



**CITY OF BURLINGTON  
DEPARTMENT OF PUBLIC WORKS**

645 Pine Street, Suite A  
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**Chapin Spencer**  
*DIRECTOR OF PUBLIC WORKS*

# MEMORANDUM

TO: PUBLIC WORKS COMMISSION  
FM: CHAPIN SPENCER, DIRECTOR  
DATE: OCTOBER 23, 2013  
RE: PUBLIC WORKS COMMISSION MEETING

Enclosed is the following information for the meeting on October 30, 2013 at 6:30 PM at 645 Pine St, Main Conference Room.

1. Agenda
2. Consent Agenda
3. Downtown Parking Initiative
4. 144 South Willard St – Appeal of Second Means of Egress Order
5. Appeal of Code Enforcement Order for 234-240 College St
6. Bradley St- Resident Parking Request
7. St. Paul St at South Union St Parking Request
8. Minutes of 9/18/13

**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.



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**Chapin Spencer**  
*DIRECTOR OF PUBLIC WORKS*

## **M E M O R A N D U M**

To: Amy Bovee, Clerks Office  
From: Chapin Spencer, Director  
Date: October 22, 2013  
Re: Public Works Commission Agenda

Please find information below regarding the next Commission Meeting.

Date: **October 30, 2013**  
Time: 6:30 – 9:00 p.m.  
Place: 645 Pine Street – Main Conference Room

## **A G E N D A**

### ITEM

- 1 Agenda
- 2 5 Min Public Forum
- 3 20 Min Consent Agenda
  - 3.10 Charles St – Handicapped Parking Space Removal
  - 3.20 523 North St – Handicap Parking Request
  - 3.30 Spruce Ct Parking Removal
  - 3.40 Manhattan Dr. at Oak St – Stop Control Request
  - 3.50 Berry St Loading Zone Request
  - 3.60 Bilodeau Ct - Loading Zone Request

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- 4 20 Min Downtown Parking Initiative
  - 4.10 Communication, P. Buteau
  - 4.20 Discussion
  - 4.30 Decision
  
- 5 20 Min 144 South Willard St – Appeal of Second Means of Egress Order
  - 5.10 Communication, W. Ward, T. Ahonen & Appellant
  - 5.20 Discussion
  - 5.30 Decision
  
- 6 20 Min Appeal of Code Enforcement Order for 234-240 College St
  - 6.10 Communication, W. Ward & Appellant
  - 6.20 Discussion
  - 6.30 Decision
  
- 7 20 Min Bradley St – Resident Parking Request
  - 7.10 Communication, J. Fleming
  - 7.20 Discussion
  - 7.30 Decision
  
- 8 20 Min St. Paul St at South Union St Parking Request
  - 8.10 Communication, J. Fleming
  - 8.20 Discussion
  - 8.30 Decision
  
- 9 Minutes of 9/18/13
  
- 10 Director's Report
  
- 11 Commissioner Communications
  
- 12 Adjournment & Next Meeting Date – 11/20/13



**CITY OF BURLINGTON  
DEPARTMENT OF PUBLIC WORKS**

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**Chapin Spencer**  
*DIRECTOR OF PUBLIC WORKS*

To: DPW Commissioners  
Fr: Chapin Spencer, Director  
Re: **Director's Report**

October 23, 2013

In an effort to update Commissioners on key issues while minimizing the time needed for my Director's report at Commission meetings, I will be providing this written report with the Commission packet. I welcome your feedback on how this can be most useful.

**WELCOME BACK JEFF**

Former DPW Commissioner Jeff Padgett, a civil engineer, has just been appointed again by the City Council to the DPW Commission. He fills the seat vacated by Matt Conger. I've met with him and am hopeful he will be able to join us at the October Commission meeting.

**CONSENT AGENDA**

Following up from our brief discussion last month about ways to make our meetings more efficient, we are going to try adding a consent agenda to the October agenda for the items that do not expect to need deliberation. Consent items are moved and approved all at once. If any Commission member has questions, ideas or just seeks to have a public dialogue on a particular item on the consent agenda, simply ask the Chair to remove that item from the consent agenda at the beginning of the meeting, and it will be placed on the regular deliberative agenda.

**SAFETY FIRST**

To ensure we continue to do our work with great attention to the safety of our employees and the well-being of the general public, we are redoubling efforts in our safety program:

- Rob Green has accepted my request to have him serve as our safety officer
- We are inviting Green Mountain Safety in to do another round of staff trainings
- Rob is developing policies and protocols including a pre-work risk assessment, standard operating procedures for excavation, and an emergency response plan

Thank you to Norm for his many years of service as our safety officer and thank you Rob Green for taking the baton.

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## **FINANCIALS**

I'm continuing to meet with the Assistant Directors to review first quarter financials for FY'14. From my meetings so far, FY'14 financials appear to be tracking well. A huge thank you to the Assistant Directors who are working hard to clean up issues in the ongoing transition to the City's financial management software New World Systems.

## **RENEWED UNITED WAY CAMPAIGN**

I'm pleased to announce that DPW has the largest United Way campaign team in recent memory with every division represented:

- Traffic: Nate Lavery
- Right Of Way: Rob Green and Lee Perry
- Water / Wastewater: Jessica Lavalette
- Technical Services: Guillermo Gomez
- Customer Service: Valerie Ducharme

From November 1<sup>st</sup> through 8<sup>th</sup>, we'll have a 50/50 raffles, prizes, a luncheon and events to build the excitement. We've set an ambitious and record target for our department.

Commissioners are welcome to contribute. We'll have pledge forms at the meeting. Contact Jessica: [jlavalette@burlingtonvt.gov](mailto:jlavalette@burlingtonvt.gov).

## **MEETING WITH UNION REPS**

Over the last three weeks, I've had the chance to meet with DPW's union reps — Joe, Sue, Jim, Lee, Steve and Bill Rasch (from Parks) as well. The meetings were a good way for us to get off on the right foot. I look forward to a productive relationship with the union and am committed to keeping open lines of communication and addressing issues early.

## **QUICK BITS:**

- North Ave Corridor Study Public Meeting #1: October 29, 7pm @ Hunt Middle School
- The City Council has appointed me as Burlington's board member for the Chittenden Solid Waste District
- Congrats to Nicole Losch and team for submitting a great Public Investment Action Plan (PIAP) grant proposal for the Cherry Street streetscape project

## **NOVEMBER COMMISSION MEETING**

The November meeting will be Wednesday, November 20. Likely agenda items will include:

- Refinancing of the \$14.5M wastewater debt (Laurie)
- Presentation on the Bike Path Intersection Scoping Study (Parks)

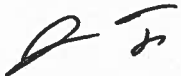
Please notify me of items the Commission would like to add.

See you all next Wednesday.



MEMORANDUM

October 7, 2013

**TO:** Public Works Commission  
**FROM:** Joel Fleming   
**RE:** 22 Charles Street Handicapped Parking Removal

---

**Background:**

Staff received a request from Jane Knodell, a resident of Charles Street, asking the City to remove the handicapped parking space in front of 22 Charles Street. She said that the space was for an elderly neighbor who moved a few years ago and since has not been used. Charles Street is a small one way street off of North Willard Street in the City's Old North End.

**Observations:**


Staff has visited Charles Street multiple times since receiving the request in June and has not seen the space used once. Parking in this area of town can be tight, freeing up this space can only help an already saturated parking situation.

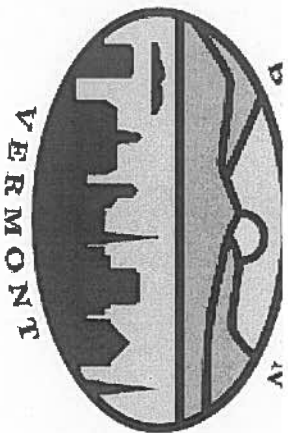
**Conclusions:**

This neighborhood is tight with on street parking. This space is no longer used and is only taking up a valuable parking space.

