street capital; creation of a capital planning GIS map.
25	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.	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 feasibility analysis.	Advancing Integrated Planning process.
26	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.	Working with consultant to project future WW rates. Looking at similar work for W and SW.
27	Water Resources	Comply with TMDL (Total Maximum Daily Load) regulations -- continue chemical trial at Main & North W/W plants to determine ability to meet TMDL regulations for phosphorous reduction through optimization	✓		✓	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.	Optimization continuing. P from WWTP reported through BTV Stat.
28	Water Resources	Improve compliance with Stormwater sections of Chapter 26 ordinance through increased site inspections of construction sites and post-construction practices.	✓	✓		Through poss. increase of staff resources, inc. compliance inspections for construction EPSC practices. Complete formal process of recording maint. and access agreements for post-const. practices. Ensure public projects are compliant with Chapter 26.		# of construction and post-construction compliance inspections.	Hired new SW Program Manager. Will provide progress report by end of FY.

Department of Public Works

BTV Stat

Presented January 31, 2017



Our Mission:

To steward Burlington's infrastructure & environment by delivering efficient, effective and equitable public services

Our Goals:

Operational Excellence :: Exemplary Customer Service :: Culture of Innovation



FOCUS AREAS:

- **Streets and Sidewalks** – Assistant Director Norman Baldwin, P.E.
- **Water and Wastewater** – Assistant Director Megan Moir
- **Workplace Safety** – Assistant Director Rob Green
- **Customer Service** – Director Chapin Spencer

STREET & SIDEWALK REINVESTMENT



Measure	YTD Performance (7/1/16 – 12/31/16)				12 Month Performance (7/1/15 – 6/30/16)			
	Actual	Target	Benchmark	Status	Actual	Target	Benchmark	Status
Street Paving (miles)*	1.85	2.25	2.25		4.15	4.5	4.5	
Potholes Reported**	49	72	TBD		178	145	TBD	
Sidewalk Reconstruction (miles)***	0.9	1.5	1.5		1.1	3	3	

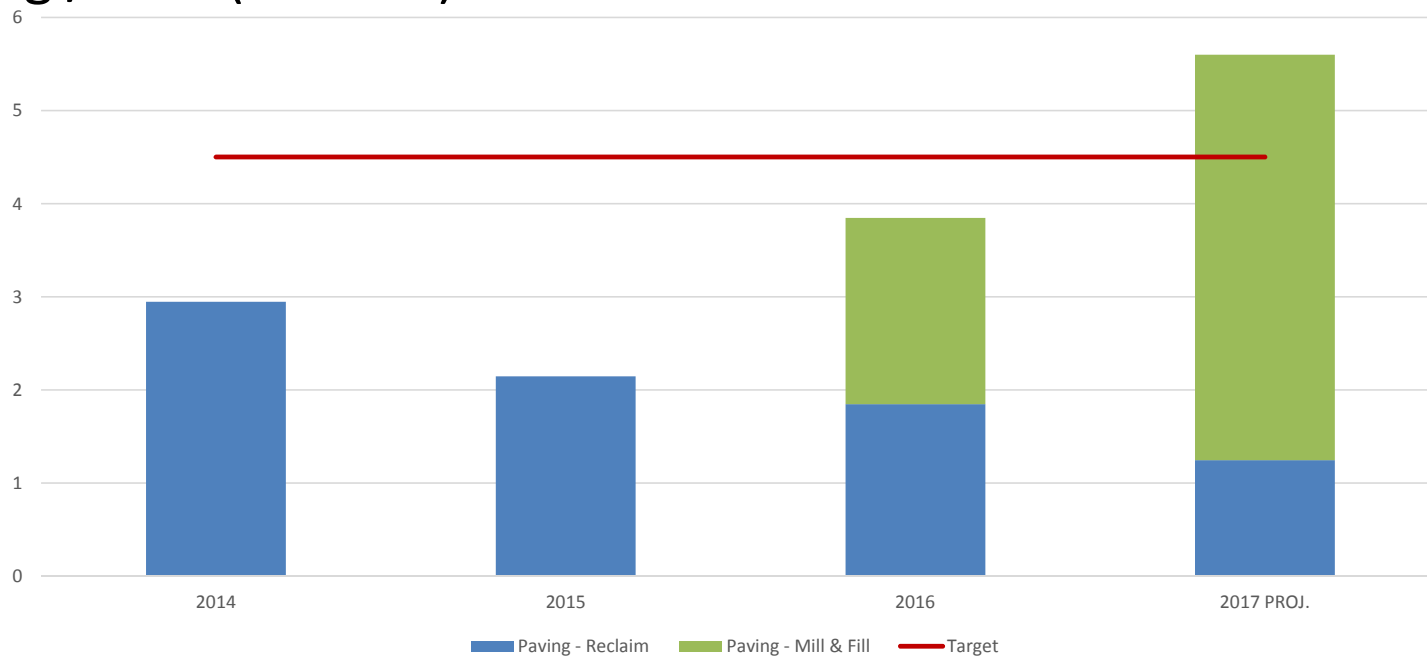
NOTES:

- * Target paving mileage will enable us to repave all poor to failed streets in the next five years with a goal of no serious to failed streets in 2021. Street paving figures going forward will be in calendar years.
- ** Staff has not yet found industry benchmark for number of potholes per mile of public roadway. Target is based on what we believe to be an attainable goal through better pothole repair techniques, more preventative maintenance, better utility coordination and additional paving.
- *** Sidewalk targets and benchmarks reflect our future production goals for 2017 and beyond. With the approval of the capital bond, we will be aiming for at least 3 miles per year starting in the second half of FY'17 as shown in subsequent slide.

STREET & SIDEWALK REINVESTMENT



Street Paving / Year (in miles)



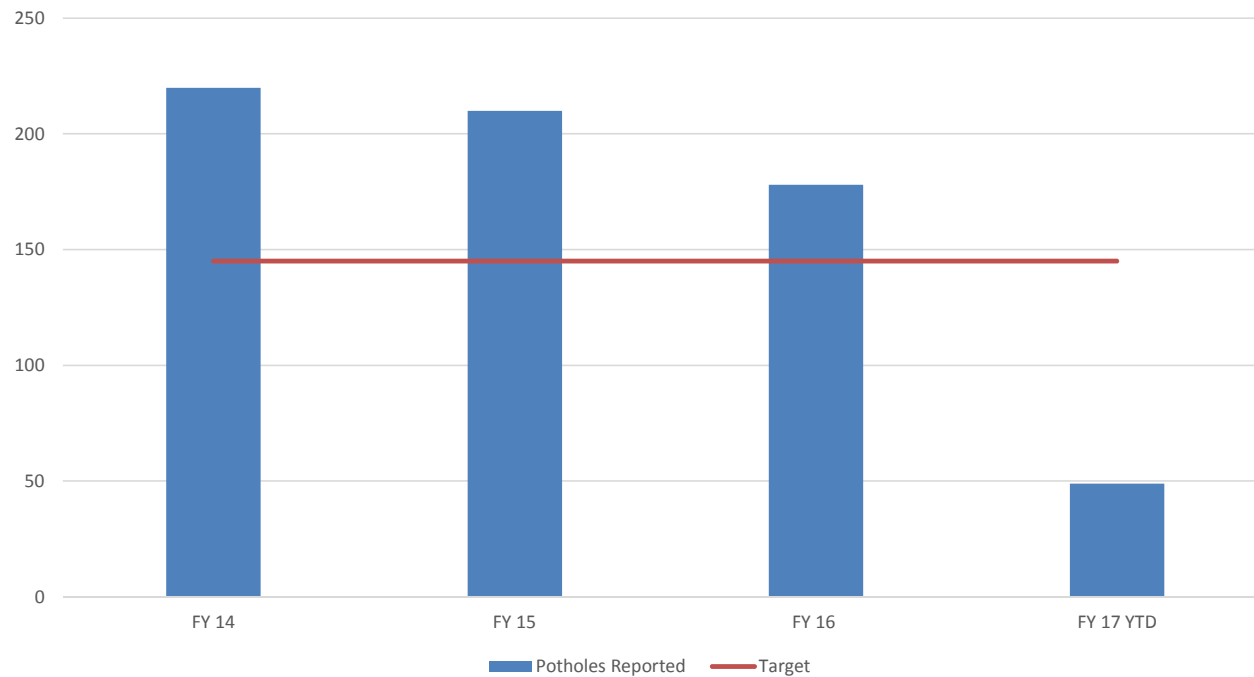
NOTES:

- Production shown in calendar year not fiscal year as paving contracts are done by construction season.
- Target paving mileage will enable us to achieve Capital Plan goal of repaving all poor to failed streets in the next five years.
- Our performance goals are to surpass a 72 Pavement Condition Index (PCI) for our street system overall and to not have any streets in a serious to failed condition by the end of 2021, but we need more time to compile the PCI data.
- Figures above include work only in the City's 95 miles of streets. DPW has also managed park road paving (\$90K in FY14, \$200K in FY16, \$200K in FY17).

STREET & SIDEWALK REINVESTMENT



Potholes Reported / Year



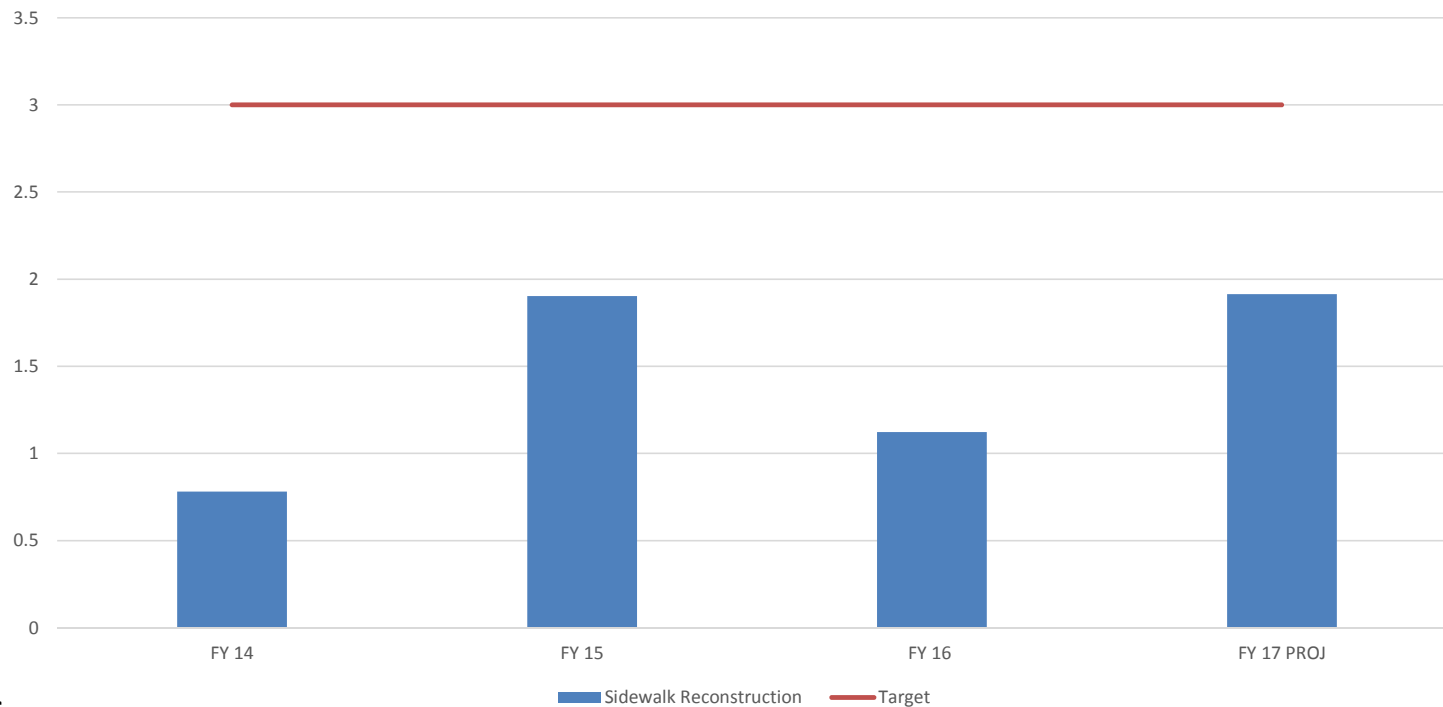
NOTES:

- Staff has not yet found industry benchmark for number of potholes per mile of public roadway. Target is based on what we believe to be an attainable goal through better pothole repair techniques, more preventative maintenance, better utility coordination and additional paving.

STREET & SIDEWALK REINVESTMENT



Sidewalk Reconstruction / Year (in miles)



NOTES:

- Low production years due to City's focus on new sidewalk expansion projects (Colchester Ave in FY'14, Cliff St and Flynn Ave in FY'16).
- FY'17 won't meet 3 mile target since there will only be 2 construction season months (May and June) after the November bond vote in this fiscal year.
- FY'18 is projected to surpass target.

STREET & SIDEWALK REINVESTMENT



How are we doing?	Continuous improvement Summary
• Funding for sidewalk reconstruction and preventative maintenance have increased in recent years, but still below annual targets. • The recent bond approvals should enable us to reach our annual investment targets. • A comprehensive system assessment has been completed. • Low sidewalk reconstruction in FY'16 due to focus on grant funded sidewalk projects (Cliff St, Flynn Ave) and curb ramp redevelopment in advance of the paving program.	• Increased the staff capacity (new engineer and new engineering tech) to deliver a higher level of capital and preventative maintenance reinvestments into our street and sidewalk infrastructure. • Improved technique for filling potholes that has led to less repeat service calls.
Why is this goal important?	Next Steps: Address underlying issues and action plan to address
• Proper stewardship of our streets and sidewalks provides a safer, more cost effective infrastructure for the traveling public. • Our goal is to maintain a good condition street and sidewalk system (PCI and SCI) with no segments in serious to failed condition by 2021.	• Now strengthening systems to increase production, improve utility coordination and maintain quality work. • Need to determine staffing/contract approach for Resident Engineer (RE) services. • Need to hire communications person to lead the public outreach and education activities for this expanded street and sidewalk program.

WATER & WASTEWATER



Measure	YTD Performance (7/1/16 – 12/31/16)				12 Month Performance (FY'16 or 2016)			
	Actual	Target	Benchmark	Status	Actual	Target	Benchmark	Status
Water Main Breaks*	12	8.25	8.25		21	16.5	16.5	
Sewer Main Plugs**	2	4.5	4.5		14	9	9	
Pounds of P from WWTPs***					3,424	5,173	5,173	

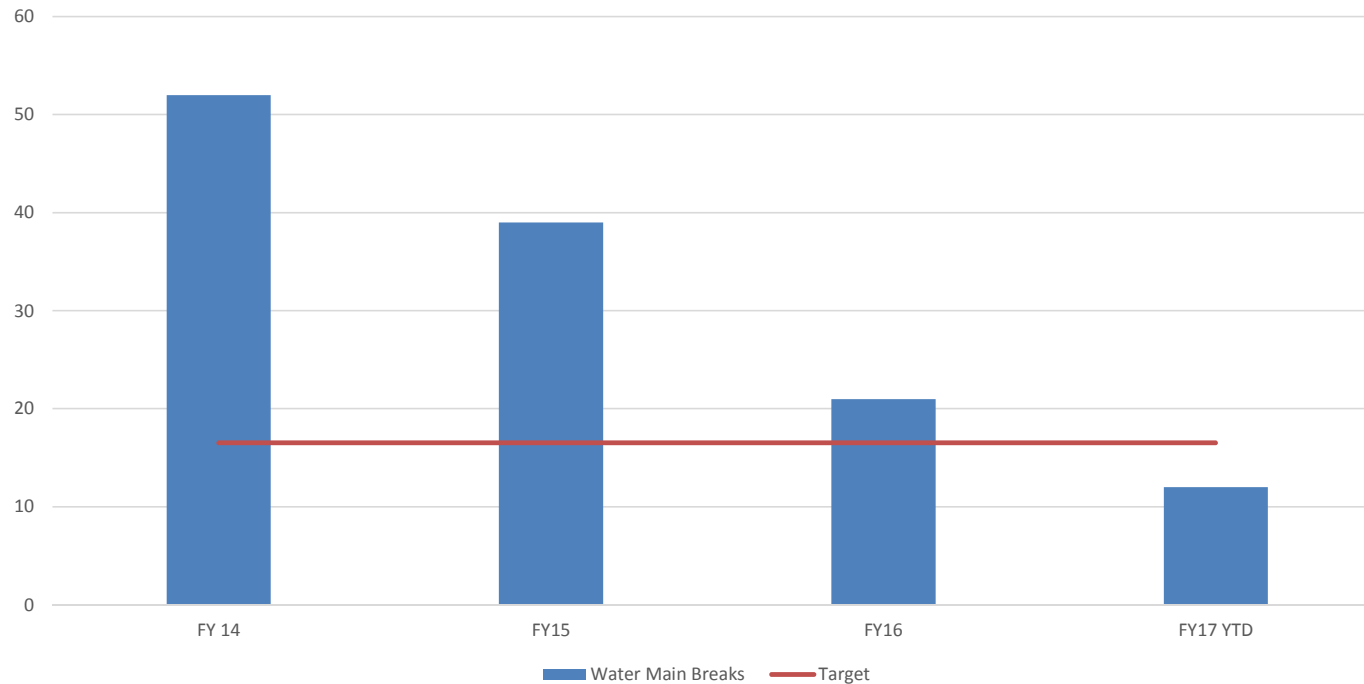
NOTES:

- * From AWWA, 15 breaks/100 miles = 16.5 breaks for Burlington distribution system
- ** No industry standard. Benchmark and target set by staff based on attainable goal with our renewed focus on sewer maintenance.
- *** Pounds of phosphorous discharged from City of Burlington Wastewater Treatment Plants (WWTPs) is measured by calendar year. P discharges at Main Plant impacted by level and intensity of rainfall in the combined sewer shed.

WATER & WASTEWATER



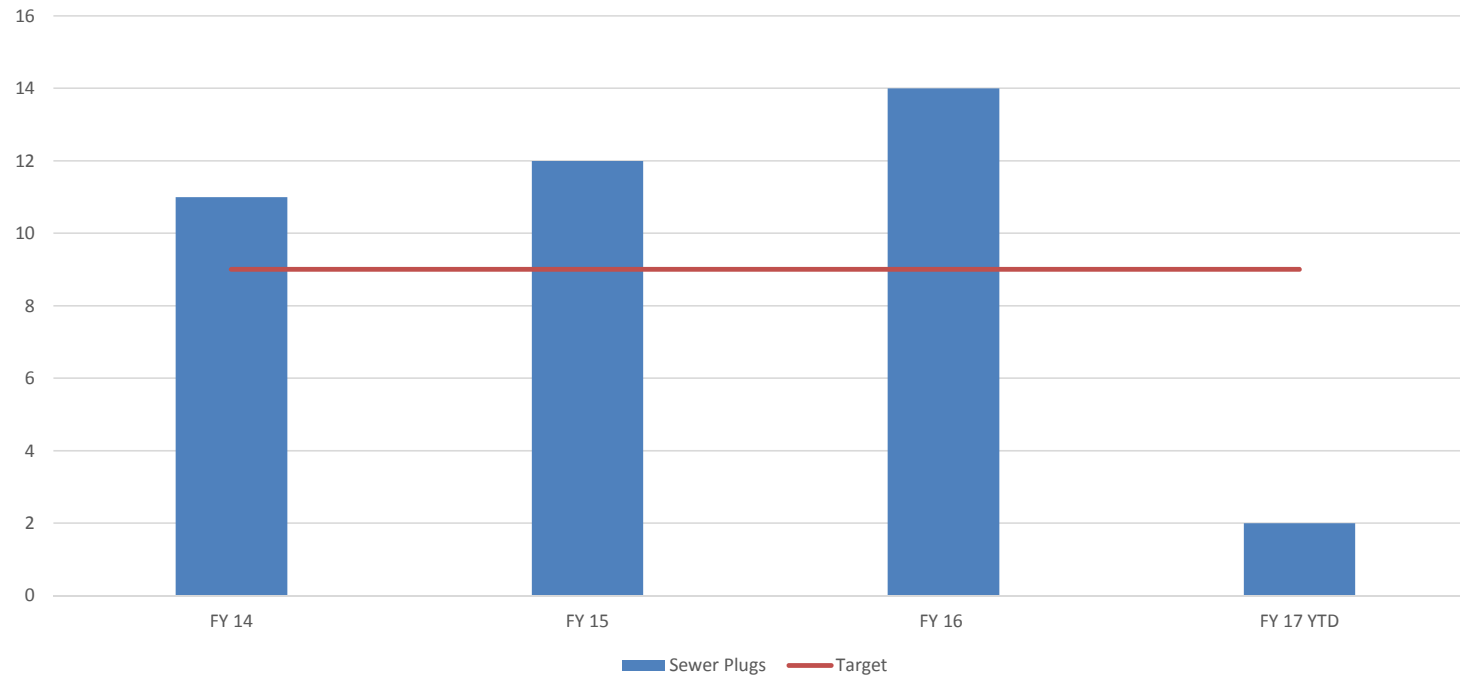
Water Main Breaks / Year



NOTES:

- From AWWA, 15 breaks/100 miles = 16.5 breaks for Burlington's 110 mile distribution system
- Over the course of our \$8.3M reinvestment in our water mains over the next 4 years, we expect main breaks to continue to drop.

