

BURLINGTON COMMUNITY DEVELOPMENT CORPORATION

**MONDAY, August 6, 2012
5:00 P.M.
CONFERENCE ROOM 12, CITY HALL**

MINUTES

PRESENT: Mr. Miro Weinberger, Ms. Joan Shannon, Ms. Karen Paul, Ms. Sharon Bushor, Mr. Paul Decelles, Mr. Paul Sisson

ALSO PRESENT: Mr. Rich Goodwin, Mr. Gene Richards, Ms. Heather Kendrew, Ms. Lise Veronneau, Mr. Bruce Bourgeois, Mr. Richard Haesler, Ms. Carina Driscoll, Ms. Kathleen Kronk

1. Agenda

Ms. Bushor and Mr. Decelles made a motion to approve the agenda. The agenda was adopted unanimously as presented.

2. Approval of BCDC Minutes

a. June 27, 2011

Ms. Bushor stated that no one at this table was present at the BCDC meeting at the time these minutes refer to. She requested a list of the items BCDC is working on be compiled and updates given concerning the status of each item. One item she is particularly interested in is the South End Transit or Gilbane property. She stated the City was supposed to reacquire the property and be reimbursed by the State and Federal transit funds. She inquired if that had happened yet.

Ms. Bushor and Mr. Decelles made a motion to approve the minutes.

Mr. Haesler stated the South End transit transaction has not occurred, as it is tied up with the Champlain Parkway.

The motion was approved unanimously.

b. July 25, 2011

Ms. Bushor inquired what the status of the Morton Parcel is. Mr. Haesler stated this is working its way through the courts.

Ms. Bushor and Mr. Decelles made a motion to approve the minutes. The motion passed unanimously.

c. October 17, 2011

Ms. Bushor and Mr. Decelles made a motion to approve the minutes. The motion passed unanimously.

3. Amendment to Master Declaration Westlake Area Condominium

Richard Haesler stated Kathleen Kronk of 41 Cherry Street, LLC will present amendments to the lease agreement at the Hotel Vermont property. BCDC is tangentially involved as a party to the declaration and needs to sign off on the amendment.

Kathleen Kronk representing 41 Cherry Street, LLC gave a presentation on the amendments being made to the lease. She stated there is a ground lease on the parcel where the hotel is being built on Cherry Street. These amendments will correct an issue with Unit A, the last piece of the puzzle of the public/private development. BCDC owns unit C1 and the City owns unit C2. All have common walls and common easements of this three dimensional project. The declaration drafted in 2005 did not take in to account the deck from the new hotel that goes over the courtyard of the Marriot Hotel and over the boundaries of unit A. There is a restriction on Unit C3 that does not allow the building to be more than 15 feet tall. This Amendment to the agreement would allow for the overhang, and all unit owners are in agreement. This grants an easement in paragraph 1 to allow the building to be built and take away the 15 feet restriction. It will also correct an easement of the common wall between the hotel and the parking garage.

Ms. Bushor requested a memorandum be prepared for the full City Council with an explanation of the different Units. Kathleen Kronk stated she will provide that.

Ms. Bushor and Mr. Decelles made a motion to authorize Mr. Weinberger to sign the first amendment to the declaration and any other further modifications to the first amendment. The motion passed unanimously.

The meeting was adjourned at 5:15 p.m.