**Recommendations:**

Staff recommends that the space in front of 22 Charles Street becomes an unrestricted parking space like the rest of the spaces on the street.

 10/21/13



CITY OF BURLINGTON - DEPARTMENT OF PUBLIC WORKS

# 1770

# SERVICE REQUEST

## Name and

Name: Jane Knodell

Request Date: 06/06/2013 2:28 PM

## Address

Address:

Due Date: 7/6/2013

Phone Number: 862-2469

Email Address:

## Request

Location: 22 Charles St

Request Description: 2nd request - Handicap resident moved from this address - residents would like this sign removed - Customer said that someone contacted her last summer and asked her if she still wanted it removed - doesn't remember who - I advised her to send a letter in writing and get her neighbors signatures to move this along

## Assign History

Date	Assigned To	Description
6/6/2013 2:28:24 PM	Joel Fleming	Request Assigned

## Work History

Date	Staff Person	Description
10/01/2013	Joel	to many items on septemblers commissioon agenda. This Fleming will be ready to go for the next meeting ( Entered on 10/1/2013 3:42:52 PM by Joel Fleming )
07/12/2013	Joel	Drawing is finished but had to many items on the Fleming commission agenda. Will have to wait until September's



Russel Street

Charles Street



Proposed Removal of Handicapped Space


North Willard Street





MEMORANDUM

October 2, 2013

**TO:** Public Works Commission  
**FROM:** Joel Fleming   
**RE:** Handicapped parking space at 523 North Street

---

**Background:**

Staff received a request from Jeffrey Munger, a resident of 523 North Street, for the addition of a handicapped parking space in front of his residence. The residence is on the top block of North Street between North Prospect Street Mansfield Avenue.

**Observations:**

The resident included his Handicapped tag in the request to prove that he will be using the space. In the request the resident mentioned that the street recently lost five on-street parking spaces when the bump-outs were built this past summer. Staff talked to the resident and although finding parking has not been too difficult to find the resident always fears not being able to find a parking space.

**Conclusions:**

There is currently no other handicapped parking spaces on this block of North Street or the surrounding blocks on Mansfield Avenue and North Prospect Street.

**Recommendations:**

Staff would recommend that the commission adopt a handicapped parking space on the north side of North Street in the space in front of 530 North Street.

NB 10/2/13



Mansfield Avenue

North Street

North Prospect Street



Proposed  
Housing  
Development



CITY OF BURLINGTON - DEPARTMENT OF PUBLIC WORKS

Request # 2425

# SERVICE REQUEST

**Name and Address**

Name: J. Jeffrey Munger

Request Date: 08/20/2013 9:42 AM

Due Date: 9/19/2013

Address: 523 North Street

Phone Number: 863-4997

Email Address:

**Request**

Location: 523 North Street

Request Description: Would like a Handicap Parking street sign placed across the street from home at 523. He does have a placard from Department of Motor Vehicle.

**Assign History**

Date	Assigned To	Description
8/20/2013 9:42:27 AM	Joel Fleming	Request Assigned

**Work History**

**Customer Service**

Status: New

Request created by: Holly Lane

Print Date: 8/20/2013 9:43:02 AM

August 6, 2013

Public Works Commission  
645 Pine Street  
Burlington, VT 05401

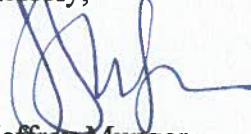
Dear Commissioners:

I am writing to request that a "Handicap Parking" street sign be placed across the street from my home at 523 North Street. I have a placard from the Vermont Department of Motor Vehicles with no expiration date. I have enclosed a copy of the placard.

I make this request as our block of North Street, between Mansfield Avenue and North Prospect has lost about five and a half on street parking spaces because of our much needed bump outs that have been constructed this summer (not quite finished yet). I am worried when the students return I will not have a space on the street across from my house, as we only have room for one car in our driveway. Many of the students use the guest passes as resident stickers is another reason for my request as this also contributes to the lack of spaces.

I thank you for your timely consideration of my request. I am happy to answer any questions or provide additional information if necessary.

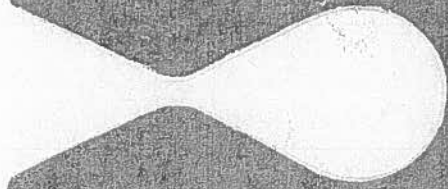
Sincerely,



J. Jeffrey Munger

J. Jeffrey Munger  
523 North Street  
Burlington, VT 05401  
802-863-4997 (H)  
802-862-0697 (W)  
802-578-8173 (M)  
[jeff\\_munger@sanders.senate.gov](mailto:jeff_munger@sanders.senate.gov)

IMPORTANT: REMOVE BEFORE  
DRIVING VEHICLE



**P26349**

Disabled Parking Identification



EXPIRES:

**NO  
EXPIRATION**

**VERMONT**  
PERMANENT



MEMORANDUM

October 7, 2013

**TO:** Public Works Commission  
**FROM:** Joel Fleming  
**RE:** Spruce Court Parking Removal

---

**Background:**

Staff received a request from James Lantz, a resident of Spruce Court in the City's south end, asking to remove parking on one of the sides of Spruce Court. Spruce Court is a small residential, dead end street, one block east of St Paul Street, off Spruce Street in the City's south end. The resident has complained that the street is too narrow to accommodate parking on both sides while providing emergency vehicle access to the street.

**Observations:**

Staff has visited the street and determined that the street is 24 feet wide. The current configuration has parking on both the east and west sides of the street leaving only 8 feet of travel lanes. Removing parking on the west side would leave 16 feet of travel lanes. This is still narrow but with the low volume and low speeds on the street this would accommodate the residents. Staff had a conversation with the City's Fire Marshal, Barry Simays, and he was concerned about how narrow the street is. He said that the fire department needs a minimum of 14 feet to get their ladder truck onto a street with its booms extended. The proposed removal of parking would allow for enough room for their vehicles.

Staff sent a letter out to the residents of Spruce Court asking for feedback regarding the proposed parking changes to their street. Of the 8 letters sent out five residents responded and all supported the removal of parking. Three of the residents mentioned that they would like to see resident parking on Spruce Court to allow the residents of the street available parking near their house. Staff contacted each of the residents and let them know the next step if they wanted to pursue resident parking on the street.

✓ NB 10/22/13

**Conclusions:**

Spruce Court is too narrow to accommodate parking on both sides of street. All of the residents who responded to the letter supported the removal of parking.

**Recommendations:**

Staff recommends that the Commission adopts a parking restriction on the west side of Spruce Court.



Request # 2619

CITY OF BURLINGTON - DEPARTMENT OF PUBLIC WORKS

# SERVICE REQUEST

### Name and Address

Name: James Lantz

Request Date: 09/16/2013 1:34 PM

Due Date: 10/16/2013

Address: Spruce Court

Phone Number: 860-6402

Email Address:

### Request

Location: Spruce Ct

Request Description: Per 9/12/13 e-mail to Joel requesting limiting parking to one side of the street. See attached.

### Assign History

Date	Assigned To	Description
9/16/2013 1:34:00 PM	Joel Fleming	Request Assigned

### Work History

### Customer Service

Status: New

Request created by: Helen Plumley

Print Date: 9/16/2013 1:56:01 PM



**Helen Plumley**

---

**From:** Joel Fleming  
**Sent:** Thursday, September 12, 2013 2:37 PM  
**To:** Helen Plumley  
**Subject:** FW: Spruce Ct Safety Hazard; ref'd by Fire Marshal

Could you put this into the rfs system for me?