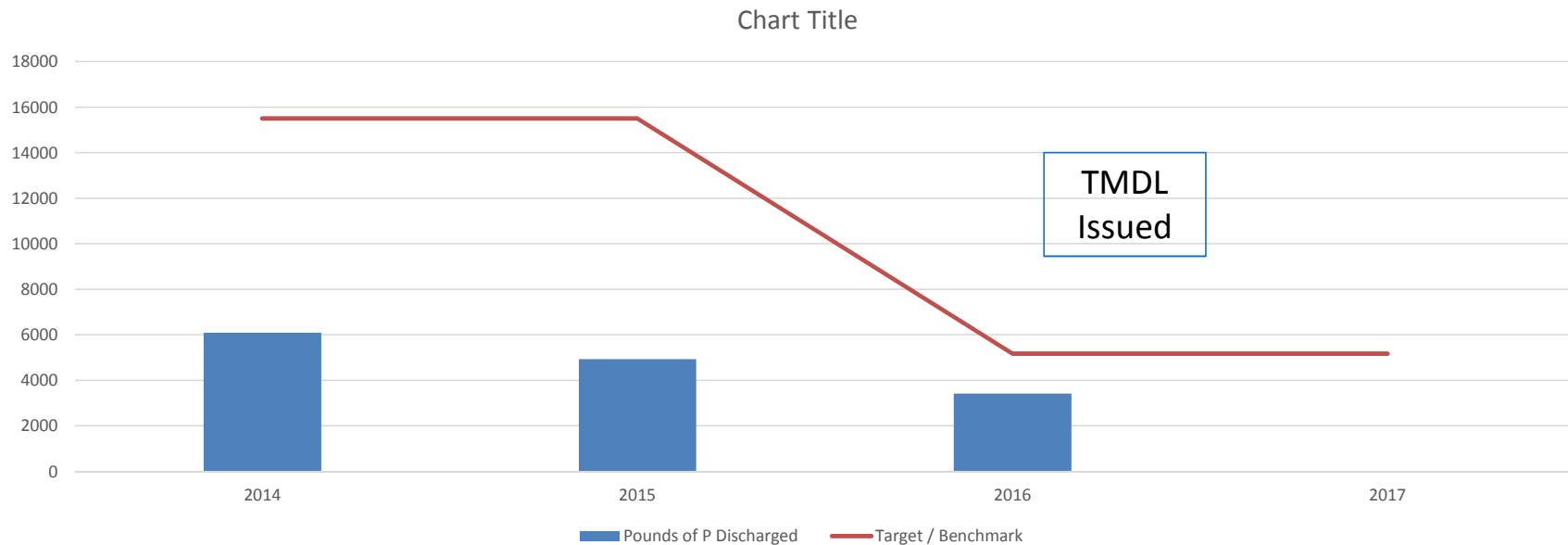
Sewer Plugs / Year



NOTES:

- Through improved preventative maintenance on our sewer collection system, we will reduce sewer plugs that can cause back-ups into buildings and disrupt service to properties.
- No industry standard. Benchmark and target set by staff based on attainable goal with a robust sewer maintenance program.

Pounds of Phosphorous Discharged from City WWTPs



NOTES:

- Pounds of phosphorous discharged from City of Burlington Wastewater Treatment Plants (WWTPs). P discharges at Main Plant impacted by level and intensity of rainfall in the combined sewer shed. Future reports will break out performance by plant.
- Over 90% of phosphorous is removed through plant processes. Capture rate is increasing through optimization at WWTPs.
- Benchmark lowered with issuance of TMDL.

WATER & WASTEWATER



How are we doing?	Continuous improvement Summary
Achieving positive trends across all metrics, but continued progress needed.	- Began first in the State relining of water mains in 2016. Adjusting approach for 2017 season based on lessons learned from last season. - Continuing optimization of WWTPs. - Launched sewer pipe assessment to determine structural and operational condition of highest priority pipes - Increased sewer main preventative maintenance and developed list of regular high-priority cleaning locations that are known to be problematic.
Why is this goal important?	Next Steps: Address underlying issues and action plan to address
Sustainable stewardship of our water resources infrastructure ensures the ongoing health of our people and our natural environment.	- Launch major capital reinvestment in our water distribution system to increase resiliency (\$8.3M bond authorization + existing capital funds). - Implement asset management program in Water Resources and expand it to the General Fund. - Resource and develop protocol for exercising water main valves to ensure their longevity and that they do not break when we shut off the water to repair main breaks. - Improve fats, oils and grease (FOG) education through communications staffer. - Evaluate need for additional engineering / project management personnel to advance all the reinvestment projects within water, wastewater and stormwater utilities.

WORKPLACE SAFETY



Measure	FY'17 6 Month Performance Period Ending December 31, 2016				FY'16 Performance Year Ending June 30, 2016			
	Actual FY 17 – Q1+Q2	Target	Benchmark	Status	Actual FY 16	Target FY 16	Benchmark	Status
Workers Comp Reportable Incidents	4	3.5	2.8		19	7	5.6	

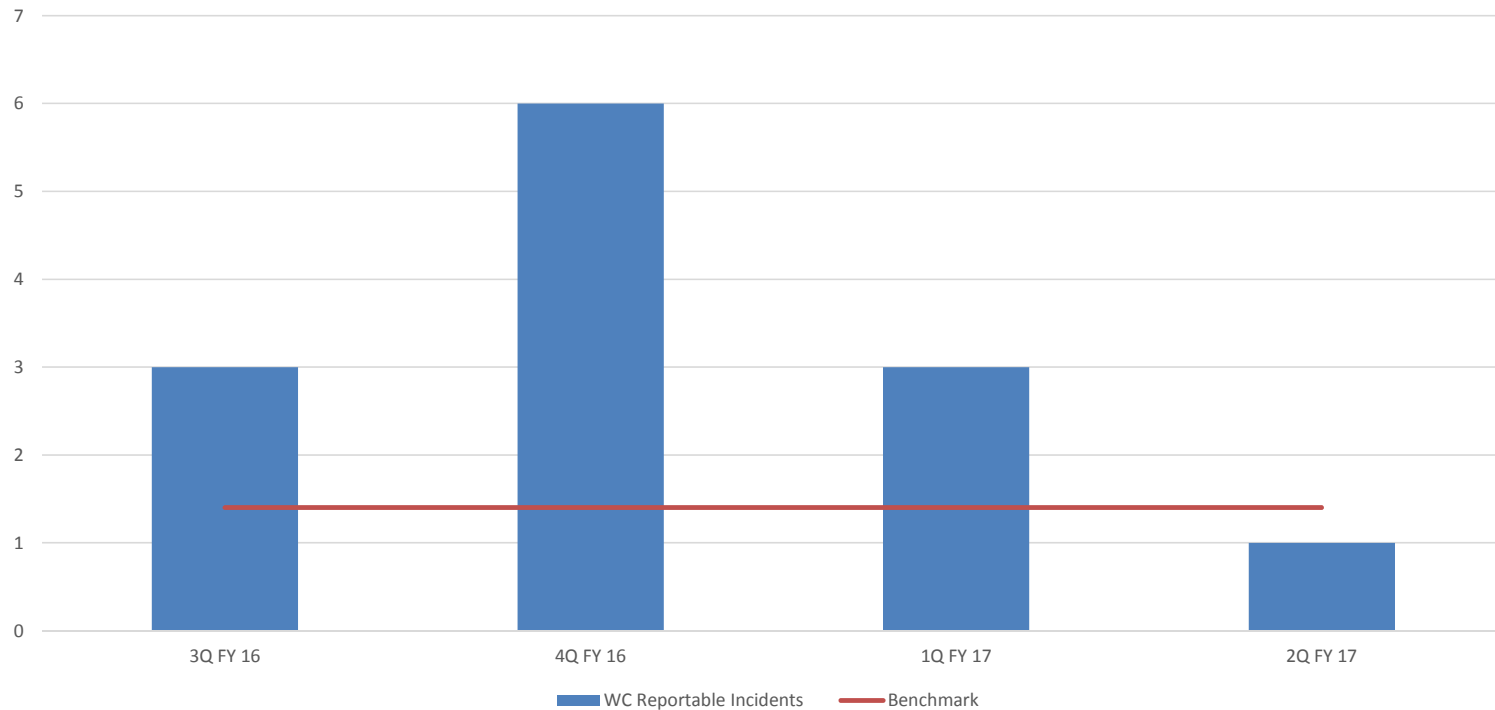
NOTES:

- Benchmark calculated based on OSHA industry standard.
- Target set by DPW Safety Officer to substantially move us towards the industry benchmark over the coming year.

WORKPLACE SAFETY



Reportable Workers Comp Incidents By Quarter



NOTES:

- Benchmark calculated based on OSHA industry standard.

WORKPLACE SAFETY



How are we doing?	Continuous improvement Summary
• DPW is not achieving our targets for the number of reportable Workers Comp incidents and improvement is needed. • Demonstrable progress has been made over the last two quarters – indicating a positive impact from our enhanced efforts.	• Relaunched a safety committee involving managers in every DPW division. • Established a workplace campaign (“Safety is our First Priority”) along with goals. • Redoubled our training program and are setting up training log with HR through Global Classroom. • Reviewed the recent reportable incidents and have modified activities and equipment such as outfitting recycling drivers with ankle supporting boots. • Brought in Project Worksafe to proactively assess work sites. • Brought in physical therapist every other week.
Why is this goal important?	Next Steps: Address underlying issues and action plan to address
• Safety of our employees and the public is our top priority. • It also reduces workdays lost to injury and saves the City money as we are self-insured.	• Need to embed our safety campaign, trainings and ethic more deeply into our department. • Hire citywide safety / risk management officer to support departments. Welcome them to be located at Pine St. • Will continue to regularly review data with HR and Insurer to respond to patterns. • Setting up training log through Global Classroom. Continuing increased effort with safety committee, workplace campaigns and training program.

CUSTOMER SERVICE

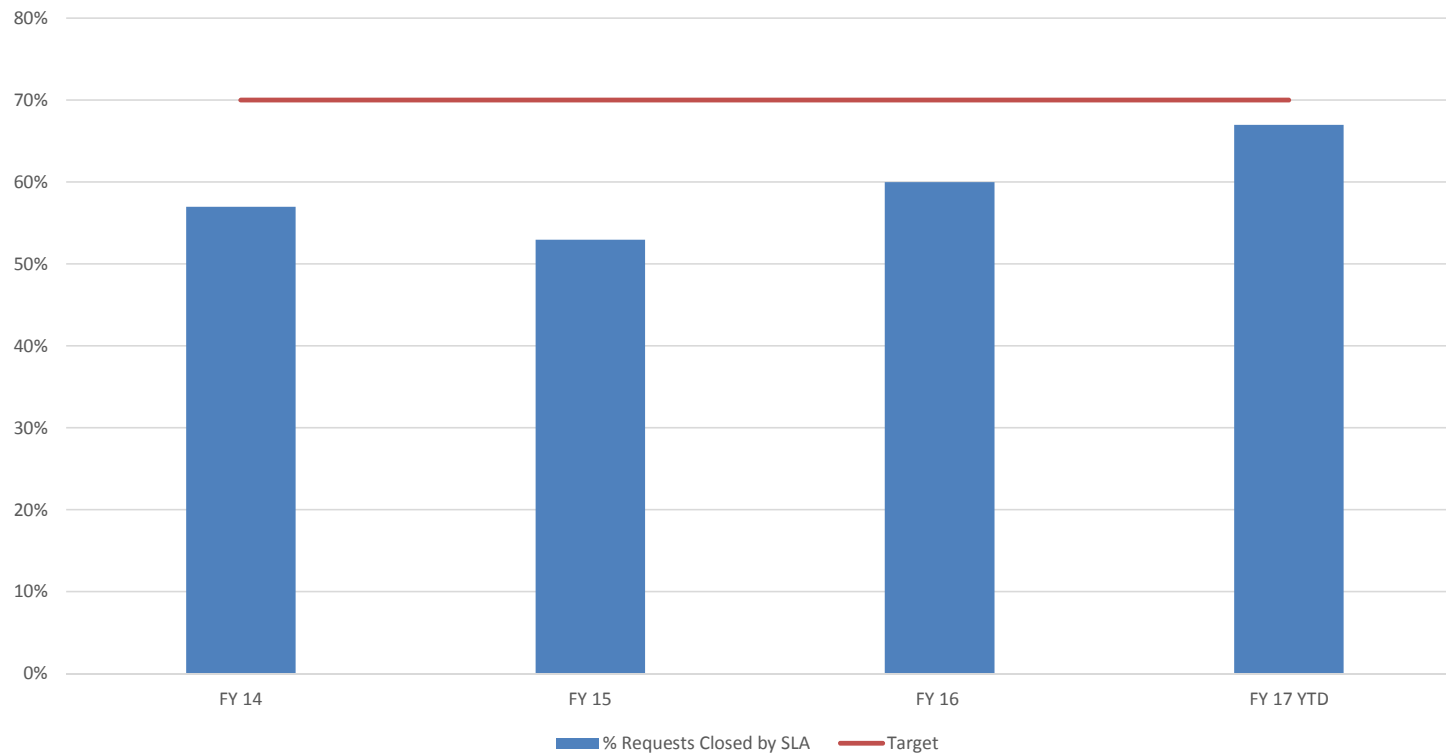


Measure	FY 17 YTD (7/1/16 – 12/31/16)				12 Month Performance (7/1/15 – 6/30/16)			
	Actual	Target	Benchmark	Status	Actual	Target	Benchmark	Status
Response Time: % of Issues Closed Within Service Level Agreement	67%	70%	TBD		60%	70%	TBD	

NOTES:

- DPW receives approximately 2,500 requests for service (RFS) annually or about 10 per workday.
- RFS records come in from multiple channels: SeeClickFix, phone, email, mail and in-person.
- Target set by staff based on what was felt to be an attainable goal in FY'17.
- Service Level Agreements need to be reviewed and updated annually – they have not been updated in last three years.
- Staff is working to find an appropriate industry standard.

Percentage of RFS Requests Closed Within Service Level Agreement Period



NOTES:

- Target set by staff based on what was felt to be an attainable goal in FY'17.

CUSTOMER SERVICE



How are we doing?	Continuous improvement Summary
- The department has demonstrated improvement over the last few years in our response times and we are closing in on our target. - Each year we receive dozens of unsolicited compliments for the work of our team.	- Worked with IT to better integrate RFS and SCF platforms. - Worked with IT to set up template to develop reports.
Why is this goal important?	Next Steps: Address underlying issues and action plan to address
- Residents deserve responsive, quality service. - Good customer service will lead to higher levels of trust, which in turn leads to greater support when additional revenue is needed.	- Review current SLA's to determine whether adjustments are needed. - Continue training on RFS/SCF systems and closing records in a timely fashion. - Conduct customer service training for front line staff. - Review quarterly reports to monitor progress towards target. - Advance implementation of a city-wide asset management system. - Hire communications staffer to develop communications strategy and expand our messaging regarding our services, projects, opportunities for input, etc.

Department of Public Works



Thank you!



**CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS**

645 Pine Street, Suite A
Post Office Box 849
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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: February 10, 2017
Re: Public Works Commission Agenda

Please find information below regarding the next Commission Meeting.

Date: **February 15, 2017**
Time: 6:30 – 9:00 p.m.
Place: **645 Pine St – Main Conference Room**

AMENDED A G E N D A

ITEM

- 1 Call to Order – Welcome – Chair Comments
- 2 Agenda
- 3 10 Min Public Forum (3 minute per person time limit)
- 4 5 Min Consent Agenda
 - A 94 College St Encumbrance Metered Parking Rates
 - B Traffic Status Report
 - C Modify an Existing Unrestricted Parking Space on King St to a 30 Minute Parking Space on King St
 - D Modify an Existing No Time Limit Metered Parking Space to a 15 Minute Metered Parking Space on St. Paul St
 - E Colchester Ave/Centennial Field Crosswalk Improvement Project

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 30 Min 32 Brookes Ave Appeal – 3rd Floor Egress Issue
A Oral Presentation, Appellant
B Communication, W. Ward & N. Baldwin
C Commissioner Discussion
D Public Comment
E Action Requested –Vote
- 6 30 Min 210 South Union Sprinkler Appeal
A Oral Presentation, Appellant
B Communication, N. Baldwin
C Commissioner Discussion
D Public Comment
E Action Requested –Vote
- 7 20 Min Request For Appeal For 395 Manhattan Dr
A Commissioner Discussion
B Public Comment
C Action Requested –Vote
- 8 20 Min Burlington Harbor Marina Update
A Oral Communication, C. Spencer
B Commissioner Discussion
C Public Comment
D Action Requested –None
- 9 30 Min Maintenance Division Report
A Presentation, R. Green
B Commissioner Discussion
C Public Comment
D Action Requested –None
- 10 5 Min Approval of Draft Minutes of 1-18-17
- 11 10 Min Director's Report
- 12 10 Min Commissioner Communications
- 13 **Adjournment & Next Meeting Date – March 15, 2017**

01-18-17

Public Works Commission,

Please find this letter a formal request to appeal an inspector's decision to go into a single family WITHOUT prior permission or notice. This is considered a violation of fourth amendment rights and basically breaking & entering. Please put this issue on agenda for the DPW commission hearing.

Sincerely,



Chris Khamnei

RECEIVED
JAN 18 2017
BURLINGTON PUBLIC
WORKS

COMMISSION MEETING SIGN IN SHEET

Date: 15 February 2017

[illegible]



- **STREET MAINTENANCE (\$1.895M)**
- **FLEET MAINTENANCE (\$1.886 M)**
- **RECYCLING (\$317,000)**

Rob Green, Assistant Director

Street Maintenance



Plow streets and sidewalk



Sweep city streets



Build new sidewalks



Clean and maintain sewer collection system



Clean and maintain storm water system



Maintain the Downtown

Plowing Streets and Sidewalks

(10) Heavy duty plow trucks

(3) Light duty plow trucks

(12) Sidewalk tractors

Plowing 95 miles of streets and 127 miles of sidewalks

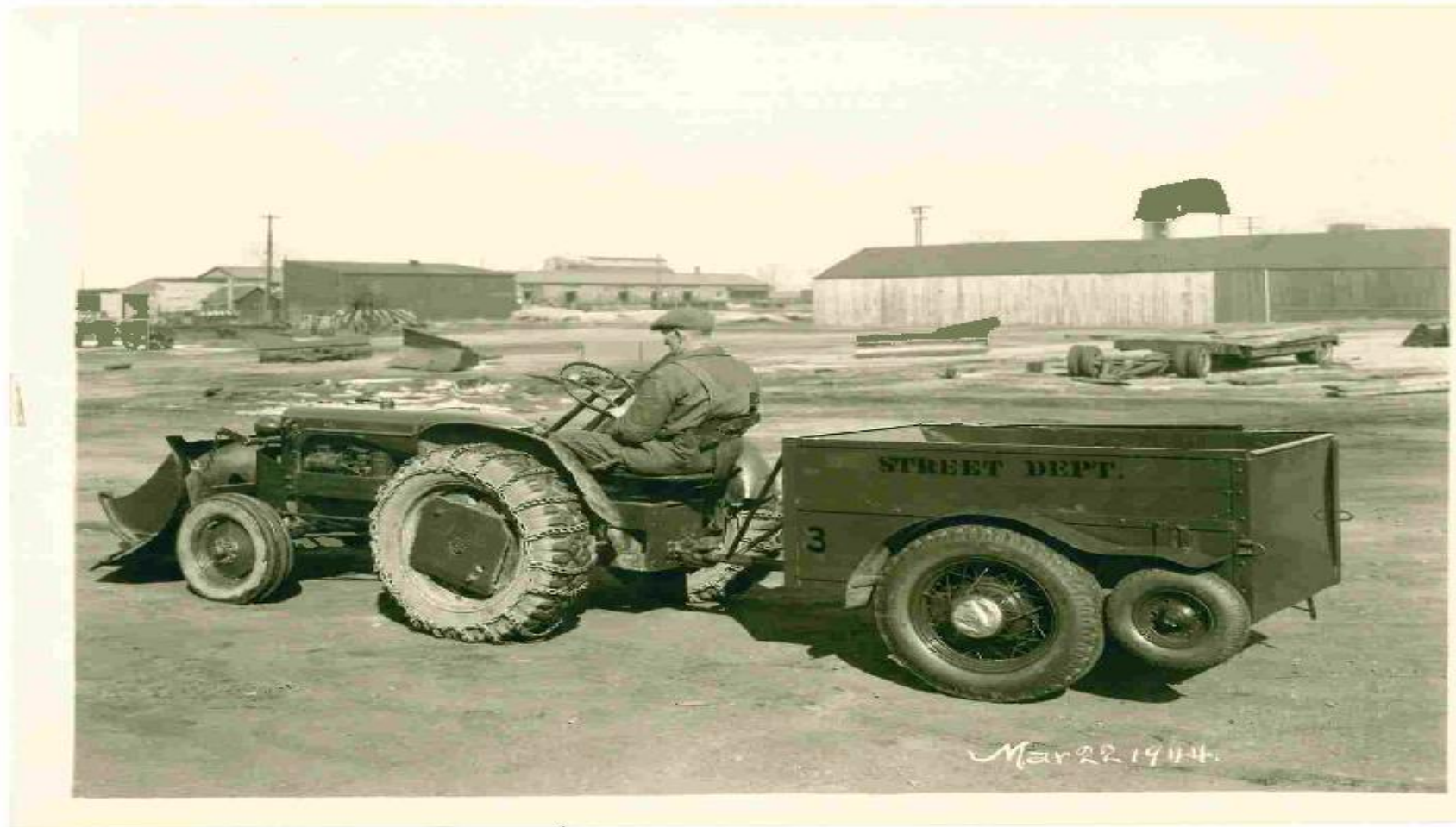
3500 tons of road salt (NaCl)

15-20k gallons of Magnesium Chloride and Ice B Gone Magic





Sidewalk Tractor of Old



Sidewalk Tractor



Street Sweeping

Downtown swept daily

Bike lanes on Sunday's and as needed

Operation Clean Sweep

- Late April, early May
- 400 yards of material removed

Sweep the high maintenance areas throughout the year

Sweep in the fall until weather freezes



1923 Burlington Street Sweeper



Building New Sidewalks

FY17
\$718,000
in new
sidewalks

- 9000 feet of sidewalk
- 3-400 feet of curb



Sewer Maintenance

21 miles of sewer lines cleaned last calendar year
FY17 Key initiative!

All records now being recorded in the Geographic Information System (GIS)

New "Vactor" arriving in the spring



Storm Water Maintenance

662 Storm
Basins
cleaned

50 +/- storm
basins
rebuilt or
replaced

Rain gardens
and
infiltration
systems
installed and
maintained



Downtown Maintenance

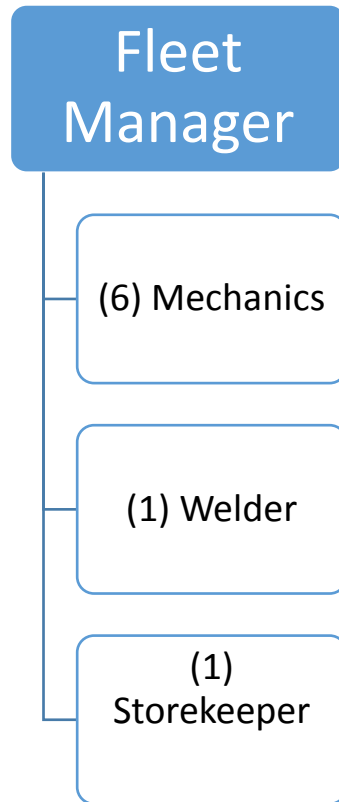
Trash picked
up daily

Downtown
core swept
daily

14 “Big Belly”
trash and
recycling units



Fleet Maintenance



- Service and maintain over 300 city owned vehicles and equipment
- Manage the cities fuel depot
- Operate the compressed natural gas (CNG) facility
- Manage repair parts inventory
- Write specifications and purchase new vehicles and equipment
- Developed car share program within Parks and DPW (Pine St.)
 - (FY17 Key Initiative)

City Equipment Maintained

Fire Department (29)

Police (45)

DPW (109)

- WATER
- WASTEWATER
- STREETS
- TRAFFIC
- FLEET MAINT

Parks/Rec/Waterfront(77)

Telecom (8)

Burlington Electric (49)











Recycling

Streets
Maintenance
Manager

- (3)
Recycling
Drivers



Curbside Recycling

9500 Residential Dwelling Units (RDU's) serviced weekly

Over 3000 tons of recyclables diverted from the landfill

65 and 95 gallon carts sold at a reduced rate with the help of a CSWD grant









Safety is our 1st Priority!

Rob Green, Safety Officer

FY17 Key Initiative

Reduce number of workdays lost to injury

Quarterly safety meetings with all levels of management

Project Work Safe inspections (VOSHA)

Green Mountain Safety job site inspections

Developing on-line training classrooms (Global Classroom, J.J. Keller)

Questions?

DPW-#1

REC'D

Mr. Norman J. Baldwin, P.E.
City Engineer
Assistant Director of Public Works
Department of Public Works
645 Pine Street, Suite A
Post Office Box 849
Burlington VT 05402

March 9, 2016

Dear Mr. Baldwin,

This is a letter of appeal for building permit #14-191027 on our property at 210 South Union Street for the renovation of our existing 3 story carriage barn into a 2 bedroom owner occupied residence on top, with unheated parking in the middle and storage space in the basement. I'm not too sure how to even begin this letter so I apologize in advance if the format or tone isn't correct. It is a difficult letter to write as I have had a great relationship with the Department of Public Works since my wife and I purchased our property almost 10 years ago. As first time homeowners, the DPW has been very helpful and patient with our lack of knowledge and desire to improve our property and it has always been a pleasure to walk into the building on Pine St. It is also difficult because we fear there is little precedent for our appeal and we don't want to make things even worse.

We should probably give you some history first. The lot we purchased has an 1893 Queen Anne house on the street with a carriage barn out back that is thought to pre date the house but we have not been able to find any specific year for when it was built. Both the house and the barn are included in the national register of historic places and they place the barn as circa 1875. The house was rather poorly converted into apartments in the late 1960s and the barn had been converted into storage. The barn was in particularly rough shape as the roof had leaked for years and the basement had seasonal water infiltration through the floor. Its foundation had also shifted due to the east sill becoming buried under the driveway dressing that had been added over the years to the ROW that runs alongside it. After fixing up the apartments we came to the realization that the income they produced would never really cover the cost of repairing and maintaining the property. However, we had the good fortune of a recent zoning change which would allow us to convert the barn into another residence if we met the coverage and code requirements. We spent a couple of years researching and designing before we went before the DRB in 2014. They were quite happy to see us restore an existing historic building and our application was approved with conditions to preserve the original character of the structure as much as possible.

As part of this process we retained the services of an architect and an engineer to help us. I also made a courtesy call to Barry Simay and had our local fire station (#1) walk through the property with me to confirm that the barn was accessible and to locate the nearest hydrant. I spoke with John Ryan and met a couple of times with Ned Holt to make sure there were no code issues that would put a damper on the project and had a formal meeting with both Ned and Bob Neeld, our engineer. At this meeting and the prior one, the question of whether a sprinkler system was needed or not came up. Both times it was decided that as a single family residence with parking and storage it wasn't required so long as all other fire mitigation measures were taken. Our building permit was issued in July of 2014.

After the foundation work was finally completed we moved inside and had a couple of visits from the new inspector Brad Biggie. Brad was very helpful and would address even the smallest of our questions from stair winder widths to blocking distances. In March of 2015 Brad called me to say that he had asked Barry Simay to visit the property with him and they had come to the conclusion that a sprinkler system was now needed. I thanked him for the visit although I was a bit surprised that he hadn't asked me to join them. He told me the next step was to have a sprinkler company give me a quote. A few weeks later I had my first visit from Albert at Alpine Sprinkler who asked me "what does Barry want?" According to him there are different systems depending on what is required. I was told that could range from a \$15000 "domestic" system with on-site storage to a "Full 13" which runs off the city's system and would cost \$90000! After talking to two other contractors I got almost the exact same response, that the choice of system was up to Barry and the costs were all similar. I then set up a meeting with Barry as I was coming to the realization that this decision could easily cripple us and put an end to our project after we had already invested an enormous amount of time and money. Barry's take was that the building's location made it difficult to access (the first time we had heard this) and therefore he recommended the sprinkler. He said the type of system was up to the installer and that the ultimate decision to have one at all rested with Brad. I then set up a meeting with Brad and Ned to find out what was going on. They said their hands were now tied as Barry had recommended the system. When I told them that Barry said the decision rested with them, they said that our only recourse was to appeal the decision with you. While wrestling with this idea I continued to seek advice from sprinkler installers. In September I met with Debbie Winters from Firetech who then contacted Barry about the project, his response (which is attached and was also sent to Brad) seems to advocate for the 13D system.

So this is how we find ourselves writing this letter to you. We think that we must make some sort of appeal for a number of reasons. First is the sense that we were a bit blindsided by this decision. The building in question is an historic existing structure that we have had to work with and we wished to follow the DRB's lead on maintaining its original character. To do so we had to jump through many hoops and make many design changes to maintain the intent of our zoning permit. Ned was terrific in understanding this and helping us as we moved forward. It is obviously no easy task forcing a 19th century structure into our 21st century building codes. When we received our building permit we gulped with apprehension but also sighed a bit of relief knowing that the parameters of the project had finally been set. To then find that we are required to install a major fire retardant system almost a year into our permit is really dispiriting. We felt that we have been very open with all parties about what was expected from us but we were never informed that the conditions of the building permit could be changed any time after it was issued. This may well be the case and it could be that changes to the permit are allowed until it is closed but we would certainly like to have known that as codes and practices are constantly revised and maybe we could have at least planned for the possibility.

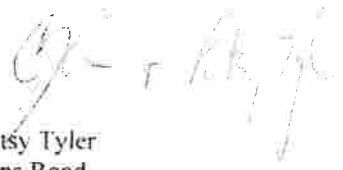
Secondly we question why the system is required at all. This is a structure that has already been almost completely rehabbed with a new full foundation, tons of extra structural steel and timber, new windows, insulation, venting, wiring and roofing. We have followed the guidelines for fire blocking, the sheetrock is ready to go on the ceilings, the windows are sized for egress, the hard wired detectors will go in as expected and sprinkler heads are already set for the two heat sources. If this was a new building it would certainly meet or exceed code. The only question is the access. The barn sits on a ROW exactly 141 feet from Maple Street and 150 feet from South Union. According to our local fire station they have no problem with the distance and a fire hydrant sits right at the corner. If an engine were to drive right up to the building the narrowest point in the ROW is 14 feet at curb height and 16' between buildings. Again, our local engine (Station 1) found this access satisfactory but I believe Barry is reading the latest NFPA recommendation which calls for a 20' wide access and we gather he has authority over all the stations. We would also like to point out that just 75 feet to the north of our building is our neighbor's drive at 196 South Union. This drive is well over 20 feet wide and would allow a truck to back up within ladder distance if necessary. We understand that our conditional use permit makes this a dwelling which calls for more fire safety and we are more than willing to add any extra mitigation within our means. We can add more blocking, double up on drywall, install a direct alarm or add any other equivalent that would help delay the spread of a potential fire and ease the access concern. We have also come to empathize with the sprinkler companies as the requirements for their installation has been something of a wagon before the horse approach with many of these companies left struggling to handle the correct installation while taking on the potential liability. I've attached a recent article published by the National Association of Home Builders Research Center to illustrate the point. It doesn't really surprise me that we have yet to get an actual written quote from any of the four companies that have looked at our building.

Finally the cost is really an issue for us. We are first time developers and to our horror this project blew its budget before the excavators left. Aside from the extra engineering and work needed to create a storm water containment system (which didn't work) the builder under estimated the scope of the job and his subs did the same. By the time the first summers build season ended we were down to the wire before we even moved indoors. Brad's visit with Barry basically put an end to any momentum we had. Once it became apparent that we couldn't close up the ceilings or walls until the sprinkler issue was resolved I quickly lost my crew to other projects and this was right at the beginning of the second build season. My new builder has been able to come back periodically since then to work on those areas that won't be affected but the reality is this is all we can afford now in any case. I have attempted on my own to do as much of the footwork and labor as possible to save us some money for contractors but we are nearly at a point where we can go no further without a decision on the sprinkler no matter what. I know Burlington has experienced something of a boom recently but for us this is our only asset, one that we committed to when my wife returned to school here 10 years ago. We hope that eventually the property will provide us with some steady retirement income and we continue to try and focus on the long term. However, the reality is that \$15000 is a major sum at this point. It is the difference between when and how we do the kitchen and bath or the deck that is designed and the paint when we are through, to say nothing of the insulation, drywall or the unknown sum we need to correct the storm water issue. I have looked into grants for historic barns but urban carriage barns are specifically exempted from receiving any funds.

Basically we need a little help here. We are on the agenda with the DRB to have our permit extended for another year and we really want to complete this project and move into our new home. At this late date having to install an expensive system that will need continuous maintenance, testing and inspection just sets us back to a point that will be very difficult to recover from. We gather that this decision rests with the AHJ in Burlington and it seems this person is you. If so, we are asking that you please review our project and provide us with a variance if possible.

Thank you for your time and please don't hesitate to contact us if you have any questions.

Sincerely,



Chad and Patsy Tyler
491 St. Albans Road
Swanton VT 05488
cpl.tyler@comcast.net
802-752-7426



210-#2 Timeline

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

Date: February 15, 2017

To: Public Works Commission

From: Norman J. Baldwin, P.E. *NJB*
City Engineer/Ass't Director of Public Works

C.C. Chapin Spencer, Director of Public Works
Ned Holt, Building Inspector
Brad Biggie, Building Inspector
Eugene Bergman, Assistant City Attorney

Subject: 210 South Union Trades Appeal-Staff Presented Timeline

Timeline of Events:

- Appellant applied for a Zoning Permit to renovate carriage barn into mixed use structure with a workshop on the ground level, S-2 parking garage mid-level, and one residential unit above.
- March 18, 2014, Ned Holt email correspondence to Chad Tyler and others that points out the need for full fire code compliance.
- May 14, 2014 Ned Holt begins plan review for 210 South Union, Owner has a professional designer working on this project. Susan Coddair, BMA Architects. No site plan was provided only architectural drawings.
- July 17, 2014 Ned Holt issued Building Permit #2014-191027-
 - "OLD Barn: Add one residential unit(OLD HAY LOFT AREA) over parking Garage(CARAGE STORAGE FLOOR) to include new accessory workshop below parking in old HORSE Stables basement area."
 - Estimated cost of construction \$90,000.
 - As indicated on the permit "Conditions of Permit: All work: performed by the applicant shall comply with the codes and ordinances of the City of Burlington. This permit authorizes the applicant to proceed with the work described above in accordance with these codes. This permit shall not be constructed as authority to violate, cancel or set aside any provisions of the codes. The applicant must contact the department to schedule inspections of the work and obtain final project approval."
 - NFPA 1, 2012 Edition on page 24, 1.14.4 states "review and approval by the AHJ shall not relieve the applicant of the responsibility of compliance with this Code."
- July 24, 2014 Bob Neeld, Engineering Ventures to Ned Holt with current stamped drawings.
- January 12, 2015, Brad Biggie performs inspection of Basement Floor Workshop, in his visit he has identified a potential issue with meeting Fire Protection requirements; not meeting Fire Department Access and Water

Supply requirements based on the position of the structure on site, with limited access and no existing or planned fire suppression system for the structure.

- At some point shortly after the January 12th inspection, there was a phone conversations between Chad Tyler and Brad Biggie. Chad was informed of the Automatic Sprinkler System requirement for his project.
- Given the project is considered a major renovation, with a change in use, the 2012 State of Vermont Fire & Building Safety Code Matrix requires the project to comply with and one of the required reference codes. NFPA 1, 2012 Edition Chapter 18 requires a Fire Access Road within 50 feet of any exterior door to the structure. A Fire Access Road must be 20 feet in width, with a vertical clearance of 13 feet 6 inches. The structure is positioned at the back of the property with a structure between it and the city street. A Fire Access Road around the blocking structure is too narrow given the existing drive is 12 feet wide as field verified, therefore the only viable solution allowed under NFPA 1, 2012 Edition Chapter 18, is a automatic sprinkler system. Fortunately the structure is within the upper limiting distance of 150 feet allowing an automatic sprinkler system as an alternative.
- April 14, 2015 Chad Tyler attends Office Hours at Public Works to discuss project with Brad.
- April 23, 2015 Email from Susan Coddair, BMA Architects & Planners to Ned Holt seeking to understand the Code requirements given she believes her office has done a solid code analysis, and asked for a NFPA citation, Chad the owner had suggested Section 18.
- May 5, 2015, Ned Holt email correspondence to Susan Coddair. Building Inspector Holt explains his interpretation that the project is a major rehabilitation, with building addition and a change in use. Triggering NFPA 1, 2012 edition requirements to be met. Existing use Horse Stable/Carriage Barn being converted into a mixed use structure with a workshop on the ground level, S-2 parking garage mid-level, and one residential unit above. Ned Holt references NFPA 101 Chapter 43 and 2012 State of Vermont Fire & Building Safety Code Matrix found on page 5. The project needs to comply with all the codes listed in the matrix collectively(IBC, NFPA 101, NFPA 220 & NFPA 1). He references the specific requirement for a sprinkler system can be found in NFPA 1 Chapter 18.
- September 11-24, 2015 Debbie Winters from Fire Tech Sprinklers email exchange with Fire Marshal Barry Simays, seeking clarification of the design of the system and provided owner Chad Tyler with an estimate cost to develop a 13D system of around \$10,000-\$15,000.
- March 14, 2016 the Department of Public Works receives and appeal of the Code Requirement of complying with NFPA 1, Chapter 18 requirement.
- March 14, 2016 Department acknowledges receipt of appeal to appellant.
- Burlington Code of Ordinances, Chapter 8 Buildings and Building Construction, 8-8 Appeal from order:

Any owner of a building or structure, or any other interested person, including any official of the city, may appeal to the board of appeals any action or failure to act by a building inspector, except as provided in Section ____ in an abatement action. A request for appeal shall be made by filing a notice of appeal with the administrator of the department of public works within ten (10) days of receiving actual notice of the order or action complained of setting forth in detail his or her grievances. The administrator of the department of public works shall notify the chairperson of the appeals board of the notice of appeal forthwith. The board shall meet upon notice of the chairperson within forty-five (45) days of the filing of the notice of appeal. All hearings shall be public, and all interested parties shall be given an opportunity to be heard and to present evidence and arguments.



DPW-#3

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

8-8 Appeals from order.

(a) Any owner of a building or structure, or any other interested person, including any official of the city, may appeal to the board of appeals any action or failure to act by a building inspector, except as provided in Section _____ in an abatement action. A request for appeal shall be made by filing a notice of appeal with the administrator of the department of public works within ten (10) days of receiving actual notice of the order or action complained of setting forth in detail his or her grievances. The administrator of the department of public works shall notify the chairperson of the appeals board of the notice of appeal forthwith. The board shall meet upon notice of the chairperson within forty-five (45) days of the filing of the notice of appeal. All hearings shall be public, and all interested parties shall be given an opportunity to be heard and to present evidence and arguments.

(b) The board of appeals shall consist of the members of the public works commission and shall each have terms on the board of appeals concurrent with their individual terms as commissioners.

The board shall select one (1) of its members to serve as secretary chair who shall call and chair meetings and who shall keep a detailed record of all proceedings on file.

A member of the board shall not pass on any question in which that member has any fiduciary, personal, or financial interest, or which otherwise constitutes a conflict of interest.

(c) Four (4) members of the board must be present to constitute a quorum. That board shall affirm, modify or reverse an action appealed by a majority vote of the members present. A tie vote shall be an affirmation of the decision from which the appeal is taken. The board shall give written notice of its decision, which shall include findings of fact and all necessary orders, to all interested parties no later than thirty (30) days after the date of the hearing. The building inspector may take action in accordance with the decision of the board immediately upon the sending of the written decision to all interested parties.

(d) Any interested person may appeal a decision of the board of appeals by instituting relief in the Chittenden Superior Court under V.R.C.P. 74

An Equal Opportunity Employer

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DPW #4
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 SPENDER
DIRECTOR OF PUBLIC WORKS

NORMAN J. BALDWIN, P.E.
ASSISTANT DIRECTOR OF PUBLIC WORKS

Date: February 10, 2017
To: Public Works Commission
From: Norman J. Baldwin, P.E. *NJB*
City Engineer/Ass't Director of Public Works

Subject: 210 South Union Street Trades Appeal

Timeliness of Appeal

- Verbal Order was issued late January 2015.
- Appeal Submitted March 14, 2016.
- Appeal was submitted at least 408 days after the Verbal Order .
- BCO 8-8 Requires timely appeal submitted within 10 days of the order or decision.

DPW-#5

Ned Holt

From: Susan Coddair <susan@studiobvt.com>
Sent: Wednesday, May 14, 2014 5:17 PM
To: chad@tylerplace.com
Cc: Ned Holt
Subject: 210 S Union Street
Attachments: Memo_studiob.pdf

Chad,

I've cc'd Ned Holt on the attached memo, outlining code research and specifying the required fire separation between each floor of the S. Union St. Barn, per his request.

How are things moving forward? I suppose you are probably busy preparing for the summer season on the lake. Do you officially have your zoning permit to proceed? If so, we should celebrate some time with Patsy & Tim:-
) Hope you guys are well.

— Susan Coddair AIA, LEED®

studio b architecture
p.o.box 954
manchester ctr, vermont 05255

t: 802.318.1309
w: www.studiobvt.com

Ned Holt

From: Ned Holt
Sent: Thursday, May 15, 2014 8:19 AM
To: Valerie Ducharme
Subject: FW: 210 S Union Street
Attachments: Memo_studiob.pdf

Please attach this Memo to 210 South Union Street. TY

Sincerely,

Ned H Holt, Building Inspector
Burlington Public Works Inspection Services
645 Pine Street Suite A
Burlington, VT 05401

T- Direct 802-865-7559
T- DPW/ISD Customer Service 802-863-9094
F- 802-863-0466
E- NHolt@burlingtonvt.gov
Web: www.burlingtonvt.gov/dpw

"We cannot direct the wind, but we can adjust our sails" unknown

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From: Susan Coddaira [<mailto:susan@studiobvt.com>]
Sent: Wednesday, May 14, 2014 5:17 PM
To: chad@tylerplace.com
Cc: Ned Holt
Subject: 210 S Union Street

Chad,

I've cc'd Ned Holt on the attached memo, outlining code research and specifying the required fire separation between each floor of the S. Union St. Barn, per his request.

How are things moving forward? I suppose you are probably busy preparing for the summer season on the lake. Do you officially have your zoning permit to proceed? If so, we should celebrate some time with Patsy & Tim. Hope you guys are well.



memorandum:

to: Chad Tyler

cc: Ned Holt, Chief Building Inspector, DPW Burlington, VT

from: Susan Coddaira, studio b architecture

date: 5/14/2014

re: 210 South Union Street

-Occupancy per NFPA 101:

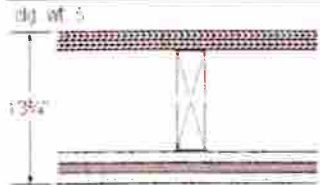
*Ground floor workshop use as Business (NFPA 101 Ch38/ 39),
Middle floor garage as Vehicle Storage, (NFPA 101 Ch42 – storage ordinary hazard – 42.8.1.4)
Top floor apartment as Residential (NFPA 101 Ch. 24)*

-Required separation of Occupancies (hours):

*Ground to Middle (Business to Storage – ordinary hazard) = 2 hours
Middle to Top (Vehicle Storage to Residential - One and two family dwelling) = 2 hours*

-UL rated assembly specified (same @ each floor):

*UL Des L511 (see below)
Use Mineral Wool fireblocking and pourable smokestop @ wall perimeter*

2 Hour Fire-Rated Construction		Dimensional Lumber
Construction Detail	Description	Test Number
	• Two layers 5/8" SHEETROCK FIRECODE C Core gypsum panels – 1" nominal wood sub and finished floor – 2" x 10 wood joist 16" o.c. – RC-1 channel or equivalent – joints finished	UL Des L511

Ned Holt

DPW # 5A

om: Kimberlee Sturtevant
Sent: Tuesday, March 18, 2014 3:25 PM
To: Ned Holt
Subject: RE: 210 South Union Street

From: Ned Holt
Sent: Tuesday, March 18, 2014 3:17 PM
To: Kimberlee Sturtevant
Subject: FW: 210 South Union Street

For your use the string of correspondence concerning 210 South Union Street that is on tonight's DRB Agenda.