Thanks,

Joel

Joel Fleming, E.I.T  
Engineering Technician  
Burlington Public Works  
645 Pine St.  
Burlington VT. 05401

Phone: (802)8655832  
Fax: (802)8630466  
Email: [jfleming@ci.burlington.vt.us](mailto:jfleming@ci.burlington.vt.us)

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**From:** James Lantz [<mailto:jimlantz@me.com>]  
**Sent:** Thursday, September 12, 2013 2:30 PM  
**To:** Joel Fleming  
**Cc:** Lynn Lantz; Barry Simays  
**Subject:** Spruce Ct Safety Hazard; ref'd by Fire Marshal

Hello Mr. Fleming,

I was referred to your department by Mr. Barry Simays, Fire Marshal for the city of Burlington.

I am writing to call attention to, what many on our street believe is, a serious fire safety issue regarding the parking on our street, Spruce Court in Burlington.

Spruce Court is a narrow cul-de-sac street in the South End with only 6 houses on it --- on numerous occasions in the last couple of months, the city recycling trucks have not been able to enter our street as when cars are parked on both sides of the street, it becomes too narrow for a large truck to enter. If cars are parked at the entrance of the street are large, or if the cars are not parked close to the curb, it leaves little room down the center of the street and encumbers entrance to the street --- recently, when a large SUV and another not-close-to-the-curb car were parked at the top of the street, that distance was under 7 feet wide!

Obviously, if the city recycling trucks can't enter our street, then a fire truck would also be unable to enter the street, should it be necessary --- and this seems like a serious fire issue.

It would seem appropriate, and solve the fire safety issue in the easiest manner possible, if the street were posted for parking **on one side only**.

Please let me know if you are the appropriate city authority to call attention to this matter, and if your department can sufficiently address it ---- and, if not, can you please direct me to the appropriate authority?

I have also attached two photographs from this morning's recycle truck --- the driver informed us that he was not able to enter the street yesterday, Wednesday Sept 11 (the normal recycling day) as cars parked at the entrance of the street did not give his truck sufficient room to enter the street and safely maneuver his truck. Please note that both cars pictured are relatively small --- in the past, when larger SUVs or pickup trucks have been parked on the street, it has caused an even tighter squeeze.

Thank you for any attention you can give this matter. Hope to hear from you!

Sincerely,

Jim and Lynn Lantz  
13 Spruce Court  
Burlington, VT

802.860.6402







**CITY OF BURLINGTON  
DEPARTMENT OF PUBLIC WORKS**

OFFICE OF PLANNING  
645 PINE STREET, SUITE A  
BURLINGTON, VT 05402  
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**JOEL FLEMING, E.I.T.**  
*PUBLIC WORKS ENGINEER*

---

October 1, 2013

Dear Spruce Court Residents:

The Department of Public Works received a request from a resident of Spruce Court to remove parking on one side of Spruce Court because the Street is not fire code compliant. Staff has examined the request and determined that the street is too narrow to accommodate parking on both sides while providing enough room for the fire department. Staff would like to get feedback regarding the prohibition of parking on one of the sides of Spruce Court. I would appreciate your feedback by Tuesday, October 8th, 2013. Please contact me at 865-5832 or [jfleming@burlingtonvt.gov](mailto:jfleming@burlingtonvt.gov).

Thanks for your time,

Joel Fleming, EIT  
Department of Public Works  
865-5832  
[jfleming@burlingtonvt.gov](mailto:jfleming@burlingtonvt.gov)

## Joel Fleming

---

**From:** Tom Weaver <tweaver@uvm.edu>  
**Sent:** Thursday, October 03, 2013 1:55 PM  
**To:** Joel Fleming  
**Subject:** spruce court parking

Hi, Joel:

We're glad to hear Public Works has recommended restricting parking on our street to one side. A number of us on Spruce Court have been concerned about it, particularly as the number of cars on the street increases and there is often a dangerous bottleneck of cars parked across from each other near the corner.

Ideally, we'd like to see single side-parking and parking restricted to Spruce Court residents only. We often get overburdened with cars from apartment housing on adjacent streets that don't supply parking for their tenants. Spruce Court becomes a relatively quiet, safe, side-street parking lot where people leave their cars for days at a time.

Another question is which side of the street would absorb the parking.

Given that houses on our block basically have no front yards and are right on the street, having a solid row of cars out front really alters the streetscape. We live on the east side of the street and would prefer to see the parking on the west side. No surprise there. I'd imagine our neighbors on the west side would prefer to see it on the east. But I'm sure we can reach some understanding.

One final thought, in our more than 25 years on this street we've always had one car and have kept it in our own driveway. Some of our neighbors do the same and others have one or more cars parked on the street regularly. It would be nice if there was some way that residents using the street parking would park in front of their own houses.

Thanks for seeking our input.

Tom and Sheila Weaver

--

Thomas Weaver  
Editor, Vermont Quarterly Magazine  
86 S. Williams Street  
Burlington, VT 05401  
802-656-7996  
VQ on-line: [alumni.uvm.edu/vq](http://alumni.uvm.edu/vq)

## Joel Fleming

---

**From:** Mark Howe <mah2139@nyu.edu>  
**Sent:** Thursday, October 03, 2013 8:39 AM  
**To:** Joel Fleming  
**Subject:** Spruce Court parking

Dear Joel,

Thanks for your note regarding one-side-of-the-street parking on Spruce Ct. I am enthusiastically in favor of this idea, as I often find it tricky to thread the needle in our Honda Fit -- never mind a fire truck, ambulance, garbage truck, or recycling truck. It would make life on Spruce Ct. much easier.

I think that a part of the problem is that neighbors on Spruce St. (especially 21-23 Spruce St.) don't have adequate off-street parking (hence they don't meet the city code), and Spruce Ct. is a convenient place for them to park their cars. Also, I know that residents of the large apartment building on the NE corner of Spruce St. and So. Winooski Ave. sometimes park on Spruce Ct.

Mark Howe  
22 Spruce St. (entrance and driveway on Spruce Ct.)

## Joel Fleming

---

**From:** Amie <amieconger@gmail.com>  
**Sent:** Wednesday, October 02, 2013 6:55 PM  
**To:** Joel Fleming  
**Subject:** Spruce court

Joel,

Regarding the request to look into fire code compliance, I agree that our street can become quite crowded with cars. I would like to see one side of the street parking as long as it is also resident/residential cars only parking. I also would like to see the street be able to continue parking two cars at the very top of the street. As this does not affect vehicles being able to come or go. If we all use our driveways for one car, and park the other in the street, 5 cars in the street should work (2 at the top and four down one side). This should alleviate any issues we are having with vehicles not being able to make it up the street for pick-ups and deliveries or for safety.

Amie Conger

## Joel Fleming

---

**From:** James Lantz <jimlantz@me.com>  
**Sent:** Wednesday, October 02, 2013 4:07 PM  
**To:** Joel Fleming  
**Cc:** Lynn Lantz  
**Subject:** Spruce Ct parking

Hi Mr. Fleming,

Thank you for being responsive to our fire safety concerns w/ regard to the parking on Spruce Ct --- in response to your note, I'd like to add that, since the street will only be left with 5 or 6 total parking spaces, it might be appropriate to have 'Resident Only' parking for those spaces.

Thank you!

Jim Lantz  
13 Spruce Ct, Burlington, VT



Resident, Address	Comments
Tom Weaver, Spruce Ct	Supports parking removal but would like to see resident parking.
Mark Howe, 22 Spruce Ct	Support parking removal.
Amie Conger, Spruce ct	Supports parking removal but would like to see resident parking.
James Lantz, 13 Spruce Ct	Supports parking removal but would like to see resident parking.
Sarah Howe, Spruce Ct	Supports parking removal



MEMORANDUM

October 7, 2013

**TO:** Public Works Commission  
**FROM:** Joel Fleming  
**RE:** Manhattan Drive and Oak Street Stop Sign Request

---

**Background:**

Staff received a request from the doctor of a resident who will be moving into a house adjacent to Manhattan Drive and Oak Street intersection, the doctor references an elderly person living there requesting the intersection of Manhattan Drive and Oak Street being all way stop controlled. Manhattan Drive and Oak Street are major through ways for vehicles traveling between Winooski and the City's New North End.

**Observations:**

Staff did a warrant analysis on the Manhattan Drive and Oak Street Intersection. This intersection did not meet or exceed warrant thresholds. The alignment and functionality of this intersection makes it unlike most intersections in the city. The major movements used to conduct the warrant analysis can be seen on Diagram 1: Manhattan Drive at Oak Street. M1 shows the major movement for vehicles on Manhattan Drive and M2 is the major movement for vehicles on Oak Street. The south bound traffic on Manhattan drive is stop controlled at Oak Street.

The Warrant requires the major street to have 300 vehicles per hour for any 8 hour period of the day and the minor street to have 200 vehicles per hour for the same 8 hour stretch. The major street was well above the threshold but the minor street was well below the 200 Vehicles per hour threshold.. There is a crosswalk on the north side of the intersection crossing Manhattan Drive at the stop controlled leg of the intersection. This allows pedestrian's access to Oak Street and further east, Roosevelt Park.

Staff sent a letter to the affected residents on Manhattan Drive, from Spring Street through the intersection, and Oak Street, from the intersection to Walnut Street. Of the 30 letters sent out staff received feedback from 7 residents. Three residents supported making the intersection a 3-way stop and 2 did not. One resident did not support stop signs but wanted to see lines showing traffic

*TJB 10/24/13*

exactly where the lanes are and the last supported stop signs but would rather see speed bumps installed on Manhattan Drive and Oak Street. Staff referred this resident to Nicole to start the traffic calming process.

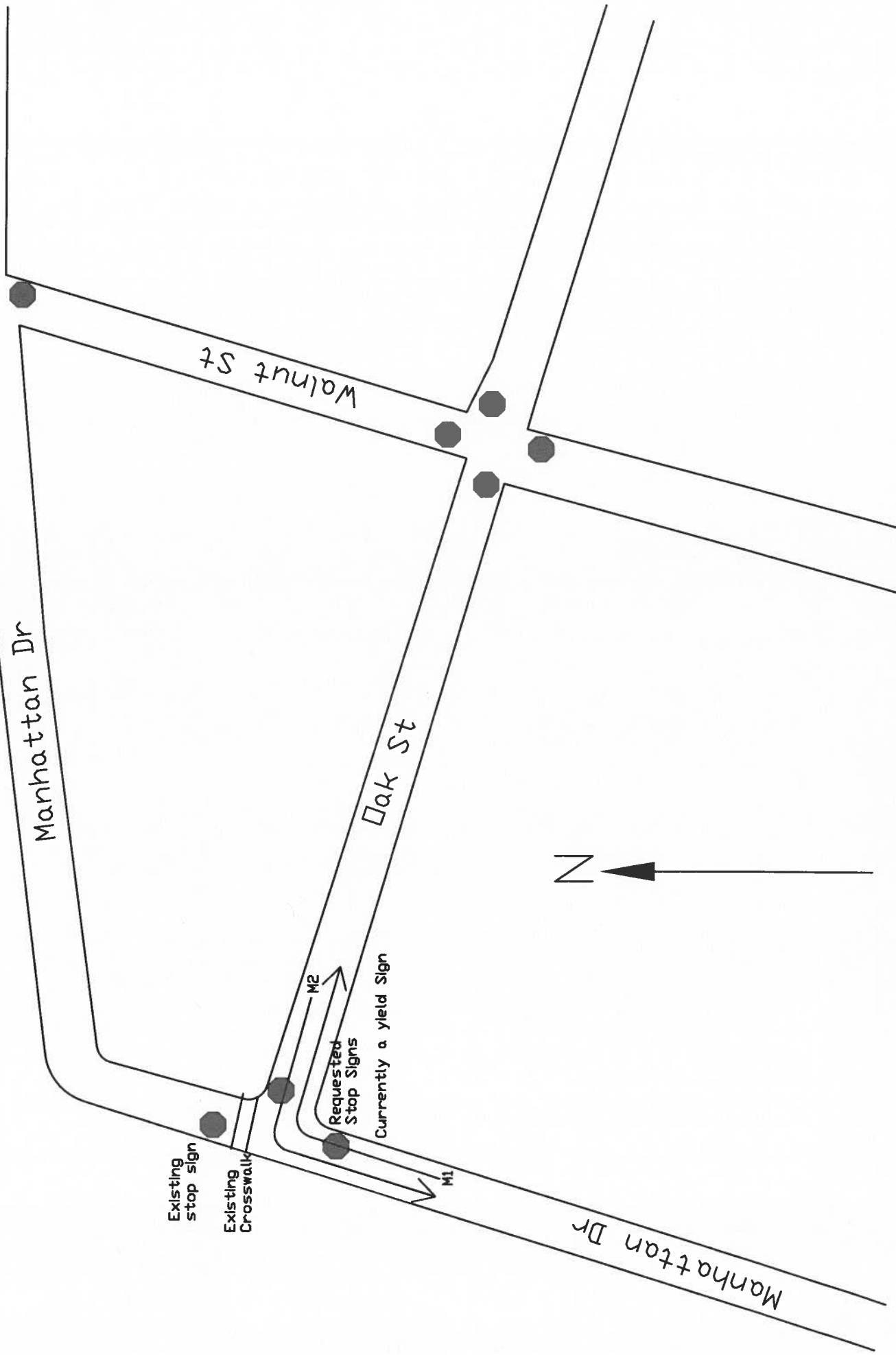
**Conclusions:**

This intersection did not meet any of the MUTCD technical warrants for multi-way stop control. The crosswalk at this intersection is protected by a stop sign for south bound traffic on Manhattan Drive.

**Recommendations:**

Staff's recommendation is to deny the petitioners request to install a three-way stop at Manhattan Drive and Oak Street, given the intersection does not meet or exceed stop sign warrant thresholds.

# Diagram 1: Manhattan Drive at Oak Street





Request # 1217

CITY OF BURLINGTON - DEPARTMENT OF PUBLIC WORKS

# SERVICE REQUEST

**Name and Address**

Name: Karen Sokol, MD, At Home Physicians, PLLC

Request Date: 04/23/2013 10:40 AM  
Due Date: 5/23/2013

Address: P O Box 4052

Phone Number: 999-2867

Email Address:

**Request**

Location: Oak St & Manhattan Dr

Request Description: See customer's letter dated 9/17/12 (attached to RFS), requesting a STOP sign at the corner of Oak St and Manhattan Drive.

**Assign History**

Date	Assigned To	Description
4/23/2013 10:40:07 AM	Joel Fleming	Request Assigned

**Work History**

**Customer Service**

Status: New

Request created by: Helen Plumley

Print Date: 4/23/2013 10:54:19 AM

RFS #1217

At Home Physicians, PLLC  
PO Box 4052  
Burlington, VT 05406  
Phone 802-999-2867 Fax 888-862-4361

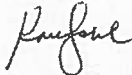
September 17, 2012

Re: BEATA BRODMANN (8/19/1931)

To whom it may concern:

I am writing in support of the need for a stop sign at the corner of Oak St. and Manhattan Dr. I am writing at the request of my patient's daughter as she is retrofitting a house for her mother at this location. As her mother is elderly and the intersection is very busy, it would be very important to her safety and the safety of the community to have a stop sign placed.

Sincerely,



Karen Sokol, MD

**Stop Sign Warrant**  
**MUTCD 2B.07 Multi-way Stop Application:**  
Manhattan Drive, Oak Street

01. Multi-way stop control can be useful as a safety measure at intersections if certain traffic conditions exist. Safety concerns associated with multi-way stops include, pedestrians, bicyclists, and all road users expecting other road users to stop. Multi-way stop control is used where the volume of traffic on the intersecting roads is approximately equal.