From: Chadwick Tyler [<mailto:cpl.tyler@comcast.net>]
Sent: Tuesday, March 18, 2014 11:45 AM
To: Ned Holt
Cc: Mary O'Neil
Subject: Re: 210 South Union Street

Ned,

Thanks for the clarification and the two points for the Board.

It's a big help to have this come directly from you.

Chad

On Mar 18, 2014, at 11:38 AM, Ned Holt wrote:

For clarification in the event it is not clearly understood in the last correspondence;

This project is considered as new construction; therefore, all work shall comply with 2012 codes and standards adopted in the State of Vermont and City of Burlington. *This includes and not limited to* an approved frost protection system (chap 18), height and area limitations (chap 5), types of construction (chap 6), fire and smoke protection features (chap 7), etc. and respective to 2012 International Building Code. As noted in the last correspondence, all components and elements need to conform to the type of construction (combustible or non-combustible) to include doors and windows.

12 Life Safety Code (NFPA 110) applies to egress windows sizes where permitted, stairs, handrails, etc., and other related life safety issues. Please note that the installation of an approved sprinkler system eliminates the need for egress windows. Where natural light and ventilation cannot be achieved by way of window; mechanical means are acceptable for air exchange.

Please also note that this project needs to be in full compliance with the Vermont Residential Building Energy Code to include submitting the self-certification to this office before occupancy.

Sincerely,

Ned H Holt, Building Inspector
City of Burlington DPW/ISD
645 Pine Street
Burlington, VT 05401

T- Direct 802-865-7559

T- Customer Service 802-863-9094

F- 802-863-0466

E- ned.holt@cityofburlington.com
ned.holt@cityofburlington.com

"We cannot direct the wind, but we can adjust our sails" unknown

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From: Ned Holt
Sent: Tuesday, March 18, 2014 11:05 AM
To: ned.holt@cityofburlington.com
Cc: Mary O'Neil
Subject: 210 South Union Street

Chad,

Concerning the DRB meeting tonight and the above subject property, two issues have come up; 1) Building right on or close to "property line" and 2) needing to cross neighbor's property to gain access into building.

- A) Type of construction changes from combustible to non-combustible construction and percentage of window area reduces the closer you get to the property line all for reasons to prevent fire jump.
- B) We cannot condone the use of another's property for any given project. Legal documentation between the two parties/properties needs to be established and recorded to use property that is not yours and before any building permit is issued.

Should you have any questions with any of the above please contact this office directly.

Sincerely,

Ned H Holt, Building Inspector
City of Burlington DPW/ISD
645 Pine Street
Burlington, VT 05401

T- Direct 802-865-7559

T- Customer Service 802-863-9094

802-863-0466

E- info@hawaii.gov

<http://www.hawaii.gov>

"We cannot direct the wind, but we can adjust our sails" unknown

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studio b architecture
p.o.box 954
manchester ctr, vermont 05255

t: 802.318.1309
w: www.studiobvt.com

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THE FOLLOWING INFORMATION IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT TO BE USED AS A BASIS FOR ANY ACTION. IT IS THE POLICY OF THE FBI TO MAINTAIN THE HIGHEST STANDARDS OF INTEGRITY AND ETHICS. ANY VIOLATION OF THESE STANDARDS WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW. THE FBI IS COMMITTED TO THE PROTECTION OF THE CONSTITUTION AND THE RIGHTS OF ALL AMERICANS. ANY ATTEMPT TO VIOLATE THESE RIGHTS WILL BE MET WITH THE FULL FORCE OF THE LAW. THE FBI IS A FEDERAL LAW ENFORCEMENT AGENCY AND IS NOT A POLICE AGENCY. IT IS THE POLICY OF THE FBI TO MAINTAIN THE HIGHEST STANDARDS OF INTEGRITY AND ETHICS. ANY VIOLATION OF THESE STANDARDS WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW. THE FBI IS COMMITTED TO THE PROTECTION OF THE CONSTITUTION AND THE RIGHTS OF ALL AMERICANS. ANY ATTEMPT TO VIOLATE THESE RIGHTS WILL BE MET WITH THE FULL FORCE OF THE LAW.

PROPERTY AND FINANCIAL STATEMENTS
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 IN DISORDER, THE BOARD OF DIRECTORS HAS APPOINTED AN INDEPENDENT
 ACCOUNTING FIRM TO CONDUCT AN AUDIT OF THE COMPANY'S FINANCIAL
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 LEGAL COUNSEL TO ADVISE THE COMPANY ON THE MATTER. THE BOARD OF
 DIRECTORS HAS ALSO APPOINTED AN INDEPENDENT INVESTIGATOR TO
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 HAS ALSO APPOINTED AN INDEPENDENT REVIEWER TO REVIEW THE
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 ALSO APPOINTED AN INDEPENDENT AUDITOR TO AUDIT THE COMPANY'S
 FINANCIAL STATEMENTS. THE BOARD OF DIRECTORS HAS ALSO APPOINTED
 AN INDEPENDENT COUNSEL TO ADVISE THE COMPANY ON THE MATTER.



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LIBRARY

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Existing Conditions
and Demolition Plan

2014年12月15日

010

FOR REVIEW ONLY
NOT FOR CONSTRUCTION

[illegible]

KEY WORDS: aging; cognition; depression; memory; mood; personality; self-esteem; social support

[illegible]

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TYLER BARN
210 SOUTH UN

210 SOUTH UNION STREET

Chat Tvor

Designed By:	MSL
Checked By:	MSL/MSL
Drawn By:	MSL
Scale:	as shown
Date:	1/28/2016

50.2

FOUNDATION PLAN
AND DETAILS
210 SOUTH UNION STREET
BIRMINGHAM, VT

Client: Tyler Barn
210 South Union Street
Birmingham, VT

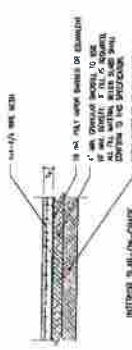
ENGINEERING
VENTURES
INC.



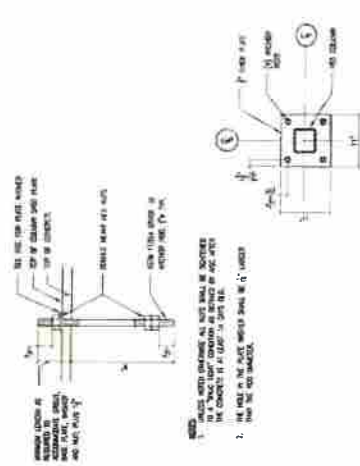
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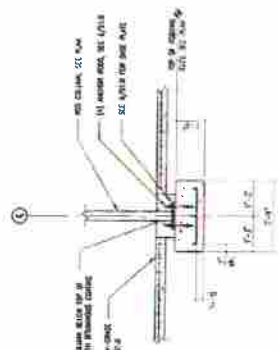
TYPICAL SLAB-ON-GRADE SECTION



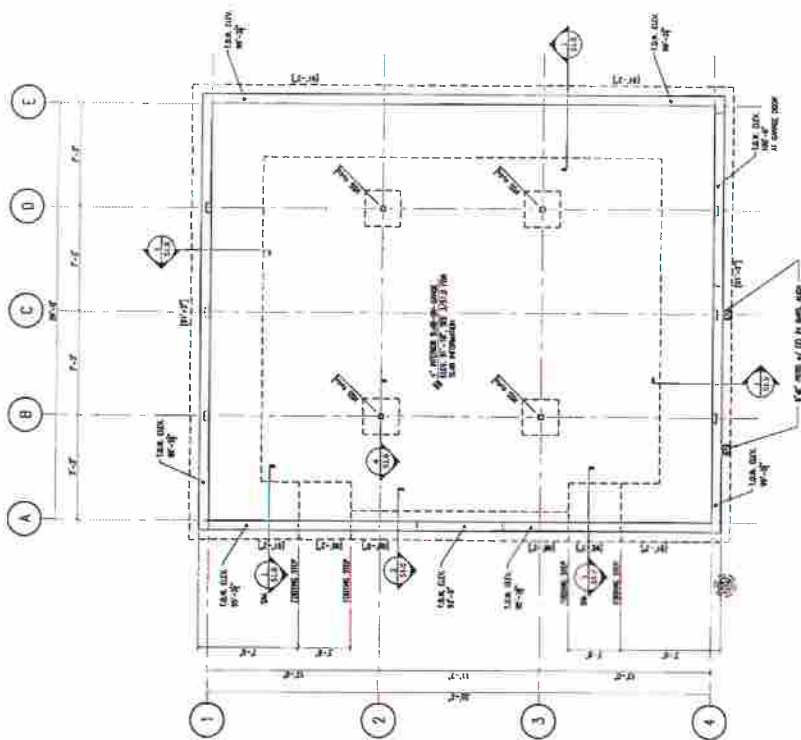
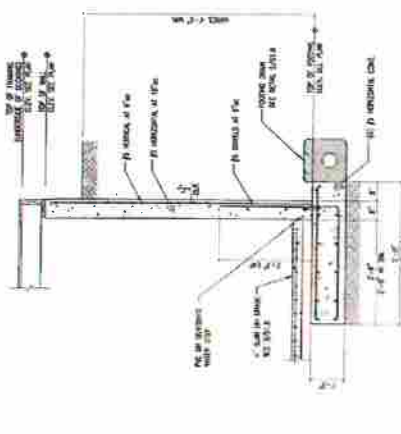
TYPICAL FROST WALL SECTION



TYPICAL INTERIOR PIER AND FOOTING

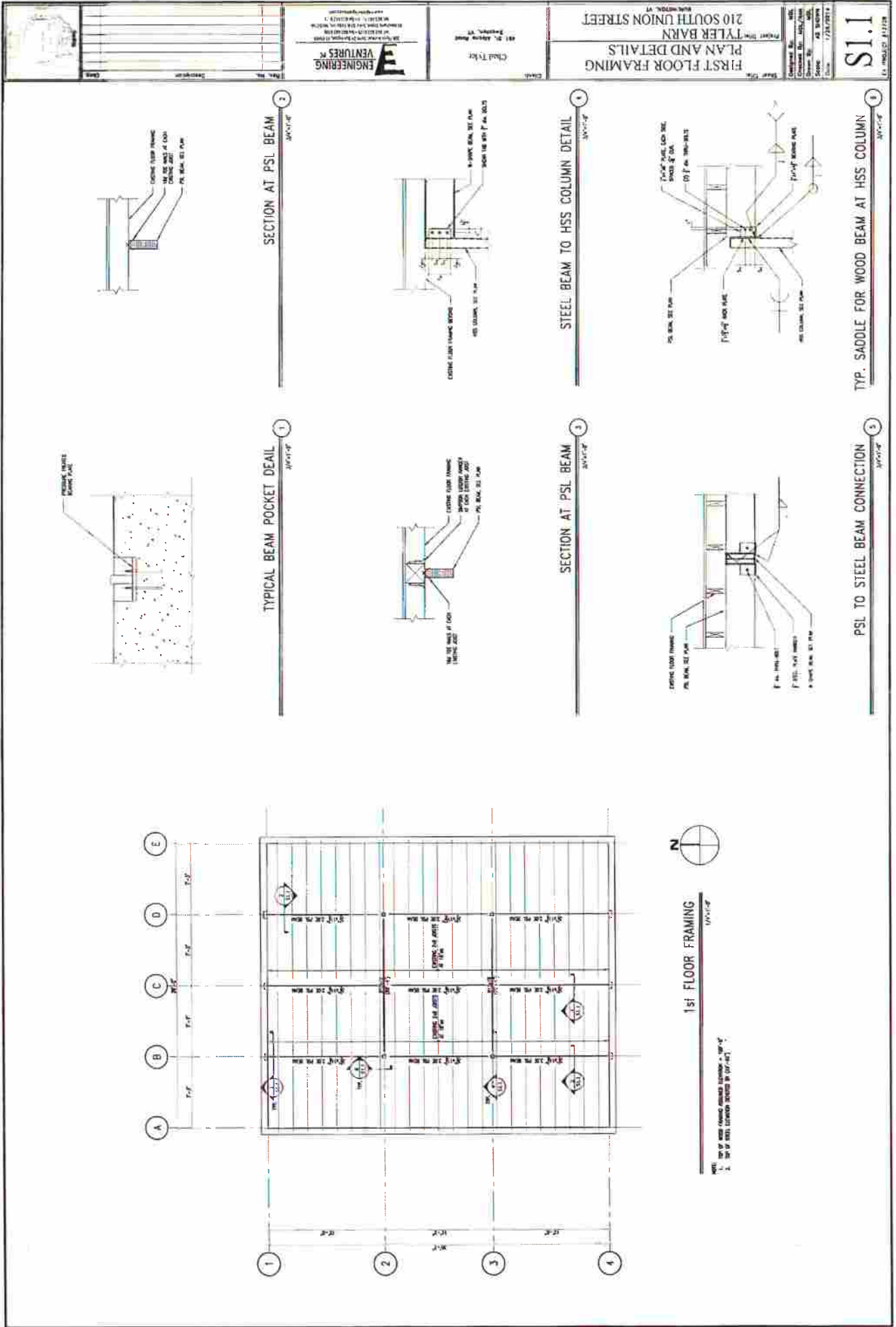


WALL SECTION



FOUNDATION PLAN

NOTES:
1. FOUNDATION SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2018 INTERNATIONAL BUILDING CODE (IBC).
2. FOUNDATION SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2018 INTERNATIONAL BUILDING CODE (IBC).
3. FOUNDATION SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2018 INTERNATIONAL BUILDING CODE (IBC).



1492

LA BUREAU
DE LA S. ALBANY ROAD

CITIZENSHIP

ENGINEERING VENTURES, INC.

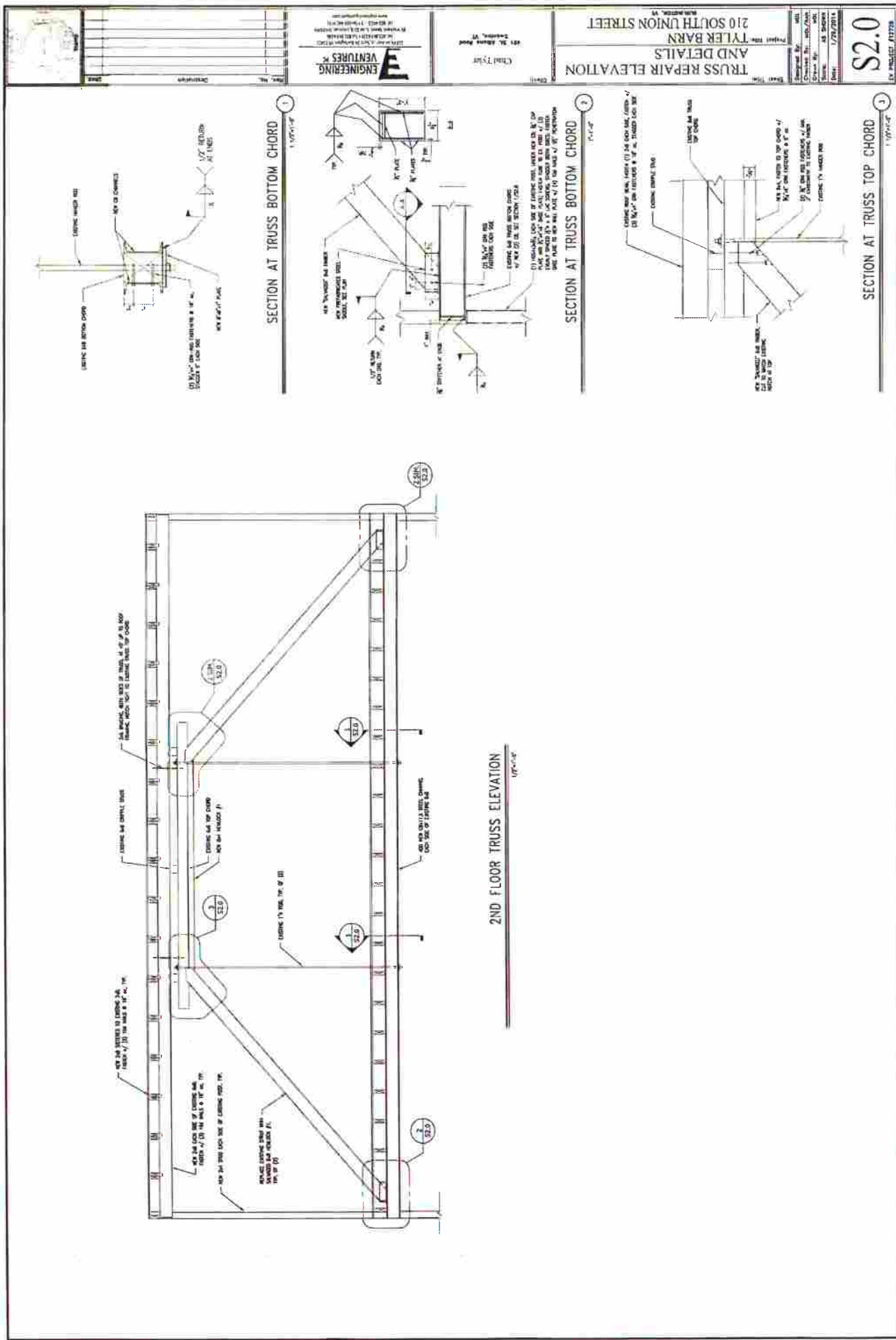
The image shows a blank ledger page. At the top, there is a header section with several columns. The first column is labeled "DATE". The second column is labeled "DESCRIPTION". The third column is labeled "AMOUNT". The fourth column is labeled "BALANCE". The fifth column is labeled "TOTAL". The sixth column is labeled "REMARKS". Below the header, there are several rows of the same columns, intended for recording data. The page is otherwise blank.



2nd FLOOR FRAMING

Notes

ALL (NUMBER) AT RISK TO BE IMMEDIATE RELEASED DURING THE 2000 ELECTION.
THE FIGHTING TO BE CALLED OFF.
SOMEONE TO BE CALLED OFF THE FIGHT.





Department of Public Works

BUILDING PERMIT

645 Pine Street, Suite A

P.O. Box 849, Burlington, VT 05402

Telephone (802) 863-9094/ Fax (802) 863-0466

Working Together for Burlington - Preserving, Improving our Community

Permit No: 2014 191027 00000 BP

Fees	
	\$765.00
Admin Fees	\$.00
Recording Fees	\$20.00
	\$785.00

Date: 7/17/2014

Street Address: 210 SOUTH UNION ST

Estimated Cost \$ 90,000 Construction Starting Date: 7/17/2014

Owner

Tel No: (802) 524-2028

Patsy Tyler

491 St. Albans Road

Swanton, VT 05488

Owner/
Contractor

Tel No: (802) 524-2028

Chad Tyler

491 St. Albans Road

Swanton, VT 05488

DESCRIPTION OF WORK CODE ID: New Construction

OLD BARN; Add one residential unit (OLD HAY LOFT AREA) over parking garage (CARAGE STORAGE FLOOR) to include new accessory workshop below parking in old HORSE STABLES basement area.

CONDITIONS OF PERMIT: All work performed by the applicant shall comply with the codes and ordinances of the City of Burlington. This permit authorizes the applicant to proceed with the work described above in accordance with these codes. This permit shall not be construed as authority to violate, cancel or get aside any of the provisions of the codes. The applicant must contact the department to schedule inspections of the work and obtain final project approval.

APPLICANT SIGNATURE: _____

LICENSE #: _____

CALL FOR FOUNDATION INSPECTION

- ✓ CALL FOR ROUGH FRAMING OR ROUGH-IN INSPECTION
- ✓ CALL FOR FINAL INSPECTION
- ✓ A BUILDING CERTIFICATE OF OCCUPANCY IS REQUIRED

Heidi Hoss
Inspector



802-863-9091

**ISD
1****BUILDING (BP) / NG (BP) / STRUCT
PERMIT APPLICATION**TO BE COMPLETED BY ALL PERSONS SEEKING A PERMIT FOR CONSTRUCTION WITHIN THE CITY LIMITS PURSUANT TO CHAPTERS 8 CODES OF ORDINANCES. (SEE INSTRUCTIONS ON BACK BEFORE COMPLETING)
www.burlingtonvt.gov/dpw**IDENTIFICATION**

Please Print or Type

JOB SITE LOCATION STREET NUMBER AND STREET ADDRESS

216 South Union Street Burlington VT 05401

PROPERTY OWNER NAME

Chad & Patricia Tyler

PROPERTY OWNER'S ADDRESS (IF DIFFERENT FROM JOB SITE LOCATION)

216 South Union St. #3 Burlington VT 05401

PERMIT TYPE (PLEASE CHECK ALL THAT APPLY)

- ☒ NEW CONSTRUCTION ☐ SINGLE FAMILY ☐ MULTIFAMILY ☐ COMMERCIAL
☐ REMODELING ☐ DEMOLITION ☐ ASBESTOS ☐ SIDING ☐ ROOFING ☐ FENCE
☐ OUT BUILDING ☐ OTHER

***CONSTRUCTION PLANS MUST
BE ATTACHED. SEE REVERSE SIDE****SUB-TRADES** (PLEASE CHECK ALL THAT APPLY TO THIS PROJECT)

- ☒ ELECTRICAL (EP) ☒ HVAC / MECHANICAL (MP) ☐ FIRE ALARM (AL)
☒ PLUMBING (PP) ☐ SPRINKLER (SS) ☐ SUPPRESSION (SU)

ZONING PERMIT NUMBER HERE

H-0151 Co

DESCRIPTION OF YOUR WORK**"CONSTRUCTION PLANS / SPECIFICATIONS REQUIRED"**

- Renovation of existing carriage barn
 into 2 bedroom apartment and
 workshop.