02. The restrictions on the use of STOP signs described in Section 2B.04 also apply to Multi-way stop applications.

Guidance:

03. The decision to install multi-way stop control should be based on an engineering study.

04. The following criteria should be considered in the engineering study for a multi-way STOP sign installation:

A. Where the traffic control signals are justified, the multi-way stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of the traffic control signal.

**This intersection does not require a traffic light. --- Does not meet the warrant threshold**

B. Five or more reported crashes in a 12-month period that are susceptible to correction by a multi-way stop installation. Such crashes include right-turn and left-turn collisions as well as right-angle collisions

C. Minimum Volumes:

1. The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages 300 vehicles per hour for any 8 hours of an average day; and

**---During counts done in 2009 on a week in June the major approaches averaged over 300VPH for 13 hours(7:00 am to 8:00 pm). Manhattan Drive traffic traveling northbound turn right onto Oak Street with a yield sign, West bound traffic on Oak Street turns south bound on Manhattan drive. This is the major route at all hours of the day**

2. The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour; but

**--- The 2009 counts did not count the side street traffic at Manhattan Drive but during the AM and PM counts done in May 2013 there were 14 and 9 vehicles respectably. South bound traffic on Manhattan Drive is required to stop at Oak Street. Does not meet Warrant threshold.**

3. if the 85<sup>th</sup>-percentile approach speed of the major --street exceeds 40 MPH, the minimum vehicular volume warrants are 70 percent of the volumes provided and Items 1 and 2.

**---Does not meet the warrant threshold**

D. Where no single criterion is satisfied, but criteria B, C.1 and C.2 are all satisfied to 80 percent of the minimum values. Criterion C.3 is excluded from this criterion.

**---Does not meet the warrant threshold**

Option:

Other criteria that may be considered in an engineering study include:

A. The need to control left-turn conflicts;

**---Does not meet the warrant.**

B. The need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes;

**---Does not meet the Warrant Threshold.**

C. Locations where a road user, after stopping, cannot see conflicting traffic and is not able to negotiate the intersection unless conflicting cross traffic is also required to stop; and

**---Does not meet the warrant threshold**

D. in intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multi-way stop control would improve operational characteristics of the intersection.

**---Does not meet the warrant threshold.**

# Chittenden County MPO

30 Kimball Ave.  
 South Burlington, Vermont, USA 05403  
<http://www.ccmpo.org>

BURL10 : MANHATTAN DRIVE N. OF SPRING ST  
 DIR1 : NB / DIR2 : SB  
 CITY : Burlington, VT / SPD LMT : 25 MPH  
 COUNTERS : TN, KP, KO

Site Code: 10  
 Station ID: BURL10  
 MANHATTAN DR. NORTH OF SPRING ST.

Date Start: 22-Jun-09  
 Date End: 29-Jun-09

Start Time	22-Jun-09		Tue		Wed		Thu		Fri		Sat		Sun		Week Average	
	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB
12:00 AM	*	*	33	36	28	27	26	35	29	38	38	52	48	54	34	40
01:00	*	*	12	15	16	20	16	15	23	24	26	30	37	24	22	21
02:00	*	*	6	16	20	18	9	16	12	16	19	20	29	22	16	18
03:00	*	*	14	5	23	12	11	11	15	17	15	15	16	20	16	13
04:00	*	*	24	14	26	10	30	12	26	10	17	15	15	11	23	12
05:00	*	*	72	26	64	22	69	23	53	22	26	12	33	20	53	21
06:00	*	*	165	45	174	44	166	42	164	56	76	41	43	44	131	42
07:00	*	*	334	120	299	123	318	136	269	130	82	61	59	44	227	102
08:00	*	*	297	194	309	170	275	182	279	186	154	108	90	58	234	150
09:00	*	*	216	180	206	206	227	173	225	187	185	163	101	100	193	168
10:00	*	*	213	165	200	204	215	202	243	202	237	181	189	155	216	185
11:00	*	*	222	208	227	235	223	239	219	242	225	218	184	209	217	225
12:00 PM	*	*	203	228	229	260	237	246	300	274	220	209	227	232	236	242
01:00	*	*	237	229	230	259	253	250	240	272	225	228	189	230	229	245
02:00	247	252	198	263	202	308	395	343	244	285	197	281	203	230	241	280
03:00	261	274	250	277	243	301	235	321	265	304	197	233	213	223	238	276
04:00	263	365	215	367	260	362	229	364	244	330	175	226	223	246	230	323
05:00	247	366	253	349	243	404	235	394	247	343	190	231	173	197	227	326
06:00	182	275	180	259	229	261	207	264	197	232	171	185	171	191	191	238
07:00	155	168	141	183	151	194	175	211	156	158	128	189	128	145	148	178
08:00	136	155	131	167	142	153	269	236	121	141	150	155	121	136	153	163
09:00	84	127	128	148	120	130	156	157	103	117	134	119	87	93	116	127
10:00	75	76	79	98	86	107	99	120	77	131	86	111	67	81	81	103
11:00	35	56	43	68	59	77	45	79	60	75	75	80	52	56	53	70
Lane	1685	2114	3666	3660	3786	3907	4120	4071	3811	3792	3048	3163	2698	2799	3525	3568
Day	3799	7326	8191	7603	6211	5497	7093									
AM Peak	07:00	11:00	08:00	11:00	08:00	11:00	10:00	11:00	11:00	11:00	11:00	11:00	10:00	11:00	08:00	11:00
Vol.	334	208	309	235	279	242	237	218	189	209	234	225	189	209	234	225
PM Peak	16:00	17:00	16:00	17:00	16:00	17:00	14:00	17:00	12:00	14:00	13:00	14:00	12:00	16:00	14:00	17:00
Vol.	263	366	260	404	394	395	343	281	227	246	225	281	227	246	241	326



# Chittenden County MPO

BURL10 : MANHATTAN DRIVE N. OF SPRING ST  
 DIR1 : NB / DIR2 : SB  
 CITY : Burlington, VT / SPD LMT : 25 MPH  
 COUNTERS : TN, KP, KO

30 Kimball Ave.  
 South Burlington, Vermont, USA 05403  
<http://www.ccmppo.org>

Site Code: 10  
 Station ID: BURL10  
 MANHATTAN DR. NORTH OF SPRING ST.

Date Start: 22-Jun-09  
 Date End: 29-Jun-09

Start Time	29-Jun-09		Tue		Wed		Thu		Fri		Sat		Sun		Week Average	
	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB
12:00 AM	27	40	*	*	*	*	*	*	*	*	*	*	*	*	27	40
01:00	13	15	*	*	*	*	*	*	*	*	*	*	*	*	13	15
02:00	8	12	*	*	*	*	*	*	*	*	*	*	*	*	8	12
03:00	10	7	*	*	*	*	*	*	*	*	*	*	*	*	10	7
04:00	28	9	*	*	*	*	*	*	*	*	*	*	*	*	28	9
05:00	80	27	*	*	*	*	*	*	*	*	*	*	*	80	27	
06:00	150	40	*	*	*	*	*	*	*	*	*	*	*	150	40	
07:00	297	104	*	*	*	*	*	*	*	*	*	*	*	297	104	
08:00	273	169	*	*	*	*	*	*	*	*	*	*	*	273	169	
09:00	209	184	*	*	*	*	*	*	*	*	*	*	*	209	184	
10:00	195	162	*	*	*	*	*	*	*	*	*	*	*	195	162	
11:00	182	193	*	*	*	*	*	*	*	*	*	*	*	182	193	
12:00 PM	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
01:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
02:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
03:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
04:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
05:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
06:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
07:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
08:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
09:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
10:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
11:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Lane	1472	962	0	0	0	0	0	0	0	0	0	0	0	0	1472	962
Day	2434	2434	0	0	0	0	0	0	0	0	0	0	0	0	2434	2434
AM Peak	07:00	11:00													07:00	11:00
Vol.	297	193													297	193
PM Peak																
Vol.																