CONTRACTORS BUSINESS NAME

Building Heritage, LLC

DATE CONSTRUCTION WORK WILL BEGIN

August 1st 2014

ESTIMATED COST OF PROJECT
DO NOT INCLUDE SUBTRADES COST

\$ \$90,000.

CONTRACTOR ADDRESS (IF DIFFERENT FROM PROPERTY ADDRESS)

240 Cummings Drive

CITY/TOWN

Huntington

STATE

VT

ZIP CODE

05462

CONTACT PERSON

Eliot Lothrop

TRADE LICENSE # (if applicable)

TELEPHONE #

(802) 598-9344

**THE PERMITS ATTACHED TO THE APPLICATIONS MUST BE SIGNED AND PAID FOR WITHIN THREE
BUSINESS DAYS OR THE PERMIT WILL BE PULLED AND CANCELLED.**

I further certify that this document has been examined by me, and is, to the best of my knowledge and belief, true, correct, and complete.

DO NOT SEND PAYMENT WITH YOUR PERMIT APPLICATIONS

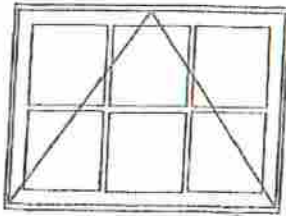
5/21/14

SIGN HERE ▶

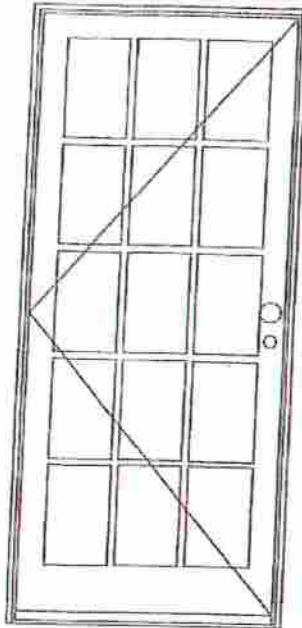
Signature of Owner or Authorized Representative

Title

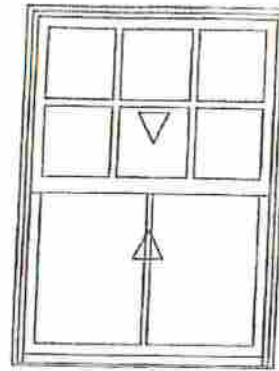
Date



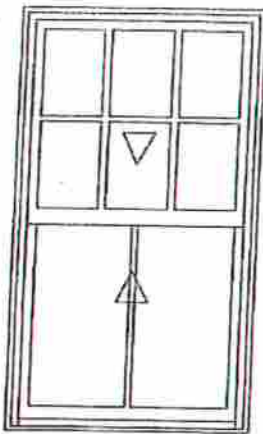
01
R.O.: 37" x 27 5/8"
M.O.: 36 1/2" x 27 3/8"



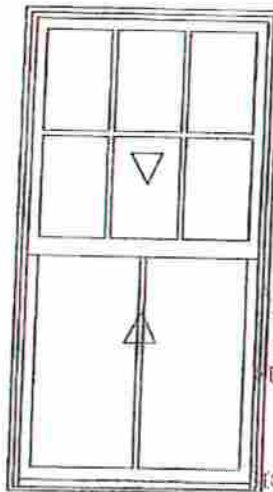
02
R.O.: 37 5/16" x 82 1/2"
M.O.: 36 13/16" x 82 1/4"



03
R.O.: 36 1/2" x 48 1/4"
M.O.: 36" x 48"



04
R.O.: 32 1/2" x 56 1/4"
M.O.: 32" x 56"



05
R.O.: 34 1/2" x 64 1/4"
M.O.: 34" x 64"

ANY MODIFICATIONS OR DEVIATIONS FROM THESE PLANS
EQUIVOCAL ZONING APP. OR TO CONSTRUCTION.
ALL ERRORS IN DIMENSIONS, DETAILS OR DETAILING ARE
FULLY THE RESPONSIBILITY OF THE APPLICANT/OWNER.

FINAL APPROVAL
SIGNED *[Signature]* DATE 3/20/14
PLANNING & ZONING DEPARTMENT
BURLINGTON, VERMONT

2P14-0753CA

die 1. d. 1844

El Atril

tail 24/25

DATE _____
ELEMENT NO 14-0753CA

EN

—SIDING TO
MATCH EXISTING
PROPOSED DECK

PRE-CONSTRUCTION
GRADE

WEST ELEVATION

RESE PLAN
CONSTRUCTION
HILGARD
TOWNNER

DÉPAR
PLANNIR

Re

3/26/14
2014-0753CA



SOUTH ELEVATION

4 THESE PLANS
INSTRUCTION.
TAILING ARE
VANTOWNER.

ENT

3/26/14

0753CA

2. height
for.
#17.

22'-0"
NEW ROOF HELL

10'-0"
NEW SECOND
9'-0"
EX. SECT

1'-0"
NEW FIRST FLC
0'-0"
EX. FIRS

WORKSHOP
HEATER VENT

11'-0" 3'-0" 11'-0" 3'-0"

1'-0" 3'-0"

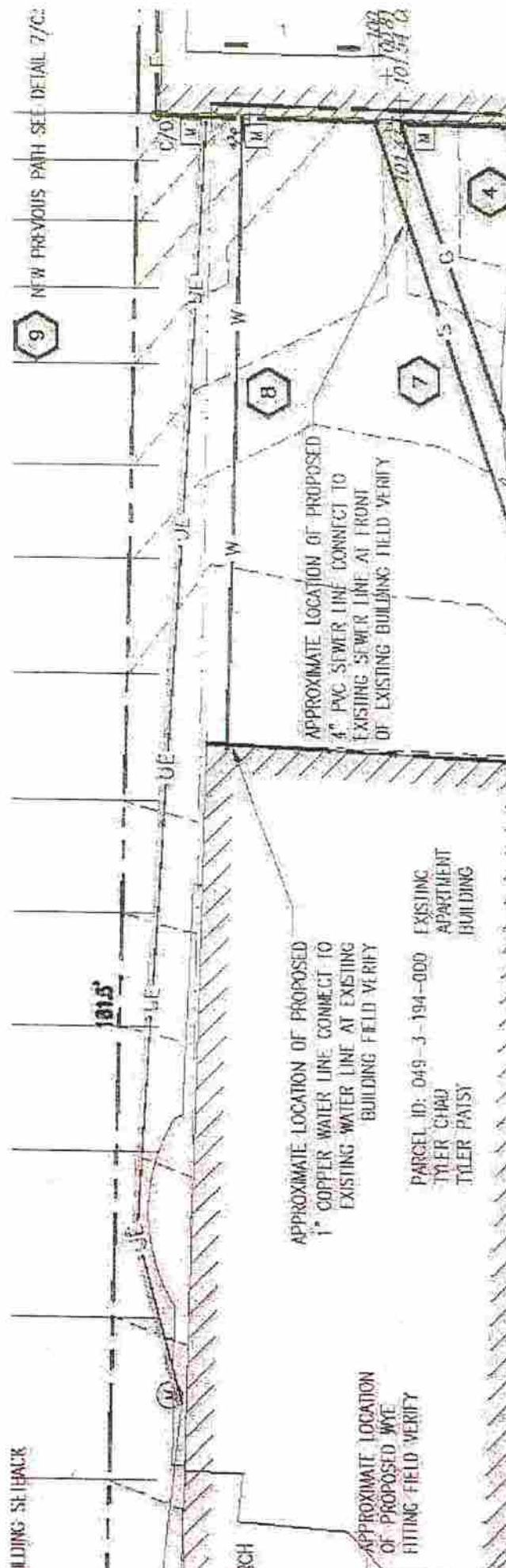
NEW 7'1"
DOOR

PROPOSED GRADE
PRE-CONSTRUCTION
GRADE

NORTH ELEVATION
OPTION 1 - REVISED

Discussion

DATE 3/1





OVERALL SITE LOCATION



LEGEND

EXISTING FEATURES

⊙	WATER
○	CLEAN OUT
□	CATCH BASIN
⊗	TAPPING SLEEVE AND VALVE
⊗	GATE VALVE
⊗	UTILITY POLE
⊗	WATER SHUT OFF
⊗	SPOT ELEVATION
—	FENCE
—	PROPERTY LINE
—	HIGH-OF-WAY LINE
—	CONTOUR
—	SWALE
—	SANITARY SERVICE LINE
—	STORM LINE
—	WATER LINE
—	OVERHEAD ELECTRIC
—	GAS LINE
—	UNDER DRAIN
—	EDGE OF PAVEMENT
—	TREE
▨	ASPHALT
▨	CONCRETE SURFACE
▨	GRAVEL SURFACE
▨	TO BE REPORTED

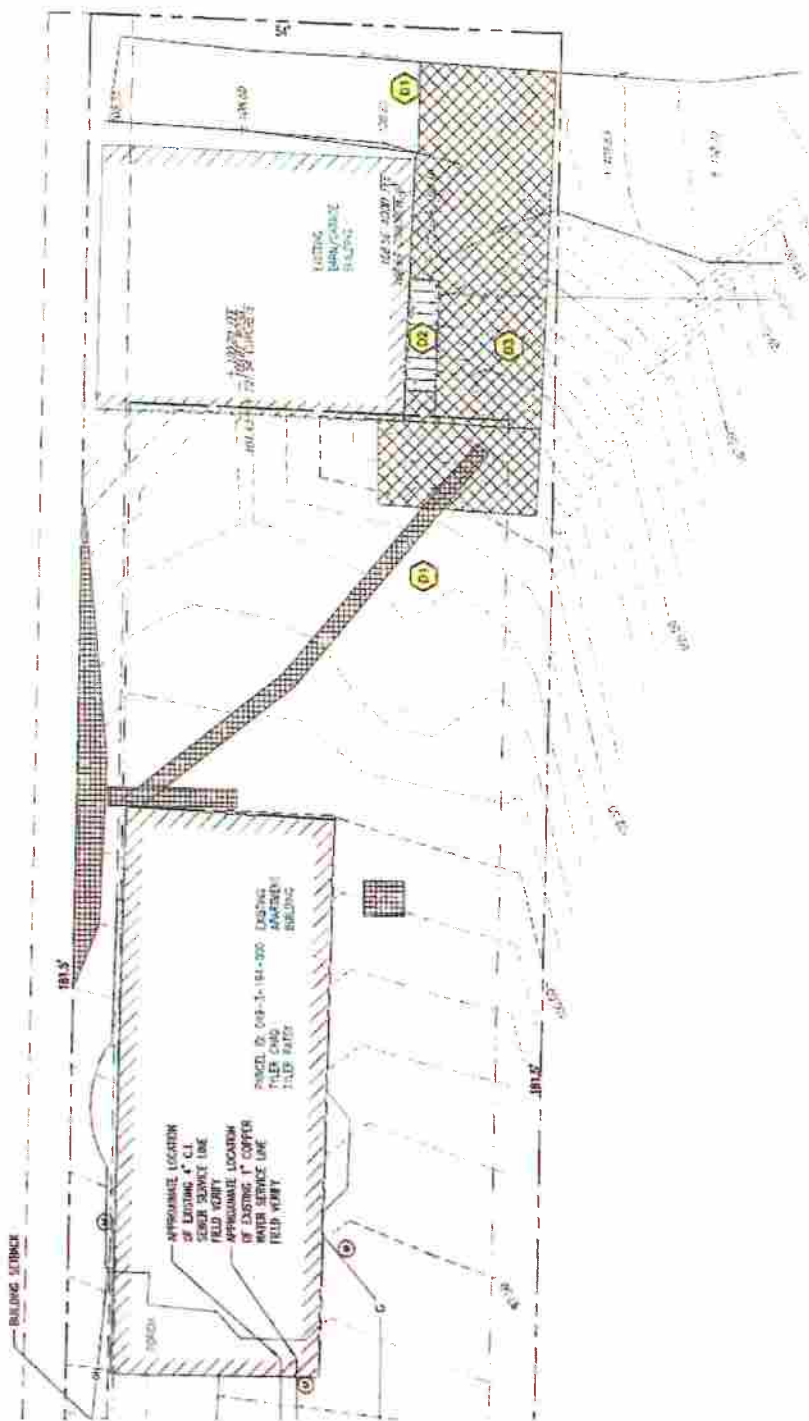
APPROVAL FROM THE ENGINEER

- THE CONTRACTOR IS INSTRUCTED TO COOPERATE WITH ANY AND ALL OTHER CONTRACTORS PERFORMING WORK ON THIS JOB SITE INSURING THE PERFORMANCE OF THIS CONTRACT.
- THE CONTRACTOR SHALL PROTECT EXISTING PROPERTY LINE MARKING. ANY MARKING DESTROYED OR DESTROYED, AS ORDERED BY THE ENGINEER OR OWNER SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE UNDER THE SUPERVISION OF A VERIFIED STATE LICENSED LAND SURVEYOR.
- IF IT IS THE CONTRACTOR'S RESPONSIBILITY TO EXAMINE ALL PLAN SHEETS AND SPECIFICATIONS, AND COORDINATE WORK WITH ALL CONTRACTS FOR THE SITE.
- IF IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONDUCT EXPLORATORY TESTS AS MAY BE REQUIRED TO DETERMINE UNDERGROUND CONDITIONS.
- ALL TRENCH EXCAVATION AND ANY REQUIRED SLEETING AND SHORING SHALL BE DONE IN ACCORDANCE WITH THE LATEST OSHA AND VDOT REGULATIONS FOR CONSTRUCTION.
- CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING AND THE MAINTENANCE OF SURFACE DRAINAGE DURING THE COURSE OF WORK.
- MAINTAIN FLOW FOR ALL EXISTING UTILITIES, UNLESS NOTED OTHERWISE.
- ALL SITE FILL SHALL NOT EXCEED FILL STANDARDS UNLESS NOTED OTHERWISE ON THE DRAINAGE.
- CONTRACTOR TO GRADE ALL AREAS ON THE SITE TO PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDINGS AND WEAPONS SURFACES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ALL FIELD NOTES. THE CONTRACTOR SHALL PROVIDE WAKED-UP AS-BUILT PLANS FOR ALL UTILITIES SHOWING CONNECTIONS, BENDS, VALVES, LENGTHS OF LINES AND INVERTS. AS-BUILT PLANS SHALL BE REVIEWED BY THE OWNER AND HIS REPRESENTATIVES BEFORE UTILITIES WILL BE ACCEPTED.
- CONTRACTOR SHALL BE RESPONSIBLE FOR PROPER INSTALLATION, MAINTENANCE AND REMOVAL OF ALL TEMPORARY EROSION CONTROL MEASURES, TAKING PRECAUTIONARY STEPS TO AVOID ANY SIGNIFICANT DAMAGE TO NEIGHBORING SITES OR WATERS OF THE STATE.

- ALL ADJACENT UTILITIES AND STRUCTURES NOT INDICATED AS INCLUDED IN THE SCOPE OF WORK SHALL BE PROTECTED FROM DAMAGE DURING CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL ADJACENT UTILITIES AND STRUCTURES DURING CONSTRUCTION.
- THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO PROVIDE A SAFE WORK AREA NOT ONLY DURING CONSTRUCTION PROCEDURES, BUT FOR THE DURATION OF CONSTRUCTION.
- PROVIDE TO CONSTRUCTION, MAINTAIN EXISTING ANY UNDERGROUND UTILITIES. NOTIFY THE OWNER IF ANY OTHER UTILITIES NOT NOTED ON THE DRAWINGS ARE FOUND.
- CARE SHALL BE TAKEN NOT TO DAMAGE OR DESTROY ANY TREES AND SITE LIGHTING NOT INDICATED FOR REMOVAL DURING CONSTRUCTION.
- PROPOSED FEATURES ARE SHOWN ON THE DRAWING FOR REFERENCE ONLY.
- ALL EXISTING UTILITIES, FENCING AND SITE FEATURES SHOWN WITH CROSS HATCHING (---) ARE TO BE REMOVED (PAVING, GRAVEL, WALLS, WALKS, MAIL BOX, PPE, ETC).
- SEED AND MULCH ALL RESULTING EXPOSED AREAS IN ACCORDANCE WITH THE EROSION PREVENTION AND SEDIMENT CONTROL PLAN WHERE NO WORK IS ANTICIPATED WITHIN 48 HOURS.
- REFER TO DIMENSION PLANS WITHIN ARCHITECTURAL, MEP AND STRUCTURAL DESIGN DRAWINGS FOR ADDITIONAL WORK ITEMS. CONTRACTOR SHALL COORDINATE PHASING AND SEQUENCING OF THOSE ITEMS WITH OTHER TRADES.
- THE CONTRACTOR MAY NOT HAVE ACCESS TO PERSONAL WORK ON THE OWNER SITE AT ALL TIMES. THE CONTRACTOR SHALL COORDINATE WITH THE OWNER PRIOR TO BEGINNING WORK IN ANY AREA.
- THE CONTRACTOR SHALL PROVIDE TEMPORARY FENCING AND BARRIERS TO PREVENT ACCESS TO THE WORK AREA BY PERSONS ORIGINALLY TO ACCESS THE UTILITIES OCCUPIED BY THE OWNER.
- REMOVE ALL TEMPORARY AGGREGATE AT THE END OF CONSTRUCTION AND SEED AND MULCH.
- ALL DEMOLISHED MATERIALS SHALL BE DISPOSED OF IN ACCORDANCE WITH THE WASTE MANAGEMENT PLAN.

REMOVE AND DEPOSE OF ASPHALT
REMOVE AND DEPOSE OF CONCRETE STEPS
REMOVE 6" TOPSOIL

IN 901 PG 261 OF CITY OF BURLINGTON RECORDS
OF 31, 2006 VOLUME 901, PAGE 319





NFPA 1

FIRE CODE 2012



17.3.2 **Tampering with Fire Safety Equipment.** See Section 10.8 for requirements on tampering with fire safety equipment.

17.3.9 **Maintenance.** See Section 10.4 for requirements on maintenance.

Chapter 18 Fire Department Access and Water Supply

18.1 General. Fire department access and water supplies shall comply with this chapter.

18.1.1 Application.

18.1.1.1 This chapter shall apply to public and privately owned fire apparatus access roads.

18.1.1.2 This chapter shall apply to public and privately owned fire hydrant systems.

18.1.2 Permits. Permits, where required, shall comply with Section 1.12.

18.1.3 Plans.

18.1.3.1 Fire Apparatus Access. Plans for fire apparatus access roads shall be submitted to the fire department for review and approval prior to construction.

18.1.3.2 Fire Hydrant Systems. Plans and specifications for fire hydrant systems shall be submitted to the fire department for review and approval prior to construction.

Fire Department Access.

18.2.1 Fire department access and fire department access roads shall be provided and maintained in accordance with Section 18.2.

18.2.2* Access to Structures or Areas.

18.2.2.1 Access Box(es). The AHJ shall have the authority to require an access box(es) to be installed in an accessible location where access to or within a structure or area is difficult because of security. The access box(es) shall be of an approved type listed in accordance with UL 1037.

18.2.2.2 Access to Gated Subdivisions or Developments. The AHJ shall have the authority to require fire department access be provided to gated subdivisions or developments through the use of an approved device or system.

18.2.2.3 Access Maintenance. The owner or occupant of a structure or area, with required fire department access as specified in 18.2.2.1 or 18.2.2.2, shall notify the AHJ when the access is modified in a manner that could prevent fire department access.

18.2.3 Fire Department Access Roads.

18.2.3.1 Required Access.

18.2.3.1.1 Approved fire department access roads shall be provided for every facility, building, or portion of a building hereafter constructed or relocated.

18.2.3.1.2 Fire department access roads shall consist of roadways, fire lanes, parking lot lanes, or a combination thereof.

18.2.3.1.3* The provisions of 18.2.3.1 through 18.2.3.2.2.1 shall be permitted to be modified by the AHJ where any of the following conditions exists:

- (1) One- and two-family dwellings protected by an approved automatic sprinkler system in accordance with Section 13.1
- (2) Existing one- and two-family dwellings
- (3) Private garages having an area not exceeding 400 ft²
- (4) Carports having an area not exceeding 400 ft²
- (5) Agricultural buildings having an area not exceeding 400 ft²
- (6) Sheds and other detached buildings having an area not exceeding 400 ft²

18.2.3.1.4 When fire department access roads cannot be installed due to location on property, topography, waterways, non-negotiable grades, or other similar conditions, the AHJ shall be authorized to require additional fire protection features.

18.2.3.2 Access to Building.

18.2.3.2.1 A fire department access road shall extend to within 50 ft (15 m) of at least one exterior door that can be opened from the outside and that provides access to the interior of the building.

18.2.3.2.1.1 Where a one- or two-family dwelling, or townhouse, is protected with an approved automatic sprinkler system that is installed in accordance with NFPA 13D or NFPA 13R, as applicable, the distance in 18.2.3.2.1 shall be permitted to be increased to 150 ft (46 m).