Comb. Total	6233	7326	7693	8191	7603	6211	5497	9527
ADT	ADT 7,087	ADT 7,087						

5/13/2013, PM count, C. Brett

Time	Major: Manhattan			Minor: Oak	
	E	S	N	N	S
Start	Stop	4:45	4:45	4:45	4:45
4:30	4:45	83	2	0	111
4:45	5:00	67	2	1	99
5:00	5:15	70	0	2	102
5:15	5:30	79	3	4	94
TOTALS:		299	7	7	406

5/13/2013, PM count, C. Brett

Time	Major: Manhattan			Minor: Oak	
	E	S	N	N	S
Start	Stop	7:51	7:51	7:51	7:51
7:36	7:51	110	2	0	46
4:45	5:00	98	0	1	57
5:00	5:15	94	0	1	51
5:15	5:30	69	4	0	41
TOTALS:		371	6	2	195

### Incident Search Results

<i>Displaying all 3 incidents</i>					
<b>Incident Number</b>	<b>Call Type</b>	<b>Call Date</b>	<b>Call Time</b>	<b>Officer</b>	<b>Address</b>
<u>13BU008409</u>	Accident - Property damage only Accident -	04/15/13	14:15	272	Manhattan Dr/Oak St, Burlington
<u>12BU031727</u>	Property damage only Accident -	12/16/12	10:32	262	Manhattan Dr/Oak St, Burlington
<u>12BU029641</u>	Property damage only	11/19/12	19:31	319	Manhattan Dr/Oak St, Burlington

Sent 7/15/13



**CITY OF BURLINGTON**  
**DEPARTMENT OF PUBLIC WORKS**

OFFICE OF PLANNING  
645 PINE STREET, SUITE A  
BURLINGTON, VT 05402  
802.863.9094 P  
[WWW.DPW.CI.BURLINGTON.VT.US](http://WWW.DPW.CI.BURLINGTON.VT.US)

**JOEL FLEMING, E.I.T.**  
*PUBLIC WORKS ENGINEER*

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July 12, 2013

Dear Manhattan Drive and Oak Street Residents:

The Department of Public Works received a request to make the Manhattan Drive and Oak Street intersection a 3-way stop controlled intersection. Staff has examined the request and determined that the intersection does not meet any of the technical warrants to make this intersection multi-way stop controlled. Staff would like to get feedback regarding the requested stop signs on Manhattan Drive and Oak Street. I would appreciate any feedback you may have by Friday July 26<sup>th</sup>, 2013. Please contact me at 865-5832 or [jfleming@burlingtonvt.gov](mailto:jfleming@burlingtonvt.gov).

Thanks for your time,

Joel Fleming, EIT  
Department of Public Works  
865-5832  
[jfleming@burlingtonvt.gov](mailto:jfleming@burlingtonvt.gov)

## Joel Fleming

---

**From:** Steve Hill <shill1023@yahoo.com>  
**Sent:** Thursday, July 18, 2013 4:35 PM  
**To:** Joel Fleming  
**Subject:** Manhattan Dr. & Oak St.

Hello Mr. Fleming,

Thanks for your letter regarding the controlled intersection request at Manhattan and Oak. I live two houses down from the intersection and have spent a lot of time watching traffic roll by from my front stoop. It can be a hairy intersection, but I agree that it's not one that warrants a three-way stop. The problem lies in people taking the turn too sharply in either direction and, secondarily, in driving too fast through the neighborhood. Some drivers choose to accelerate rapidly between the stop sign at Walnut and Oak and the turn onto Manhattan, which also makes it difficult to take a wide turn. Speed bumps prior to the turn in each direction, like the ones in front of the Boys & Girls Club, might help. Or maybe turn lines, like those at the Williston Rd./Dorset St. intersection, to keep people in their lanes. However, some people just suck at driving and may never get it. Fortunately, I have yet to see or hear of an accident here.

Again, thanks for your letter. I appreciate what you and the DPW do around here.

Cheers,  
Steve Hill  
20 Oak St.

## Joel Fleming

---

**From:** matt.vwc@gmail.com on behalf of Matt McGrath <matt@workerscenter.org>  
**Sent:** Thursday, July 18, 2013 12:16 PM  
**To:** Joel Fleming  
**Subject:** Manhattan & Oak St. Stop Sign

Hi Joel,

I received the note about the proposed stop sign the "does not meet any of the technical warrants to make this intersection multi-way stop controlled."

I actually made this request more than a year ago, perhaps two. I wonder if others have done the same with out my knowledge more recently.

I own the single family unit with my wife at 15 Oak St.

I have no clue about what a technical warrant is though what I can say is that this is a residential area we live in yet this route (127, to Manhattan Dr, to Oak St. to Riverside Ave.) is a thoroughfare for commuters heading from the NNE to all points Winooski, Essex and beyond and vise versa.

Because of that many, many drivers are likely more interested in their commuting time than our neighbors safety. I often find it difficult and feel a bit unsafe trying to back out of my driveway because of the speed at which folks cruise around the corner from Manhattan on to Oak (heading east). This (as the rest of the city) is a 25 MPH zone yet I believe that many folks are going faster than that. It seems a stop sign at that intersection would make that more difficult.

Also, perhaps this does not meet the requirements for a sign, but what is the down side of adding a stop sign in a residential, high traffic location? Why would you not do this, especially as residents are making this request? Are there people opposed to this?

I look forward to your thoughts and any further discussion on the matter.

Matt McGrath  
15 Oak St.  
802-373-0133

## Joel Fleming

---

**From:** Pavel Antropov <pantropov@yahoo.com>  
**Sent:** Friday, July 19, 2013 3:07 PM  
**To:** Joel Fleming

Dear Joel.

We have lived at 354 Manhattan Drive #11 for four years and the windows of our kitchen and living room face the intersection of Manhattan Drive and Oak Street, where the city is proposing to create an all-way stop. We feel that the current road signage is adequate for traffic regulation and that an additional stop sign is not necessary.

Furthermore, we worry that if the intersection has an all-way stop, the levels of exhaust from cars will increase and will negatively affect the air quality in our home.

Thank you in advance for your consideration of our feedback.

Sincerely,

Pavel and Tamara Antropov.

## Joel Fleming

---

**From:** Ari Bensimhon <ari.bensimhon@gmail.com>  
**Sent:** Friday, July 26, 2013 10:21 AM  
**To:** Joel Fleming  
**Cc:** Jane Feustel  
**Subject:** Manhattan Drive and Oak St intersection

Hello Mr. Fleming,

Thank you for leaving the inquiry about the traffic at the Manhattan Drive and Oak Street intersection. I apologize for this email being on the stated deadline.

My girlfriend and I recently moved to the intersection and are living in one of the units directly overlooking it. As such, we've had the opportunity to view many close calls and hear a variety of arguments. All day long people have difficulty navigating it, worse especially during heavier traffic.

The majority of people seem to make either a left from Oak onto Manhattan or a Right from Manhattan onto Oak, with few people either making a right from Oak onto Manhattan or continuing straight from Manhattan to Manhattan.

People turning right from Manhattan to Oak have the yield sign and often do yield, but more due to cars making a left from Oak to Manhattan cutting the corner instead of yielding for yielding's sake. Cars on Oak, making a left onto Manhattan either cut the corner or slow down dramatically/stop, making sure they can make the left hand turn safely. We've seen many people almost get rear-ended as a result of the latter.

We had tried to come up with possible solutions, but we are not city planners. Dotted yellow line for the curve in an attempt to have people stay in their respective lanes? Flattening out of the curb (more than it already is) on the southeast part of the intersection so people making a right from Manhattan to Oak can continue on with less worry about the other direction cutting the corner? Although we don't have the perfect solution, we would see the value and increased safety in some sort of change.

Please contact us anytime if we can offer further opinions.