18.2.3.2.2 Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of the building is located not more than 150 ft (46 m) from fire department access roads as measured by an approved route around the exterior of the building or facility.

18.2.3.2.2.1 When buildings are protected throughout with an approved automatic sprinkler system that is installed in accordance with NFPA 13, NFPA 13D, or NFPA 13R, the distance in 18.2.3.2.2 shall be permitted to be increased to 450 ft (137 m).

18.2.3.3 Multiple Access Roads. More than one fire department access road shall be provided when it is determined by the AHJ that access by a single road could be impaired by vehicle congestion, condition of terrain, climatic conditions, or other factors that could limit access.

18.2.3.4 Specifications.

18.2.3.4.1 Dimensions.

18.2.3.4.1.1 Fire department access roads shall have an unobstructed width of not less than 20 ft (6.1 m).

18.2.3.4.1.2 Fire department access roads shall have an unobstructed vertical clearance of not less than 13 ft 6 in. (4.1 m).

18.2.3.4.1.2.1 Vertical clearance shall be permitted to be reduced, provided such reduction does not impair access by fire apparatus, and approved signs are installed and maintained indicating the established vertical clearance when approved.

18.2.3.4.1.2.2 Vertical clearances or widths shall be increased when vertical clearances or widths are not adequate to accommodate fire apparatus.

18.2.3.4.2 Surface. Fire department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an all-weather driving surface.

18.2.3.4.3 Turning Radius.

18.2.3.4.3.1 The turning radius of a fire department access road shall be as approved by the AHJ.

12W-#9



2012

FIRE & BUILDING SAFETY CODE



VERMONT DEPARTMENT OF PUBLIC SAFETY

DIVISION OF FIRE SAFETY

OFFICE OF THE STATE FIRE MARSHAL, STATE FIRE ACADEMY and THE STATE HAZ-MAT TEAM

www.firesafety.vermont.gov

EFFECTIVE DATE ~ November 5, 2012

Section 1

Title, Intent and Authority

(a) These rules are adopted under 20 V.S.A. Chapter 173, Subchapter 2 "Fire Safety Division", Subchapter 3 "Fire Hazards and Dangerous Substances", Subchapter 5 "Boilers and Pressure Vessels" and Chapter 177 "Explosives and Fireworks", and shall be known and cited as the Vermont Fire Building Safety Code - 2012. It is the intent of these rules to provide for the public safety as directed by these sections of the law. (see Annex I for Public Building definition)

(b) This Code shall be administered and enforced by the Commissioner of Public Safety and staff members of the Division of Fire Safety that are hereby designated to enforce this Code and utilize discretionary authority regarding the details of the application of this Code. Hereafter the Commissioner or designated representative, or in the case of a cooperative municipal inspection agreement, the approved inspector(s), are designated as the **Authority Having Jurisdiction** (AHJ). For the purpose of NFPA sections 1:1.13, Certificates of Fitness, and 1:20.12.3 & 101:37.7.5, Smoke Alarm & Carbon Monoxide Alarm – Consumer Information, the Commissioner and staff members of the Division of Fire Safety are designated as the AHJ.

(c) The AHJ may establish priorities for enforcing these rules and standards based on the relative risk to people and property.

(d) These rules apply to "public buildings" as defined by 20 V.S.A Chapter 173.

(Note: See Annex 1 for the definition of "public buildings" from 20 V.S.A. Chapter 173. Note that most owner-occupied single family residences are exempt from the definition of public buildings and are thus not included in the scope of this code; see definition of "public buildings" for exceptions).

Section 2

Adoption of Nationally Recognized Standards

The following nationally recognized safety standards, as amended herein, are adopted for the purpose of making rules regarding the safeguarding of people and property in case of fire, explosion, hazardous materials, dangerous structural conditions and the generation of carbon monoxide.

LIFE SAFETY CODE – NFPA 101 – 2012
FIRE CODE – NFPA 1 – 2012
INTERNATIONAL BUILDING CODE – IBC - 2012
NATIONAL BOARD OF INSPECTION CODE (NBIC) 2004

This Code has been designed to minimize any conflict or difference between adopted codes and standards. Where there is a conflict between the codes or codes & standards the Life Safety Code (NFPA 101) or Fire Code (NFPA 1) shall apply. Where one code or standard has a requirement and another code or standard does not have a requirement the code or standard with a requirement shall apply.

The provisions of this code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every public building or structure or any appurtenances connected or attached to such buildings or structures regulated under this code.

Matrix on next page shall be used to assist in designing construction projects.

DPW-#10

1.13 Certificates of Fitness.

1.13.1 Authorization. The AHJ shall have the authority to require certificates of fitness and collect fees for individuals or companies performing any of the following activities:

- (1) Inspection, servicing, or recharging of portable fire extinguishers
- (2) Installation, servicing, modification, or recharging of fixed fire extinguishing systems
- (3) Installation, servicing, or modification of fire alarm or fire communication systems
- (4) Installation, modification, or servicing of gas- or oil-burning heating systems
- (5) Chimney sweep operations
- (6) Installation, inspection, servicing, or modification of range-hood systems
- (7) Installation or servicing of private fire service mains and their appurtenances
- (8) Crowd management services required by the *Code*
- (9) Utilization of pyrotechnics before a proximate audience
- (10) Installation, modification, or maintenance of liquefied petroleum gas or liquefied natural gas tanks or systems
- (11) Installation or modification of medical gas systems where a permit is required by Table 1.12.8(a)
- (12) Installation, modification, or maintenance of standpipe systems
- (13) Installation, modification, or maintenance of automatic sprinkler systems
- (14) Installation, modification, or maintenance of fire pumps
- (15) Installation, modification, or maintenance of tanks, wells, or drafting points used for fire protection water supplies

1.13.2 Mandatory. The AHJ shall require certificates of fitness and collect fees for individuals or companies performing any of the following activities:

- (1) Use of explosive materials
- (2) Fireworks displays involving display fireworks, 1.3G

1.13.3 The AHJ shall be responsible for the issuance of certificates of fitness required by the AHJ.

1.13.4 All applications for a certificate of fitness shall be filed with the AHJ on forms provided by the AHJ.

1.13.5 Certification of Applicant.

1.13.5.1 Every individual or company applying for a certificate of fitness shall furnish to the AHJ evidence of a familiarity with applicable codes, regulations, standards, listings, guidelines, and construction and safety practices for the activity for which the certificate of fitness is issued.

1.13.5.2* The AHJ shall also utilize certification programs provided by national organizations acceptable to the AHJ, where available, to determine evidence of compliance with 1.13.5.1.

1.13.5.3 The AHJ shall investigate every application for a certificate of fitness.

1.13.5.4* The investigation shall include an examination of the applicant's experience and training in the field of the certificate of fitness for which application has been made.

1.13.5.5 When the AHJ determines that an applicant is not fit to receive the certificate of fitness because of the applicant's inability to comply with the provisions of this *Code*, the AHJ shall refuse to issue the certificate of fitness.

1.13.5.6 If the refusal is based on the applicant's inability to pass an examination given to determine competency, the applicant shall not be permitted to apply again for the certificate of fitness within a 10-day period following the examination.

1.13.6 Certificates of fitness shall not be transferable.

1.13.7 Certificates of fitness shall be issued for the period of time as indicated on the certificate of fitness as determined by the AHJ, but such period of time shall not exceed 3 years.

1.13.8 Applications for renewal of a certificate of fitness shall be filed in the same manner as an application for an original certificate.

1.13.9 Each individual or company holding a certificate of fitness shall notify the AHJ in writing of any address change within 10 days after such change.

1.13.10 A certificate of fitness shall be in the form of an identification card. The card shall contain the following information:

- (1) Purpose for which the certificate of fitness is issued
- (2) Date of expiration
- (3) Information necessary to easily identify the individual to whom the certificate of fitness is issued
- (4) Signature of the individual to whom the certificate of fitness is issued
- (5) Name and signature of the AHJ or a designated representative
- (6) Statement printed thereon in bold type the following:
THIS CERTIFICATE IS NOT AN ENDORSEMENT OF THIS INDIVIDUAL OR COMPANY BY THE AUTHORITY HAVING JURISDICTION.

1.13.11 Any individual or company to whom a certificate of fitness has been granted shall, upon request, produce and show proper identification and the certificate of fitness to anyone for whom that individual seeks to render services or to the AHJ.

1.13.12 Revocation or Suspension of Certificates of Fitness.

1.13.12.1 The AHJ shall be permitted to revoke or suspend a certificate of fitness issued if any violation of this *Code* is found upon inspection or where any false statements or misrepresentations are submitted in the application on which the approval was based.

1.13.12.2 Revocation or suspension shall be constituted when notification is served, posted, or mailed to the address of record for the certificate holder.

1.13.12.3 Failure on the part of an individual to give such notification of a change of address required by 1.13.9 shall constitute grounds for revocation of the certificate of fitness.

1.13.12.4 Revocations or suspensions of a certificate of fitness by the AHJ are appealable to the Board of Appeals as established in Section 1.10.

1.14 Plan Review.

1.14.1 Where required by the AHJ for new construction, modification, or rehabilitation, construction documents and shop drawings shall be submitted, reviewed, and approved prior to the start of such work as provided in Section 1.14.

1.14.2 The applicant shall be responsible to ensure that the following conditions are met:

- (1) The construction documents include all of the fire protection requirements.

- (2) The shop drawings are correct and in compliance with the applicable codes and standards.
- (3) The contractor maintains an approved set of construction documents on site.

1.14.3 It shall be the responsibility of the AHJ to promulgate rules that cover the following:

- (1) Criteria to meet the requirements of Section 1.14
- (2) Review of documents and construction documents within established time frames for the purpose of acceptance or providing reasons for nonacceptance

1.14.4 Review and approval by the AHJ shall not relieve the applicant of the responsibility of compliance with this Code.

1.14.5 When required by the AHJ, revised construction documents or shop drawings shall be prepared and submitted for review and approval to illustrate corrections or modifications necessitated by field conditions or other revisions to approved plans.

1.15 Technical Assistance.

1.15.1 The AHJ shall be permitted to require a review by an approved independent third party with expertise in the matter to be reviewed at the submitter's expense.

1.15.2 The independent reviewer shall provide an evaluation and recommend necessary changes of the proposed design, operation, process, or new technology to the AHJ.

1.15.3 The AHJ shall be authorized to require design submittals to bear the stamp of a registered design professional.

1.15.4 The AHJ shall make the final determination as to whether the provisions of this Code have been met.

1.16 Notice of Violations and Penalties.

1.16.1 Where Required. Whenever the AHJ determines violations of this Code, a written notice shall be issued to confirm such findings.

1.16.2 Serving Notice of Violation.

1.16.2.1 Any order or notice of violation issued pursuant to this Code shall be served upon the owner, operator, occupant, registered agent, or other person responsible for the condition or violation by one of the following means:

- (1) Personal service
- (2) Mail to last known address of the owner, operator, or registered agent

1.16.2.2 For unattended or abandoned locations, a copy of such order or notice of violation shall be posted on the premises in a conspicuous place at or near the entrance to such premises, and the order or notice shall be disseminated in accordance with one of the following:

- (1) Mailed to the last known address of the owner, occupant, or registered agent
- (2) Published in a newspaper of general circulation wherein the property in violation is located

1.16.2.3 Refusal of an owner, occupant, operator, or other person responsible for the violation to accept the violation notice shall not be cause to invalidate the violation or the notice of violation. When acceptance of a notice of violation is refused, valid notice shall have deemed to have been served under this section provided the methods of service in 1.16.2.1 or 1.16.2.2 have been followed.

1.16.3 Destruction or Removal of Notice. The mutilation, destruction, or removal of a posted order or violation notice without authorization by the AHJ shall be a separate violation of this Code and punishable by the penalties established by the AHJ.

1.16.4 Penalties.

1.16.4.1 Any person who fails to comply with the provision of this Code, fails to carry out an order made pursuant to this Code, violates any condition attached to a permit, approval, or certificate shall be subject to the penalties established by the AHJ.

1.16.4.2 Where the AHJ establishes a separate penalty schedule, violations of this Code shall be subject to a \$250.00 penalty.

1.16.4.3 Failure to comply with the time limits of an order or notice of violation issued by the AHJ shall result in each day that the violation continues being regarded as a separate offense and shall be subject to a separate penalty.

1.16.4.4 A separate notice of violation shall not be required to be served each day for a violation to be deemed a separate offense.

1.16.5 Abatement. Where a violation creates an imminent danger, the AHJ is authorized to abate such hazard in accordance with 1.7.15.

Chapter 2 Referenced Publications

2.1 General. The documents referenced in this chapter or portions of such documents are referenced within this Code and shall be considered part of the requirements of this Code.

- (1) Documents referenced in this chapter or portion of such documents shall only be applicable to the extent contained within other chapters of this Code.
- (2) Where the requirements of a referenced code or standard differ from the requirements of this Code, the requirements of this Code shall govern.

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.

NFPA 10, *Standard for Portable Fire Extinguishers*, 2010 edition.

NFPA 11, *Standard for Low-, Medium-, and High-Expansion Foam*, 2010 edition.

NFPA 12, *Standard on Carbon Dioxide Extinguishing Systems*, 2011 edition.

NFPA 12A, *Standard on Halon 1301 Fire Extinguishing Systems*, 2009 edition.

NFPA 13, *Standard for the Installation of Sprinkler Systems*, 2010 edition.

NFPA 13D, *Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes*, 2010 edition.

NFPA 13R, *Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height*, 2010 edition.

NFPA 14, *Standard for the Installation of Standpipe and Hose Systems*, 2010 edition.

NFPA 15, *Standard for Water Spray Fixed Systems for Fire Protection*, 2012 edition.

NFPA 16, *Standard for the Installation of Foam-Water Sprinkler and Foam-Water Spray Systems*, 2011 edition.

NFPA 17, *Standard for Dry Chemical Extinguishing Systems*, 2009 edition.

NFPA 17A, *Standard for Wet Chemical Extinguishing Systems*, 2009 edition.

DPW-#11

Brad Biggie

From: Chad Tyler <chad@tylerplace.com>
Sent: Wednesday, January 21, 2015 2:59 PM
To: Brad Biggie
Subject: RE: 210 South Union

From: Brad Biggie [mailto:bbiggie@burlingtonvt.gov]
Sent: Tuesday, January 20, 2015 9:23 AM
To: 'Chad Tyler'
Cc: 'OPEN ARMS'
Subject: RE: 210 South Union

bbiggie@burlingtonvt.gov
www.burlingtonvt.gov

From: Chad Tyler [mailto:chad@tylerplace.com]
Sent: Wednesday, January 14, 2015 11:11 AM
To: Brad Biggie
Cc: 'OPEN ARMS'
Subject: 210 South Union

Hello Brad,

Good to see you on Monday, some 30 degrees warmer than my visit with Megan yesterday!

Here are the issues we discussed and you wanted me to write to you about...

- The interior stairway has three winders at the bottom. Are there restrictions on their turn radius, inside tread width and the nosing dimension?
- The upstairs entryway on the garage level. This floor needs to be higher than the garage floor. How high? Does the reshold for the door opening into the garage count? Would it make any difference if there was a door at the top of the stairs?

Also,

- We will install bridging on the upstairs roof rafters.
- Make sure the interior garage entry door is fire rated (for one hour?) and is on self-closing hinges.
- Notify you when the upstairs framing is complete.

Thanks for the help.

Chad

104W-12

DATE 4-14-15

CITY OF BURLINGTON DEPARTMENT OF PUBLIC WORKS

DATE	TIME	PERMIT DISCIPLINE	OUR CUSTOMER'S NAME
4-14		or circle one	
	7:10	BP EP / MP ROW	DAVE MA. APTHEUR
	7:50	BP EP / MP ROW	Tim Petzner
	8:40	BP EP / MP ROW	Charles Smith
	8:30	BP EP / MP ROW	Ray B. [unclear]
	8:47	BP EP / MP ROW	Kogon [unclear]
		BP EP / MP ROW	JAMES O'NEAL
	9:00	BP EP / MP ROW	JEFF [unclear]
	9:05	BP EP / MP ROW	John Scott
	9:10	BP EP / MP ROW	By [unclear]
	9:20	BP EP / MP ROW	Alfred [unclear]
	9:28	BP EP / MP ROW	John [unclear]
	9:50	BP EP / MP ROW	Jason Frank
	9:57	BP EP / MP ROW	DAVE DIAMOND / [unclear]
		BP EP / MP ROW	

BP = Building Electrical / MP = Plumbing / Mechanical ROW = Right of Way Note: Fire Alarm sees EP, Sprinkler & Suppression sees PP/MP

DPLW#13

From: Susan Coddair [mailto:scoddair@bma-architects.com]
Sent: Thursday, April 23, 2015 3:27 PM
To: Ned Holt
Cc: Brad Biggie
Subject: 210 S Union St.

Hello Ned,

Regarding the renovations at 210 South Union Street, could you clarify for me which code it is that requires a sprinkler?

I believe we did a solid code analysis, so I was surprised when this came up. I'm just looking to understand where the requirement is written (NFPA?). Chad told me Section 18 but not which code, and I can't seem to find anything. Could you or Brad please call me before the end of the week so that I can get back to Chad re: construction budget?

Thank you!

FW, my cell is 802-318-1309 if I'm out of the office tomorrow.

Susan Coddair, AIA, LEED®

BMA Architects & Planners
3814 Main Street
P.O. Box 1114
Manchester, VT 05254
Ph: 802.362.0054
www.bma-architects.com

Matrix of Vermont Fire and Building Codes by Project Type

New Construction	Major Rehabilitation, Modification, Reconstruction No Additions	Building Addition	Existing Building With Change of Use/Renovation
IBC & NFPA 1 & 101 apply. All IBC Chapters apply except Chapters; 8, 10, 11, 13, 27, 28, 29, 33 & 34 NFPA 101 Chapter 1 thru 11 and New Occupancy chapter apply, and all chapters of NFPA 1 as applicable - Purpose of IBC is to safeguard public health, safety and general welfare - Purpose of NFPA 1 & 101 is to provide an environment reasonably safe from fire	IBC used for structural requirements only Refer to NFPA 101 Chapter 43 for Building rehabilitation NFPA 1 applies Refer to NFPA 220 for type of construction (NFPA 101 page 386)	IBC applies to new construction and 3401.1 height & area Refer to NFPA 101 Chapter 43 for Building rehabilitation NFPA 1 applies Refer to NFPA 220 for type of construction (NFPA 101 page 386)	IBC used for structural requirements only Refer to NFPA 101 Chapter 43 for Building rehabilitation NFPA 1 applies Existing NFPA 101 chapter applies to existing building section not being altered 1- Determine occupancy use 2- Refer to NFPA 220 for type of construction

- 1- Always determine occupancy type first
- 2- Include a code analysis with plan submittal for all new or large renovation projects
- 3- Vermont Fire & Building Code Amendments apply to all categories above
- 4- Vermont Access Rules and 2010 ADA Standards for Accessible Design applies to all categories
- 5- Vermont Electrical, Plumbing, Elevator and Energy Rules applies to all categories
- 6- NFPA 1 applies to all categories, in addition to referenced standards in IBC, NFPA 1 & 101
- 7- When a conflict between codes is identified, NFPA governs for all categories, or where one code or standard has a requirement and another code or standard does not have a requirement the code or standard with a requirement shall apply.

[Updated October 2, 2012]

DPW-#14

Brad Biggie

From: Ned Holt
Sent: Tuesday, May 05, 2015 9:42 AM
To: 'Susan Coddair'
Cc: Brad Biggie
Subject: RE: 210 S Union St.
Attachments: 2012 F&BSC Matrix.pdf

Susan,

Thank you for your patience and understanding as I get back into the swing of things following my time away.

In view of and to specific to Chapter 43 of NFPA 101; the chapter is a stepped approach to mandate requirements and applicable to existing occupancy. Minor levels of rehabilitation must meet minimal requirements whereas major rehabilitation projects must meet more significant requirements.

Specific to the above referenced project, the existing use of this structure was a horse stable / carriage barn. Today this structure is being converted into a mixed used structure with a work shop on the ground level, 8-2 parking garage mid-level and one residential living unit above. In view of this, this is not rehabilitation of an existing occupancy use but rather new occupancy use throughout an existing structure. The need for the structural engineer applying IBC minimums codes and the application of horizontal UL fire separation between the uses has already been determined and need to apply accordingly.

Reviewing NFPA 101 Chapter 43 to include the 2012 State of Vermont Fire & Building Safety Code matrix found on page 5; this project needs to comply with all the codes listed in the matrix collectively, (i.e., IBC, NFPA 101, NFPA 220 & NFPA 1). This being the case and to answer the call for the need of a sprinkler system, (protection of occupants, preliminary property and surrounding property) NFPA 1 Chapter 18 is where the Fire Department Access Road applies on this project. Please also refer to the notes 1-7 attached to the matrix attached.

If I can be of any further assistance please contact this office directly.

To maintain clear communication between all interested parties; please "Reply to All" when replying to my emails. Thank you!

Sincerely,



Ned H Holt, Building Inspector
Burlington Public Works Inspection Services
645 Pine Street Suite A
Burlington, VT 05401

T- Direct 802-865-7559
F- DPW/ISD Customer Service 802-863-9094
F- 802-863-0466
E- NHolt@burlingtonvt.gov
Web: www.burlingtonvt.gov/dpw

"We cannot direct the wind, but we can adjust our sails" unknown

CONFIDENTIALITY NOTICE: The information contained in this e-mail and any attachments may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this e-mail, or any of its contents, is strictly prohibited. If you have received this e-mail in error, please notify the sender immediately by return e-mail and delete the original message and all parts thereof from your computer system.

From: Susan Coddair [mailto:scoddair@bma-architects.com]
Sent: Thursday, April 23, 2015 3:27 PM
To: Ned Holt
Cc: Brad Biggie
Subject: 210 S Union St.

Hello Ned,

Regarding the renovations at 210 South Union Street, could you clarify for me which code it is that requires a sprinkler?

I believe we did a solid code analysis, so I was surprised when this came up. I'm just looking to understand where the requirement is written (NFPA?). Chad told me Section 18 but not which code, and I can't seem to find anything. Could you or Brad please call me before the end of the week so that I can get back to Chad re: construction budget?

Thank you!

BTW, my cell is 802-318-1309 if I'm out of the office tomorrow.

Susan Coddair, AIA, LEED®

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Matrix of Vermont Fire and Building Codes by Project Type

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IBC & NFPA 1 & 101 apply. All IBC Chapters apply except Chapters: 8, 10, 11, 13, 27, 28, 29, 33 & 34 NFPA 101 Chapter 1 thru 11 and New Occupancy chapter apply, and all chapters of NFPA 1 as applicable - Purpose of IBC is to safeguard public health, safety and general welfare - Purpose of NFPA 1 & 101 is to provide an environment reasonably safe from fire	IBC used for structural requirements only Refer to NFPA 101 Chapter 43 for Building rehabilitation NFPA 1 applies Refer to NFPA 220 for type of construction (NFPA 101 page 386)	IBC applies to new construction and 3401.1 height & area Refer to NFPA 101 Chapter 43 for Building rehabilitation NFPA 1 applies Refer to NFPA 220 for type of construction (NFPA 101 page 386)	IBC used for structural requirements only Refer to NFPA 101 Chapter 43 for Building rehabilitation NFPA 1 applies Existing NFPA 101 chapter applies to existing building section not being altered 1- Determine occupancy use 2- Refer to NFPA 220 for type of construction

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- 7- When a conflict between codes is identified, NFPA governs for all categories, or where one code or standard has a requirement and another code or standard does not have a requirement the code or standard with a requirement shall apply.

[Updated October 2, 2012]

Matrix of Vermont Fire and Building Codes by Project Type

New Construction	Major Rehabilitation, Modification, Reconstruction No Additions	Building Addition	Existing Building With Change of Use/Renovation
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- 7- When a conflict between codes is identified, NFPA governs for all categories, or where one code or standard has a requirement and another code or standard does not have a requirement the code or standard with a requirement shall apply.

[Updated October 2, 2012]

DPW-# 15

Chad Tyler

From: Debbie Winters <DWinters@firetechsprinkler.com>
Sent: Thursday, September 24, 2015 1:02 PM
To: chad@tylerplace.com
Subject: FW: Tyler Building on South Union St.

Chad,

Please see below. As we talked about yesterday, you are probably in the \$10K-\$15K range for pricing (depending on whether you need the small pump and tank).

You will see below that Barry mentioned that the garage can only be used by the residents of that building for NFPA 13 to apply.

Let me know if you need anything further.

Debbie

From: Barry Simays [<mailto:BSimays@burlingtonvt.gov>]
Sent: Thursday, September 24, 2015 12:57 PM
To: Debbie Winters
; Brad Biggie
Subject: Re: Tyler Building on South Union St.

Debbie,

As per our phone conversation moments ago, I confirmed with the Building Official's Office at DPW yesterday that both the zoning approval and building permit specify that this structure is a single-family, owner-occupied residence (single dwelling unit) on the second floor, with parking on the first floor accessory to the dwelling unit and a shop/office space on the west intermediate lower level also accessory to the dwelling unit. I was also advised that the dwelling unit has a protected stairway leading both into the garage and also to the exterior of the structure.

Based on the specifications of this building, NFPA 13-D would be applicable. The owner shall be aware that any change of use now or in the future beyond what has been approved by the City of Burlington may not meet the design criteria for protection of this structure by a NFPA 13-D sprinkler system.

Building Inspector Brad Biggie has been copied on this reply as he has been directly involved with this building permit.

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)
bsimavs@burlingtonvt.gov

From: Debbie Winters <DWinters@firetechsprinkler.com>
Sent: Friday, September 11, 2015 10:25
To: Barry Simays
Subject: Tyler Building on South Union St.

Barry,

I met with Chad Tyler regarding providing a proposal to put a sprinkler system in his building on South Union St. Do you know what type of system you will be requiring there? There are 3 levels of the building. The lowest will be used as office space that is accessory to the residential apartment on the 3rd floor. The second level is a parking garage that will be used for the residential unit on the 3rd floor as well as for 3 other residential tenants in his adjacent building.

Would this be considered 13D since it is a one family? If so, the garage technically would not need to be covered. Is this what you were thinking?

Thanks,
Debbie

DPW-#16

Norm Baldwin

From: Norm Baldwin
Sent: Monday, March 14, 2016 4:18 PM
To: cpl.tyler@comcast.net
Cc: Ned Holt; Brad Biggie; Barry Simays; Chapin Spencer; Eugene Bergman
Subject: Confirmation Email-Receipt of Appeal for 201 South Union Street
Attachments: 210 South Union Appeal-Appellant Letter 3_14_16.pdf; 210 South Union Appeal-Email Correspondence.pdf

Mr & Mrs. Tyler

I want to acknowledge receipt of your letter of appeal dated March 9, 2016 and associated email correspondence for your project at 201 South Union Street, your information was received today March 14, 2016.

I will be consulting with our City Attorney to determine the next steps in providing you direction and the process moving forward. Once I have clarity I will give you a call. Thank you.

nbaldwin@burlingtonvt.gov

BURLINGTON

Comprehensive Occupancy History

Occupancy ID Between "7511

" And "7511

"

Occupancy Id: 7511

Name: 210 S Union St

Address: 210 S UNION ST

Burlington, VT 05401

Property Use: 429 Multifamily dwelling

Mixed Use: NN Not mixed use

Structure Type: 1 Enclosed building

Bldg Class: R-5 Apartment Buildings 3 to 11 units

Zone:

Station: 1

District: 001

Insp Dist:

Stories: 3

Date	Type	Incident or Permit No.	Code/Description
09/14/2016	Incident	16-0005315	412 Gas leak (natural gas or LPG)
09/19/2009	Incident	09-0004572	651 Smoke scare, odor of smoke
11/15/2008	Incident	08-0005367	321 EMS call, excluding vehicle accident with injury
11/15/2008	EMS Call	08-0005367	/ Unresponsive
09/09/2015	Incident	15-0005162	733 Smoke detector activation due to malfunction
06/11/2014	Incident	14-0003143	733 Smoke detector activation due to malfunction
04/06/2014	Incident	14-0001849	424 Carbon monoxide incident
02/01/2015	Incident	15-0000630	733 Smoke detector activation due to malfunction
08/12/2015	Inspection		822 CONSULTATION - Sprinkler System
03/19/2015	Inspection		231 INSPECTION - Fire Department site access
09/24/2015	Inspection		822 CONSULTATION - Sprinkler System
03/18/2016	Inspection		930 LEGAL - Preparation
03/21/2016	Inspection		930 LEGAL - Preparation
12/12/2016	Inspection		930 LEGAL - Preparation

Totals for

Occupancy:

Incidents

7

EMS Calls:

1

Inspections

6

Permits:

0

210 South Union Street

Summary of entries, Firehouse database (Burlington Fire Department)

Compiled Monday, 12/12/2016 (BC B Simays)

3/19/2015: Inspection – Fire Department Site Access (1445-1530 hours)

Site visit at request of Building Inspector Brad Biggie to evaluate distance from FD access roads (Maple St and S Union St) for carriage barn in rear of lot at 210 S Union St being converted for change of use from storage to residential owner-occupied structure (1 unit). Biggie measured width of Maple St driveway at approx. 12 ft by wheel. Paced distance from curb of Maple St to corner of building (not entry door) at approx. 150 ft. Distance from entry door of lower level to S Union St is in excess of 50 ft. Biggie to address issue of sprinkler system requirement based on NFPA 1 requirements with property owner. Building under conversion does not have a separate address as of this date. Per AMANDA, building permit is BP 14-191027.

03/19/2015 15:33:13 BSimays

8/12/2015: Consultation – Sprinkler System

Sawyer advised to have designer review the building and use to apply sprinkler design criteria. Possible use of shop/garage under residential may prevent NFPA 13-D from being applied.

08/12/2015 13:45:51 BSimays

Re: 210 South Union St

sawyersprinklerservice@comcast.net

Wed 12-Aug-15 13:44

Inbox

To: Barry Simays <BSimays@burlingtonvt.gov>;

Thanks Barry, have a Good afternoon. Ken

Sent from Samsung Mobile

----- Original message -----

From: Barry Simays <BSimays@burlingtonvt.gov>

Date: 08/12/2015 12:07 PM (GMT-05:00)

To: sawyersprinklerservice <sawyersprinklerservice@comcast.net>

Subject: Re: 210 South Union St

Ken,

A designer needs to assess the occupancy as it stands to determine sprinkler design criteria (R versus D, etc.) The requirement actually comes from the Building Official's Office, not directly from us although I was involved in the interpretation of NFPA 1.

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

From: sawyersprinklerservice <sawyersprinklerservice@comcast.net>

Sent: Friday, July 24, 2015 14:03

To: Barry Simays

Subject: 210 South Union St

Afternoon Barry, Had a call from Chad Tyler for the carriage house, saying you are asking for fire protection in it.were you

looking for a 13d system with a 10 minutes water supply?

Thanks Ken Sawyer

Sent from Samsung tablet.

9/24/2015: Consultation – Sprinkler System

Re: Tyler Building on South Union St.

Barry Simays

Thu 24-Sep-15 12:56

To: Debbie Winters <DWinters@firetechsprinkler.com>;

Cc: Brad Biggie <bbiggie@burlingtonvt.gov>;

Debbie,

As per our phone conversation moments ago, I confirmed with the Building Official's Office at DPW yesterday that both the zoning approval and building permit specify that this structure is a single-family, owner-occupied residence (single dwelling unit) on the second floor, with parking on the first floor accessory to the dwelling unit and a shop/office space on the west intermediate lower level also accessory to the dwelling unit. I was also advised that the dwelling unit has a protected stairway leading both into the garage and also to the exterior of the structure.

Based on the specifications of this building, NFPA 13-D would be applicable. The owner shall be aware that any change of use now or in the future beyond what has been approved by the City of Burlington may not meet the design criteria for protection of this structure by a NFPA 13-D sprinkler system.

Building Inspector Brad Biggie has been copied on this reply as he has been directly involved with this building permit.

Thank you,

BC Barry Simays, CFI, IAAI-FIT

Fire Marshal

Burlington Fire Department

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(802) 864-5577

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bsimays@burlingtonvt.gov

*From: Debbie Winters <DWinters@firetechsprinkler.com>
Sent: Friday, September 11, 2015 10:25
To: Barry Simays
Subject: Tyler Building on South Union St.*

Barry,

I met with Chad Tyler regarding providing a proposal to put a sprinkler system in his building on South Union St. Do you know what type of system you will be requiring there? There are 3 levels of the building. The lowest will be used as office space that is accessory to the residential apartment on the 3rd floor. The second level is a parking garage that will be used for the residential unit on the 3rd floor as well as for 3 other residential tenants in his adjacent building.

Would this be considered 13D since it is a one family? If so, the garage technically would not need to be covered. Is this what you were thinking?

*Thanks,
Debbie*

3/18/2016: Legal – Preparation

Meeting at DPW with Brad Biggie, Ned Holt, Gene Bergman, and Norm Baldwin re: appeal notice received at DPW for sprinkler requirement due to lack of FD access (NFPA 1 Chapter 18) in carriage house change of use/renovation.

03/18/2016 12:52:08 BSimays

*RE: Confirmation Email-Receipt of Appeal for 201 South Union Street
Eugene Bergman*

Tue 15-Mar-16 08:44

*To: Barry Simays <BSimays@burlingtonvt.gov>; Norm Baldwin <nbaldwin@burlingtonvt.gov>;
Cc: Ned Holt <NHolt@burlingtonvt.gov>; Brad Biggie <bbiggie@burlingtonvt.gov>; Chapin Spencer <cspencer@burlingtonvt.gov>;*

I'm available to meet on Thursday afternoon (after 2) and Friday with the exception of 12-2.

From: Barry Simays

Sent: Tuesday, March 15, 2016 7:40 AM

*To: Norm Baldwin <nbaldwin@burlingtonvt.gov>; Eugene Bergman <EBergman@burlingtonvt.gov>
Cc: Ned Holt <NHolt@burlingtonvt.gov>; Brad Biggie <bbiggie@burlingtonvt.gov>; Chapin Spencer <cspencer@burlingtonvt.gov>*

Subject: Re: Confirmation Email-Receipt of Appeal for 201 South Union Street

No order was issued by Fire. I was requested by Brad to meet on site to evaluate the driveway to this property under renovation (new construction and change of use) in regards to "fire department access roads" in NFPA 1 (2012) Chapter 18. We met on site on 3/19/15 and verified that the driveway did not meet the width or length requirements of NFPA 1 Chapter 18 for a fire department access road unless the building had an automatic sprinkler system installed. Brad advised that he would address the issue

under the open building permit. As new construction, FMO would become involved when the sprinkler plans were submitted for permitting.

I'm happy to meet with the group as I do see a few inaccuracies in his "appeal" letter as compared to the consultation notes that I have entered in my database after conversations with sprinkler contractors.

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*

*From: Norm Baldwin
Sent: Monday, March 14, 2016 16:22
To: Eugene Bergman
Cc: Ned Holt; Brad Biggie; Barry Simays; Chapin Spencer
Subject: RE: Confirmation Email-Receipt of Appeal for 201 South Union Street*

Gene,

Collectively we should all meet to discuss how we should move forward with addressing this appeal. Given the lack of timeliness of this appeal and the lack of clarity as to who's order Mr. Tyler is appealing. Is it Fire or DPW Building Inspector or some combination.

Please let me know your thoughts.

*From: Norm Baldwin
Sent: Monday, March 14, 2016 4:18 PM
To: 'cpl.tyler@comcast.net' <cpl.tyler@comcast.net>
Cc: Ned Holt <NHolt@burlingtonvt.gov>; Brad Biggie <bbiggie@burlingtonvt.gov>; Barry Simays <BSimays@burlingtonvt.gov>; Chapin Spencer <cspencer@burlingtonvt.gov>; Eugene Bergman <EBergman@burlingtonvt.gov>
Subject: Confirmation Email-Receipt of Appeal for 201 South Union Street*

Mr & Mrs. Tyler

I want to acknowledge receipt of your letter of appeal dated March 9, 2016 and associated email correspondence for your project at 201 South Union Street, your information was received today March 14, 2016.

I will be consulting with our City Attorney to determine the next steps in providing you direction and the process moving forward. Once I have clarity I will give you a call. Thank you.

Norman J. Baldwin, P.E.
City Engineer/Ass't Director
Burlington Public Works Department
645 Pine Street
Burlington, Vermont 05401
V: 802.865.5826
F: 802.863.0466
EMAIL: nbaldwin@burlingtonvt.gov

3/21/2016: Legal -- Preparation

RE: Draft response--210 So. Union-- atty-client confidential communication
Eugene Bergman

Mon 21-Mar-16 11:57

To: Ned Holt <NHolt@burlingtonvt.gov>; Norm Baldwin <nbaldwin@burlingtonvt.gov>; Brad Biggie <bbiggie@burlingtonvt.gov>; Barry Simays <BSimays@burlingtonvt.gov>;

On # 2, we have adopted the state code as part of our ordinances and we are relying on the ordinances to regulate the appeal right. I'm good with saying we are required by the adopted fire code to enforce. I'd leave on the governed in the State wording.

On # 1, my wise old friend Carmelita Wood always told me you got more flies with honey than vinegar.

From: Ned Holt

Sent: Monday, March 21, 2016 11:49 AM

To: Norm Baldwin <nbaldwin@burlingtonvt.gov>; Eugene Bergman <EBergman@burlingtonvt.gov>; Brad Biggie <bbiggie@burlingtonvt.gov>; Barry Simays <BSimays@burlingtonvt.gov>
Subject: RE: Draft response--210 So. Union-- atty-client confidential communication

#1) I understand the empathy behind it, but I struggle with the "I' sorry' s". May be they need to stay and I need to start using that in my correspondence followed behind with the "but" and matter of fact on what will be applied for the softer deliverance of that fact.

#2) I part of permit reform is education and at the laypersons understanding that supports the "known" and remove "the City of Burlington" hard to work in the city reputation; therefore, I recommend the minor change.

Last paragraph:

I'm sorry that this requirement is financially difficult. It is, however, something governed in the State that we are required need to enforce and I hope you can and will appreciate that. Our inspectors will continue to work with you to the extent possible to help you with the process.

Should you have any questions or if I can be of any further assistance please contact this office directly.

Sincerely,

Ned H Holt, Senior Building Official
Burlington Public Works Inspection Services
645 Pine Street Suite A
Burlington, VT 05401
T- Direct 802-865-7559
T- DPW/ISD Customer Service 802-863-9094
F- 802-863-0466
E- NHolt@burlingtonvt.gov
Web: www.burlingtonvt.gov/dp

Re: Draft response--210 So. Union-- atty-client confidential communication
Barry Simays

Mon 21-Mar-16 11:08

To: Eugene Bergman <EBergman@burlingtonvt.gov>; Norm Baldwin <nbaldwin@burlingtonvt.gov>; Ned Holt <NHolt@burlingtonvt.gov>; Brad Biggie <bbiggie@burlingtonvt.gov>;

I set them up using the MS Word comment feature. You should be able to select the comment and click on the "accept change" icon if you want to approve the change in the document.

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

From: Eugene Bergman
Sent: Monday, March 21, 2016 11:07
To: Barry Simays; Norm Baldwin; Ned Holt; Brad Biggie
Subject: RE: Draft response--210 So. Union-- atty-client confidential communication

I don't understand your comments. Are you suggesting they be inserted?

From: Barry Simays
Sent: Monday, March 21, 2016 11:05 AM
To: Norm Baldwin <nbaldwin@burlingtonvt.gov>; Eugene Bergman <EBergman@burlingtonvt.gov>; Ned Holt <NHolt@burlingtonvt.gov>; Brad Biggie <bbiggie@burlingtonvt.gov>
Subject: Re: Draft response--210 So. Union-- atty-client confidential communication

This letter is consistent with the discussions of our meeting on Friday afternoon, 3/18/16 from 2:30 pm to 4:30 pm.

I've made a few comments in the Word document (see attached).

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

From: Norm Baldwin
Sent: Monday, March 21, 2016 10:52
To: Eugene Bergman; Ned Holt; Brad Biggie; Barry Simays
Subject: RE: Draft response--210 So. Union-- atty-client confidential communication

Gene,

This is consistent with my understanding of the details of this appeal. Thank you for putting this together.

Ned, Brad, Barry: I would ask, before I circulate this out to Mr. & Mrs. Tyler, that each inspector weigh in as to the accuracy of this assessment.

Thank you all.

From: Eugene Bergman
Sent: Sunday, March 20, 2016 1:52 PM
To: Norm Baldwin <nbaldwin@burlingtonvt.gov>; Ned Holt <NHolt@burlingtonvt.gov>; Brad Biggie <bbiggie@burlingtonvt.gov>; Barry Simays <BSimays@burlingtonvt.gov>
Subject: Draft response--210 So. Union-- atty-client confidential communication

Norm et al,

Attached is a draft response to the Tylers. Please review it for factual accuracy and edit it to your own voice if you need to. Send me the PDF of the version you send.

I'd suggest attaching BCO 8-8 so he can see the section you are relying on.

Can someone please PDF and send me the relevant sections of the fire code? I can't find where my office copies of the latest codes were reshelfed after we lost our conference room.

Gene

RE: Draft response--210 So. Union-- atty-client confidential communication
Eugene Bergman
Mon 21-Mar-16 11:05

To: Barry Simays <BSimays@burlingtonvt.gov>; Norm Baldwin <nbaldwin@burlingtonvt.gov>; Ned Holt <NHolt@burlingtonvt.gov>; Brad Biggie <bbiggie@burlingtonvt.gov>;

Thanks Barry!

From: Barry Simays

Sent: Monday, March 21, 2016 10:20 AM

To: Eugene Bergman <EBergman@burlingtonvt.gov>; Norm Baldwin <nbaldwin@burlingtonvt.gov>; Ned Holt <NHolt@burlingtonvt.gov>; Brad Biggie <bbiggie@burlingtonvt.gov>

Subject: Re: Draft response--210 So. Union-- atty-client confidential communication

Gene,

Here is the relevant section from NFPA 1 (2012): Chapter 18 for Fire Department Access and Water Supply.

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

From: Eugene Bergman

Sent: Sunday, March 20, 2016 13:52

To: Norm Baldwin; Ned Holt; Brad Biggie; Barry Simays

Subject: Draft response--210 So. Union-- atty-client confidential communication

Norm et al,

Attached is a draft response to the Tylers. Please review it for factual accuracy and edit it to your own voice if you need to. Send me the PDF of the version you send.

I'd suggest attaching BCO 8-8 so he can see the section you are relying on.

Can someone please PDF and send me the relevant sections of the fire code? I can't find where my office copies of the latest codes were reshelfed after we lost our conference room.