Thank you,  
Ari & Jane



## Joel Fleming

---

**From:** Ben Ware <whereizben@gmail.com>  
**Sent:** Thursday, July 18, 2013 7:38 AM  
**To:** Joel Fleming  
**Subject:** Intersection of Manhattan Drive & Oak Street

Hi Mr. Fleming,

I live at 354 Manhattan Drive (right at this corner) and recently received your letter about this intersection and feedback about getting stop signs here - I would love to see stop signs put in, as I live on the first floor and see how traffic flows around this corner. I regularly see people speeding around this corner (and cutting the corner as they do so) and have several times in the past few years seen & heard cars come up over the curb and onto our front yard as the driver has taken the corner too quickly. This has in fact led to the No Parking sign that used to be out front being repeatedly destroyed, and makes me worry about what could happen if one of the children that lives in our two buildings happened to be playing out in front on the sidewalk when this happened.

Because of this, I would love to see SOMETHING that caused people to slow down around this corner, whether it is stop signs or speed bumps.

Thanks!

Ben

Resident, Address	Comments
Steve Hill- 20 Oak Street	Against making it a 3-way stop
Matt McGrath-15 Oak Street	For Adding stop signs on Oak Street and Manhattan Drive
Pavel and Tamara Antropov-354 Manhattan Drive	Against adding Stop signs
Ari Nensimhon- Corner on Manhattan and Oak	For some kind of change but not necessarily Stop signs
Tom B- 3, 5, 7 Oak Street	Would like to see stop signs at this location
Ben Ware- 354 Manhattan Drive	Supports stop signs
Kim Amaral-	Supports stop signs but would rather see speed bumps- Referred resident to Nicole



**MEMORANDUM**

October 7, 2013

**TO:** Public Works Commission  
**FROM:** Joel Fleming  
**RE:** Berry Street Loading Zone

---

**Background:**

Staff received a request from Justin Dextrateur, Project Manager from the Hartland group, asking for a loading zone to be installed on North Avenue as part of their DRB requirements for the new mixed use building on the corner of North Avenue and Berry Street. Berry Street is a small residential street off of North Avenue in the City's old north end with parking restricted to only the north side.

**Observations:**

Staff has visited the site a number of times and determined that the loading zone cannot be installed on North Avenue because there is a bike lane on this section. Instead staff has investigated the installation a loading zone in the current no parking here to corner on the north side of Berry Street just west of North Avenue. Given the proposed location is currently prohibited, this proposal will not affect parking for residents

**Conclusions:**

Installing the loading zone on the north side of Berry Street in the first space west of North Avenue will allow deliveries to this new building without removing any of the much coveted parking on Berry Street.

**Recommendations:**

Staff recommends that the commission adopt a Vehicle Loading and Unloading Zone on the north side of Berry Street in the first space west of North Avenue.

*JB* 10/22/13



**MEMORANDUM**

October 7, 2013

**TO:** Public Works Commission  
**FROM:** Joel Fleming  
**RE:** Berry Street Loading Zone

---

**Background:**

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**Recommendations:**

Staff recommends that the commission adopt a Vehicle Loading and Unloading Zone on the north side of Berry Street in the first space west of North Avenue.



CITY OF BURLINGTON - DEPARTMENT OF PUBLIC WORKS

Request # 2372

# SERVICE REQUEST

**Name and Address**

Name: Justin Dextrateur, Project Mgr, Hartland Group  
 Request Date: 08/12/2013 2:01 PM  
 Due Date: 9/11/2013

Address: 60 Woodlawn Road

Phone Number: 865-6991

Email Address:

justin@hartlandgroup.biz

**Request**

Location: North Ave &amp; Berry St

Request Description: Per attached e-mail to Joel dated 8/02/13: Partial request: Hi Joel - I'm trying to close out our Temp CO and get the Final CO from Code Enforcement but need DPW to weigh in so I follow up on one of the DRB permit conditions for the project: "Provided that applicant can obtain the approval of DPW, trucks making deliveries to the café will use the loading zone along North Avenue rather than on-street parking on either Berry Street or Lakeview Terrace."

**Assign History**

Date	Assigned To	Description
8/12/2013 2:01:04 PM	Joel Fleming	Request Assigned

**Work History**
**Customer Service**

Status: New

Request created by: Helen Plumley

Print Date: 8/12/2013 2:05:04 PM

RFS# 23

**Helen Plumley**

---

**From:** Joel Fleming  
**Sent:** Monday, August 12, 2013 1:18 PM  
**To:** Helen Plumley  
**Subject:** FW: Packard Lofts - use of North Avenue for cafe deliveries

Helen,

Could you put this into RFS for me.

Thank you!

Joel

---

**From:** Justin Dextrateur [<mailto:Justin@hartlandgroup.biz>]  
**Sent:** Friday, August 09, 2013 11:24 AM  
**To:** Joel Fleming  
**Subject:** RE: Packard Lofts - use of North Avenue for cafe deliveries

Hi Joel - Just checking in to see if you needed any more info or clarification in order to provide DPW's approval (or not) to accept cafe deliveries on North Ave instead of Berry St or Lakeview Terr. Thanks - Justin

Justin Dextrateur  
Project Manager  
The Hartland Group Community Developers & Consultants, LLC  
60 Woodlawn Road  
Burlington, VT 05408  
P: 802-865-6991  
F: 802-660-8018  
[justin@hartlandgroup.biz](mailto:justin@hartlandgroup.biz)  
[www.hartlandgroup.biz](http://www.hartlandgroup.biz)

---

**From:** Justin Dextrateur  
**Sent:** Fri 8/2/2013 2:53 PM  
**To:** Joel Fleming  
**Subject:** RE: Packard Lofts - use of North Avenue for cafe deliveries

Hi Joel - I'm trying to close out our Temp CO and get the Final CO from Code Enforcement but need DPW to weigh in so I follow up on one of the DRB permit conditions for the project:  
"Provided that applicant can obtain the approval of DPW, trucks making deliveries to the café will use the loading zone along North Avenue rather than on-street parking on either Berry Street or Lakeview Terrace."

As long as DPW doesn't have concerns about allowing delivery trucks to park on North Ave in front of the building (rather than on Berry or Lakeview which the DRB recognized would be more disruptive to neighbors), I think I just need an simple e-mail from you to that effect that I can forward to Code Enforcement so they can close out this permit requirement.

They were fine with just an email from Ron confirming DPW's desire to eliminate a traffic calming bump-out that had been shown on our original plan but also required DPW approval either way. Thanks and feel free to call my cell (802-734-9217) anytime to discuss - Justin

Justin Dextrateur  
Project Manager  
The Hartland Group Community Developers & Consultants, LLC  
60 Woodlawn Road  
Burlington, VT 05408  
P: 802-865-6991  
F: 802-660-8018  
[justin@hartlandgroup.biz](mailto:justin@hartlandgroup.biz)  
[www.hartlandgroup.biz](http://www.hartlandgroup.biz)

Justin Dextrateur  
Project Manager  
The Hartland Group Community Developers & Consultants, LLC  
60 Woodlawn Road  
Burlington, VT 05408  
P: 802-865-6991  
F: 802-660-8018  
[justin@hartlandgroup.biz](mailto:justin@hartlandgroup.biz)  
[www.hartlandgroup.biz](http://www.hartlandgroup.biz)

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**From:** Joel Fleming [<mailto:jfleming@burlingtonvt.gov>]  
**Sent:** Thu 8/1/2013 3:42 PM  
**To:** Justin Dextrateur  
**Subject:** Packard Lofts - use of North Avenue for cafe deliveries

Justin,

I work with all traffic and regulatory ordinances in the city and will work with you regarding a loading zone on North Avenue. Could you clarify what you are asking dpw to do?