Gene

Date: 4/14/2014

R. Or	Callers name	Call back #	Reference to:	Rec'd
✓	Craig Kidden	865-5403	IPBcom - Damm Library - No <u>MICHELLE WATSON</u>	0807 I
No Asst.	Wendy Brown	862-9879	Bull. - Emily Sweeney - CSSI Quonab File work - NARA Washington.	1009 I
✓	Teresa Lawrence	879-6241	ISS N. Bureau Ft Fort - 4/15(CX)	1018 I
✓ M	Miley Shanon	802 224-1809	PBSOCC Service (in contact)	i/23 132
✓	CHRISTY LOR	752-3010	3rd Fl Air Cond'n car window 210 S. Main St Bldg Access - Co Admin. (RFD Reception) <u>PBSO</u>	1405 IT

2015
12 SIMPLYS
ADVIS LOG
EXCERPTS

Date	Time	Phone #	Caller	Message	Closed
4/1	1435	782-1586	PTAC CLUBHOUSE	62 SUNDAY - FINDER GIVE ME INFO FINDING HOME	ANS ✓
4/1	1500	MYLO SLATER	453-2754	VFA - FIRE INSURANCE ADJ I/IT CONTINUED - INTERVIEW AFFS ORIGIN	ANS ✓
4/1	1241	353-5116	ANDY SPURGE JA-MAN-110	PLS CTR - ALL 603 (P. 1st CTR. 1st 8 300000)	✓
4/1	1402	578-8404	ROBERT RICHARD	207-266 SUNDAY. ADJ. FLOP. W/IB - NEW ADJ. CONSIDER FIR. COUNCIL	(INFO)
4/1	1535	862-6244 861-7375	PTAC FINDER - CTR	78 PACE ST - 30131 - RA PACE STREET CTR (ADJ. FINDER)	CM
4/2	0901	881-2041	ROBERT LUTHER	DEOS - 103 VACANT PL (C. 1st - 13)	TO I3
4/2	1752	353-1461	DOUG LUTHER VACANT LUTHER	ADJ. FINDER	LM
4/3	0846	752-7426	CLAUDE LUTHER	210 SUNDAY (FINDER) BP SUNDAY	LM
4/3	0933	343-2601	PAUL FINDER	130 SUNDAY ST - FINDER FINDER (CF) 2 CTR. ST - FINDER	✓
4/6	0946	732-7426	CLAUDE LUTHER	210 SUNDAY ST - 55 ?'S	LM
4/6	1057	353-0636	MICHAEL RICHARDSON	441 SUNDAY RD - P. 16 CTR	LM
4/6	1110	881-4437	JOHN LUTHER	P. 16 - 93 CTR. CTR. RD	TO I3
4/6	1154	518-302- 0611	JOHN LUTHER	P. 16 - 49 CTR. CTR. RD	TO I3
4/6	1241	658-2913 353-1034	MICHAEL LUTHER	W. 1st - 1st - 1st P. 16 - 1st - 1st P. 16 - 1st - 1st SSN ON P. 16 - 1st	✓

VAC DAY - 4/3

Date	Time	Phone #	Caller	Message	Closed
4/6	1252	233-1233	MICHAEL RICHMOND	1271 AM... (unclear)	OK VIB
4/6	1505	355-0636	PAUL RICHMOND	PAUL... (unclear) NIGHT... (unclear)	OK ✓
4/7	0832	881-4437	DEB MATH	93... (unclear) (WILL... (unclear))	✓
4/7	0958	658-4200 30-0976	ROD... (unclear)	ROD... (unclear) (REF... (unclear))	✓
4/7	1051	879-5355 XB123	ENSURE LSS1	342... (unclear) (REF... (unclear))	✓
4/7	1245	734-7313	TOM... (unclear)	76... (unclear) NO... (unclear)	✓
4/8	1020	951-5910	PAUL... (unclear)	95... (unclear) S... (unclear)	OK ✓
4/8	1235	233-2826	DEB RICHMOND	1235 - 34... (unclear)	TO IB
4/8	1315	752-7426	CHAD... (unclear)	210... (unclear) Email... (unclear)	OUT LM
4/9	1015	865-7258	STANLEY... (unclear)	Explosion... (unclear) ... (unclear)	OK ✓
4/9	1132	540-2349	NANCY	NFLSS - Budget... (unclear)	LM
4/9	1213	862-5879 K9001	VALERIE RICHMOND	89... (unclear) 96-037496 ... (unclear)	LM
4/9	1600		TIM... (unclear)	URM... (unclear) modifications.	OK ✓
4/10	0957	865-6499	TOM... (unclear)	CC - F... (unclear) CSE... (unclear) ... (unclear)	LM

IN VAC: 7/27 - 8/9

Date	Time	Phone #	Caller	Message	Closed
8/3	1549	847-465-3236	CHUCKY COOPER	WOLFF PLOT - NEW ACCT EXCISE 847-465-3236	INFO
8/7	1130	862-4500	PIZZA (Adel)	PIZZA - 8/19 SALE, 8/15 Call the office / off. was 1400-1600 660-3200, 02/16/10	✓
8/10	1015	373-0743	TIM UNDES	WUPD - 5TH	SEPC VIR
8/10	1103	646-957-4248	DAN GOSWOLD KROSD-RE	85 NEW 74 AVE. SEPC VISITOR KROSD, CROSD-UNIV. OF CROSD-UNIV. OF	✓ Approved by Scho...
8/10	1604	283-5971	SPENCER BARNES	LABOR-10TH - ? ON FARM/SALEMAN, BARNES ON.	✓
8/11	0743	355-6590	SCOTT	HARRIS FARM - RACED RACE PART D. - FARM BARNES W/ E. PART D. FARM	✓ (FH)
8/11	0901	951-5910	DON CARRIVE	LEAD CARBIDE - TOYOTA 6.0L 8/10/00 MEADWAY SA - NC (R. BARNES + PRU SEPC CONTINUED COT'S UNIT	✓
8/12	0802	873-8438 578-2733	MATT BUSHNELL	SEPC. BUSHNELL SA 400 CARBIDE + 02/15 AD/14? (500)	LM
8/12	0850	316-9565	SILVER-UNDES	WARM SEPC. DANCER OF DANCER FS UN SEPC? Deposition 10/10/00	✓
8/12	0843	598-9338	PLAN MATH & PC	CODE R4 MATH/ABSC	LM
8/12	0814	893-8038	MATT BUSHNELL	PLAS = NOT GOOD, THIS IS AUC. F. LAM 8/14 @ 0900	✓
8/12	1015	324-2367	KEN STANLEY	20. STANLEY SF SPIL (FARM + COT'S 8/10)	✓
8/12	1315	964-9991	JOHN STANLEY STANLEY, FARM	REWARDS RIDING NOT TO COT'S (FH)	out ✓
8/12	1252	951-5910	ARSHUT	MEADWAY SA FARM 8/14 AVE. BARN - 24/00 FARM 8/19!	✓

Date	Time	Phone #	Caller	Message	Closed
9/23	Ans 1440	658-7440	126602 Over	151 S. O'Connell (Pawson) 130 O'Connell, 314 1/2 S. O'Connell DICK COTTELL, 3 units	Ans ✓
9/23	1106	860-1951	Under	new 155	N/A
9/23	1131	343-5589	12100 S. O'Connell	554 S. O'Connell 1100 Ave Robert T. O'Connell (Cowan)	✓
9/23	1349	595-1364	14026 Ave. Thorne	10000 S. O'Connell (Cowan) Furnace Furnace and 1/2 S. O'Connell (Cowan)	✓
9/23	1452	658-7440	Robert O'Connell	O'Connell Phone?	
9/23	1556	656-9999 3426	KARA HANSON UNIL	1000 S. O'Connell. L.L. S. O'Connell Furnace. Thorne. 10100 Ave	✓
9/24	0810	861-3508	STINE E COWAN RABE	781 Ave. Thorne - 1000 S. O'Connell STINE E - RABE - 1000 S. O'Connell	INFO
9/24	0824	497-1925	JULIE E SUMNER	106 S. O'Connell + 415 S. O'Connell Furnace (Cowan)	By Furnace
9/24	0812	878-0070	MILES DUBOIS ALDEN	GLOVE ST - ELEVATOR S. O'Connell. (REF → Box 13-61)	✓
9/24	0932	363-3486	RAY MOWERS	Shelby Ave. Thorne - Furnace	N/A - Furnace TO NOTIFY
9/24	Ans 1029	658-7440	Robert O'Connell	1312 FINE PUMPS. L. O'Connell (A. O'Connell) FURNACE (Cowan)	Ans ✓
9/24	1105	655-2817	ROBERT (Cowan)	1000 S. O'Connell. L.L. S. O'Connell Furnace. (Cowan)	✓
9/24	1235	363-7900	ROBERT GARDNER FURNACE	1000 S. O'Connell. L.L. S. O'Connell	LM
9/24	1519	363-7900	ROBERT GARDNER	1000 S. O'Connell. L.L. S. O'Connell	✓

Burlington Department of Public Works Commission Meeting
Draft Minutes, 15 February 2017
645 Pine Street

Commissioners Present: Tiki Archambeau (Vice Chair); Jim Barr; Chris Gillman (Clerk) (*arrives at 6:40pm*); Solveig Overby; Jeff Padgett (Chair). **Commissioners Absent:** Robert Alberry; Justine Sears.

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 Overby requests moving Consent Agenda Item A to Agenda Item 4.1; Vice Chair Archambeau requests moving Consent Agenda Items C and D to Agenda Items 4.2 and 4.3 respectively. Vice Chair Archambeau makes motion to approve altered Agenda and is seconded by Commissioner Barr.

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

Clerk Gillman arrives

Item 3 – Public Forum (3 minute per person time limit)

Lani Ravin, of East District University of Vermont, speaks on Consent Agenda Item E.
Sharon Bushor, Ward 1, speaks on Consent Agenda Item E.
Richard Hillyard, Ward 1, speaks on Colchester Ave redesign.

Item 4 – Consent Agenda

B. Traffic Status Report
E. Colchester Ave/Centennial Field Crosswalk Improvement Project

Commissioner Barr makes motion to accept altered Consent Agenda and is seconded by Vice Chair Archambeau.

Action taken: motion approved.
“Ayes” are unanimous.

Item 4.1 – 94 College St Encumbrance Metered Parking Rates

A) Communication
B) Commission Questions

Vice Chair Archambeau and Commissioner Overby ask questions on Item 4.1 with DPW Director Chapin Spencer and DPW Engineer Laura Wheelock answering.

C) Public Comment
D) Commissioner Discussion

E) Motion made by Commissioner Barr to accept staff’s recommendation: support the use of the ROW under the terms of the License Agreement between the City of Burlington and ICV, and their application for encumbrances on College Street and Pine Street.

Seconded by Clerk Gillman
Discussion

Action taken: motion approved.
Commissioner Alberry: *not present*
Vice Chair Archambeau: Aye
Commissioner Barr: Aye
Clerk Gillman: Aye
Commissioner Overby: Nay

Chair Padgett: Aye
Commissioner Sears: *not present*

Item 4.2 – Modify an Existing Unrestricted Parking Space on King St to a 30 Minute Parking Space on King St

- A) Communication
- B) Commission Questions

Vice Chair Archambeau asks questions on Item 4.2 with Director Spencer, City Engineer and Assistant Director for Technical Services Norm Baldwin, and Engineering Technician Phillip Peterson answering.

- C) Public Comment
- D) Commissioner Discussion

E) Motion made by Vice Chair Archambeau to accept staff's recommendation: the modification of the unrestricted parking space located on the south side of King Street in the first space west of South Champlain Street to a 30-minutes metered parking space.

Seconded by Commissioner Barr.

Discussion

Action taken: motion approved.

"Ayes" are unanimous.

Item 4.3 – Modify an Existing No Time Limit Metered Parking Space to a 30 Minute Metered Parking Space on St. Paul St

- A) Communication
- B) Commission Questions

Vice Chair Archambeau asks questions on Item 4.3 with Director Spencer and Technician Peterson answering.

- C) Public Comment
- D) Commissioner Discussion

E) Motion made by Commissioner Barr to accept staff's recommendation: the modification of the No Time Limit Metered parking space located on the west side of Saint Paul Street in the third space south of College Street to a 30-minute metered parking space.

Seconded by Clerk Gillman

Discussion

Action taken: motion approved.

Commissioner Alberry: *not present*

Vice Chair Archambeau: Nay

Commissioner Barr: Aye

Clerk Gillman: Aye

Commissioner Overby: Aye

Chair Padgett: Aye

Commissioner Sears: *not present*

Item 5 – 32 Brookes Ave Appeal – 3rd Floor Egress Issue

****AGENDA ITEM 5 REMOVED PRIOR TO COMMISSION MEETING****

Item 6 – 210 South Union Sprinkler Appeal

****Engineer Baldwin introduces and summarizes the appeal****

A) Oral Presentation by Appellant Chad Tyler who presents his appeal.

B) Communication by Senior Assistant City Attorney Gene Bergman, Engineer Baldwin, Senior Building Inspector Ned Holt, Building Inspector Brad Biggie, and City Fire Marshall and Battalion Chief

Barry Simays, who introduce the city's evidence packet ("DPW - #1) concerning the 210 South Union appeal for the record – Mr. Tyler replies with Attorney Bergman answering.

C) Commissioner Discussion

The Commission talks on Agenda Item 6 with Attorney Bergman, Engineer Baldwin, Inspector Holt, and Mr. Tyler responding.

D) Action Requested – No action taken. Commission will deliberate later.

Item 7 – Request For Appeal For 395 Manhattan Dr

Chris Khamnei, requester of appeal, introduces and summarizes his request

A) Commissioner Discussion

Chair Padgett, Vice Chair Archambeau, and Commissioner Overby engage in a discussion over Item 7 with Attorney Bergman and Mr. Khamnei responding.

B) Public Comment

C) Motion made by Commissioner Overby to have the Commission deliberate later, regarding over whether the Commission has jurisdiction on an appeal concerning whether an inspector has the right to enter private property without notifying the owner.

Seconded by Commissioner Barr.

Discussion

Action taken: motion approved;

"Ayes" are unanimous.

Item 8 – Maintenance Division Report

Motion made by Commissioner Barr to table Item 8, and is seconded by Clerk Gillman – "Ayes" are unanimous

Item 9 – Burlington Harbor Marina Update

A) Communication by Director Spencer and Burlington Harbor Marina Developer Jack Wallace who speak on the city's Harbor Marina project.

B) Commission Questions

Vice Chair Archambeau and Commissioner Overby ask questions on Item 9 with Director Spencer answering.

C) Public Comment

D) Commissioner Discussion

E) Action Requested – None.

Item 10 – Approval of Draft Minutes of 1-18-17

The Commission tables Draft Minutes of 1-18-17 until 3-15-17 meeting

Item 11 – Director's Report

Director Spencer reports on Assistant Director – Parking & Traffic DPW (interim) Paul Bohne having started work; the Champlain Parkway update report having been posted at www.champlainparkway.com; the attached BTV Stat presentation having been put together for the department by the Assistant Directors; the State's water inspection report having been completed with no infractions; the upcoming FY'17 mid-year plan review report for the Commission; and the passing of Working Foreman Leo Legrand. Commissioner Overby asks about Service Level Agreement Periods in the metrics and stats BTV Stat report with Director Spencer answering.

Item 12 – Commissioner Communications

Clerk Gillman comments on the Commission's use of city emails for official correspondence; Commissioner Barr comments on snow removal/parking ban related phone calls he has received from

Ward 1 residents; Chair Padgett comments on a draft document he is putting together concerning the Commission's powers and duties; Commissioner Overby comments on the "New Commissioner" binder she received when first joining the commission.

Item 13 – Adjournment & Next Meeting Date – February 16, 2017

Motion to adjourn made by Commissioner Barr and seconded by Clerk Gillman.

Action taken: motion approved;

“Ayes” are unanimous.

Meeting adjourned at 9:26pm.

Burlington Department of Public Works Commission Meeting
Final Minutes, 15 February 2017
645 Pine Street

Commissioners Present: Tiki Archambeau (Vice Chair); Jim Barr; Chris Gillman (Clerk) (*arrives at 6:40pm*); Solveig Overby; Jeff Padgett (Chair). **Commissioners Absent:** Robert Alberry; Justine Sears.

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 Overby requests moving Consent Agenda Item A to Agenda Item 4.1; Vice Chair Archambeau requests moving Consent Agenda Items C and D to Agenda Items 4.2 and 4.3 respectively. Vice Chair Archambeau makes motion to approve altered Agenda and is seconded by Commissioner Barr.

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

Clerk Gillman arrives

Item 3 – Public Forum (3 minute per person time limit)

Lani Ravin, of East District University of Vermont, speaks on Consent Agenda Item E.
Sharon Bushor, Ward 1, speaks on Consent Agenda Item E.
Richard Hillyard, Ward 1, speaks on Colchester Ave redesign.

Item 4 – Consent Agenda

B. Traffic Status Report
E. Colchester Ave/Centennial Field Crosswalk Improvement Project

Commissioner Barr makes motion to accept altered Consent Agenda and is seconded by Vice Chair Archambeau.

Action taken: motion approved.
“Ayes” are unanimous.

Item 4.1 – 94 College St Encumbrance Metered Parking Rates

A) Communication
B) Commission Questions

Vice Chair Archambeau and Commissioner Overby ask questions on Item 4.1 with DPW Director Chapin Spencer and DPW Engineer Laura Wheelock answering.

C) Public Comment
D) Commissioner Discussion

E) Motion made by Commissioner Barr to accept staff’s recommendation: support the use of the ROW under the terms of the License Agreement between the City of Burlington and ICV, and their application for encumbrances on College Street and Pine Street.

Seconded by Clerk Gillman

Discussion

Action taken: motion approved.

Commissioner Alberry: *not present*

Vice Chair Archambeau: Aye

Commissioner Barr: Aye

Clerk Gillman: Aye

Commissioner Overby: Nay

Chair Padgett: Aye
Commissioner Sears: *not present*

Item 4.2 – Modify an Existing Unrestricted Parking Space on King St to a 30 Minute Parking Space on King St

- A) Communication
- B) Commission Questions

Vice Chair Archambeau asks questions on Item 4.2 with Director Spencer, City Engineer and Assistant Director for Technical Services Norm Baldwin, and Engineering Technician Phillip Peterson answering.

- C) Public Comment
- D) Commissioner Discussion

E) Motion made by Vice Chair Archambeau to accept staff's recommendation: the modification of the unrestricted parking space located on the south side of King Street in the first space west of South Champlain Street to a 30-minutes metered parking space.

Seconded by Commissioner Barr.

Discussion

Action taken: motion approved.

"Ayes" are unanimous.

Item 4.3 – Modify an Existing No Time Limit Metered Parking Space to a 30 Minute Metered Parking Space on St. Paul St

- A) Communication
- B) Commission Questions

Vice Chair Archambeau asks questions on Item 4.3 with Director Spencer and Technician Peterson answering.

- C) Public Comment
- D) Commissioner Discussion

E) Motion made by Commissioner Barr to accept staff's recommendation: the modification of the No Time Limit Metered parking space located on the west side of Saint Paul Street in the third space south of College Street to a 30-minute metered parking space.

Seconded by Clerk Gillman

Discussion

Action taken: motion approved.

Commissioner Alberly: *not present*

Vice Chair Archambeau: Nay

Commissioner Barr: Aye

Clerk Gillman: Aye

Commissioner Overby: Aye

Chair Padgett: Aye

Commissioner Sears: *not present*

Item 5 – 32 Brookes Ave Appeal – 3rd Floor Egress Issue

****AGENDA ITEM 5 REMOVED PRIOR TO COMMISSION MEETING****

Item 6 – 210 South Union Sprinkler Appeal

****Engineer Baldwin introduces and summarizes the appeal****

A) Oral Presentation by Appellant Chad Tyler who presents his appeal.

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The Commission talks on Agenda Item 6 with Attorney Bergman, Engineer Baldwin, Inspector Holt, and Mr. Tyler responding.

D) Action Requested – No action taken. Commission will deliberate later.

Item 7 – Request For Appeal For 395 Manhattan Dr

Chris Khamnei, requester of appeal, introduces and summarizes his request

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B) Public Comment

C) Motion made by Commissioner Overby to have the Commission deliberate later, regarding whether the Commission has jurisdiction on an appeal concerning whether an inspector has the right to enter private property without notifying the owner.

Seconded by Commissioner Barr.

Discussion

Action taken: motion approved;

“Ayes” are unanimous.

Item 8 – Maintenance Division Report

Motion made by Commissioner Barr to table Item 8, and is seconded by Clerk Gillman – “Ayes” are unanimous

Item 9 – Burlington Harbor Marina Update

A) Communication by Director Spencer and Burlington Harbor Marina Developer Jack Wallace who speak on the city's Harbor Marina project. Director Spencer and Jack Wallace provided an overview of the project history, components, agreements and operational considerations due to the proximity to the water plant. Director Spencer informed the Commission that future Commission action would be necessary for the regulation of parking at the East Lot, Lake Street Extension, and potentially at the Plaza.

B) Commission Questions

Vice Chair Archambeau and Commissioner Overby ask questions on Item 9 with Director Spencer answering.

C) Public Comment

D) Commissioner Discussion

E) Action Requested – None.

Item 10 – Approval of Draft Minutes of 1-18-17

The Commission tables Draft Minutes of 1-18-17 until 3-15-17 meeting

Item 11 – Director's Report

Director Spencer reports on Assistant Director – Parking & Traffic DPW (interim) Paul Bohne having started work; the Champlain Parkway update report having been posted at www.champlainparkway.com; the attached BTV Stat presentation having been put together for the department by the Assistant Directors; the State's water inspection report found no deficiencies at our water plant; the FY'17 mid-year plan review report for the Commission; and the passing of Working Foreman Leo Legrand. Commissioner Overby asks about Service Level Agreement Periods in the BTV Stat report with Director Spencer answering.

Item 12 – Commissioner Communications

Clerk Gillman comments on the Commission's use of city emails for official correspondence; Commissioner Barr comments on snow removal/parking ban related phone calls he has received from Ward 1 residents; Chair Padgett comments on a draft document he is putting together concerning the Commission's powers and duties; Commissioner Overby comments on the "New Commissioner" binder she received when first joining the commission.

Item 13 – Adjournment & Next Meeting Date – February 16, 2017

Motion to adjourn made by Commissioner Barr and seconded by Clerk Gillman.

Action taken: motion approved;

"Ayes" are unanimous.

Meeting adjourned at 9:26pm.