Thanks,

Joel

Joel Fleming, E.I.T  
Engineering Technician  
Burlington Public Works  
645 Pine St.  
Burlington VT. 05401

Phone: (802)8655832  
Fax: (802)8630466  
Email: [Jfleming@ci.burlington.vt.us](mailto:Jfleming@ci.burlington.vt.us)

Burlington, VT 05408  
P: 802-865-6991  
F: 802-660-8018  
[justin@hartlandgroup.biz](mailto:justin@hartlandgroup.biz)  
[www.hartlandgroup.biz](http://www.hartlandgroup.biz)

---

**From:** Justin Dextrateur  
**Sent:** Fri 8/2/2013 2:53 PM  
**To:** Joel Fleming  
**Subject:** RE: Packard Lofts - use of North Avenue for cafe deliveries

Hi Joel - I'm trying to close out our Temp CO and get the Final CO from Code Enforcement but need DPW to weigh in so I follow up on one of the DRB permit conditions for the project:

"Provided that applicant can obtain the approval of DPW, trucks making deliveries to the café will use the loading zone along North Avenue rather than on-street parking on either Berry Street or Lakeview Terrace."

As long as DPW doesn't have concerns about allowing delivery trucks to park on North Ave in front of the building (rather than on Berry or Lakeview which the DRB recognized would be more disruptive to neighbors), I think I just need an simple e-mail from you to that effect that I can forward to Code Enforcement so they can close out this permit requirement.

They were fine with just an email from Ron confirming DPW's desire to eliminate a traffic calming bump-out that had been shown on our original plan but also required DPW approval either way. Thanks and feel free to call my cell (802-734-9217) anytime to discuss - Justin

Justin Dextrateur  
Project Manager  
The Hartland Group Community Developers & Consultants, LLC  
60 Woodlawn Road  
Burlington, VT 05408  
P: 802-865-6991  
F: 802-660-8018  
[justin@hartlandgroup.biz](mailto:justin@hartlandgroup.biz)  
[www.hartlandgroup.biz](http://www.hartlandgroup.biz)

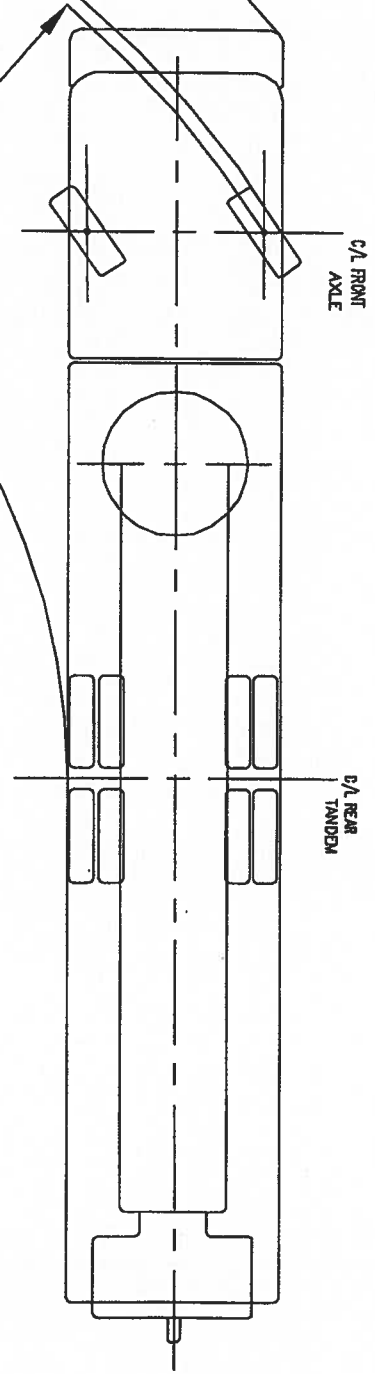
Justin Dextrateur  
Project Manager  
The Hartland Group Community Developers & Consultants, LLC  
60 Woodlawn Road  
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F: 802-660-8018  
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[www.hartlandgroup.biz](http://www.hartlandgroup.biz)

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**From:** Joel Fleming [<mailto:jfleming@burlingtonvt.gov>]  
**Sent:** Thu 8/1/2013 3:42 PM



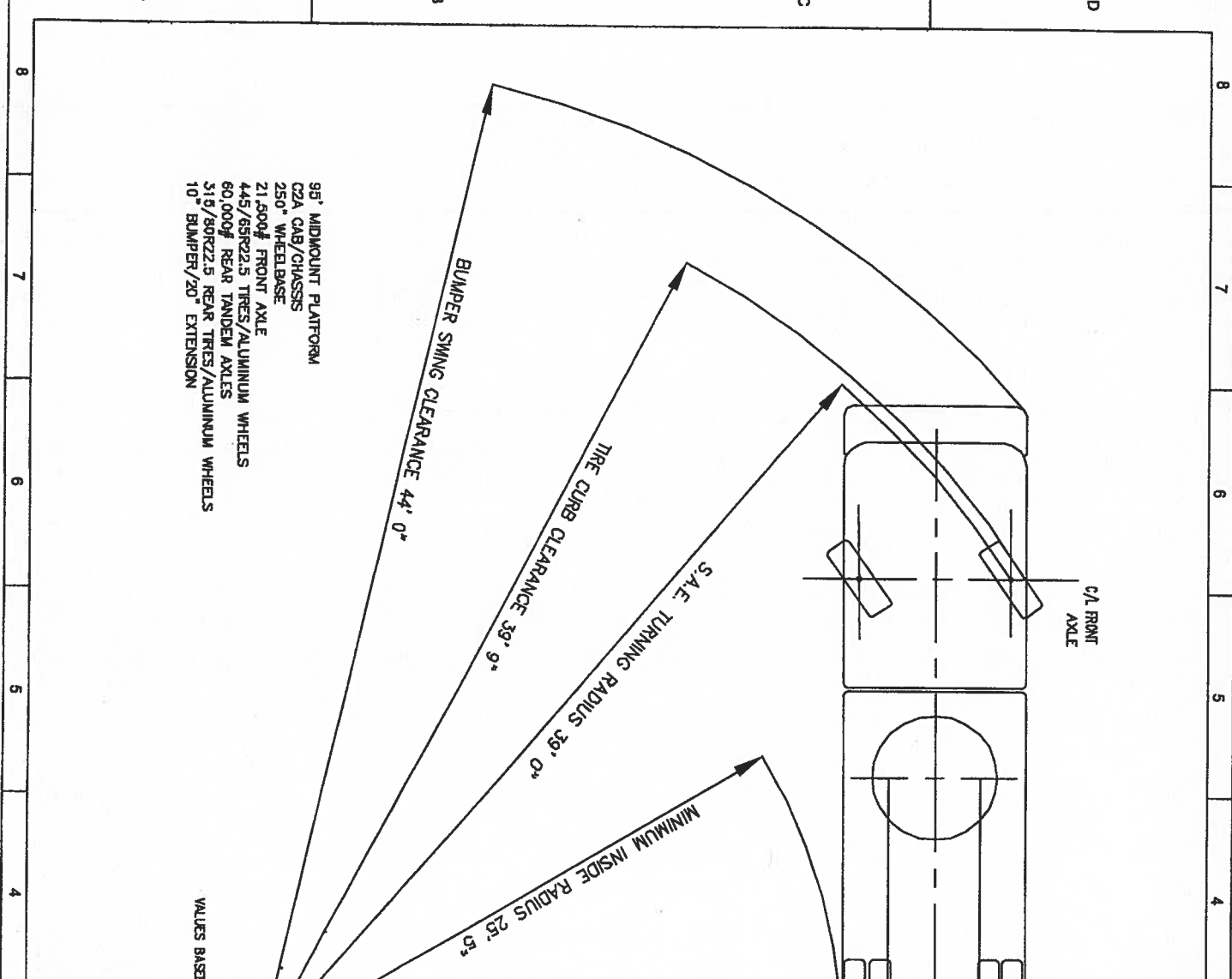
REV	DESCRIPTION	DATE	ISSUED BY	CHECKER
A	INITIAL RELEASE	05-10-07	MMN	CAG



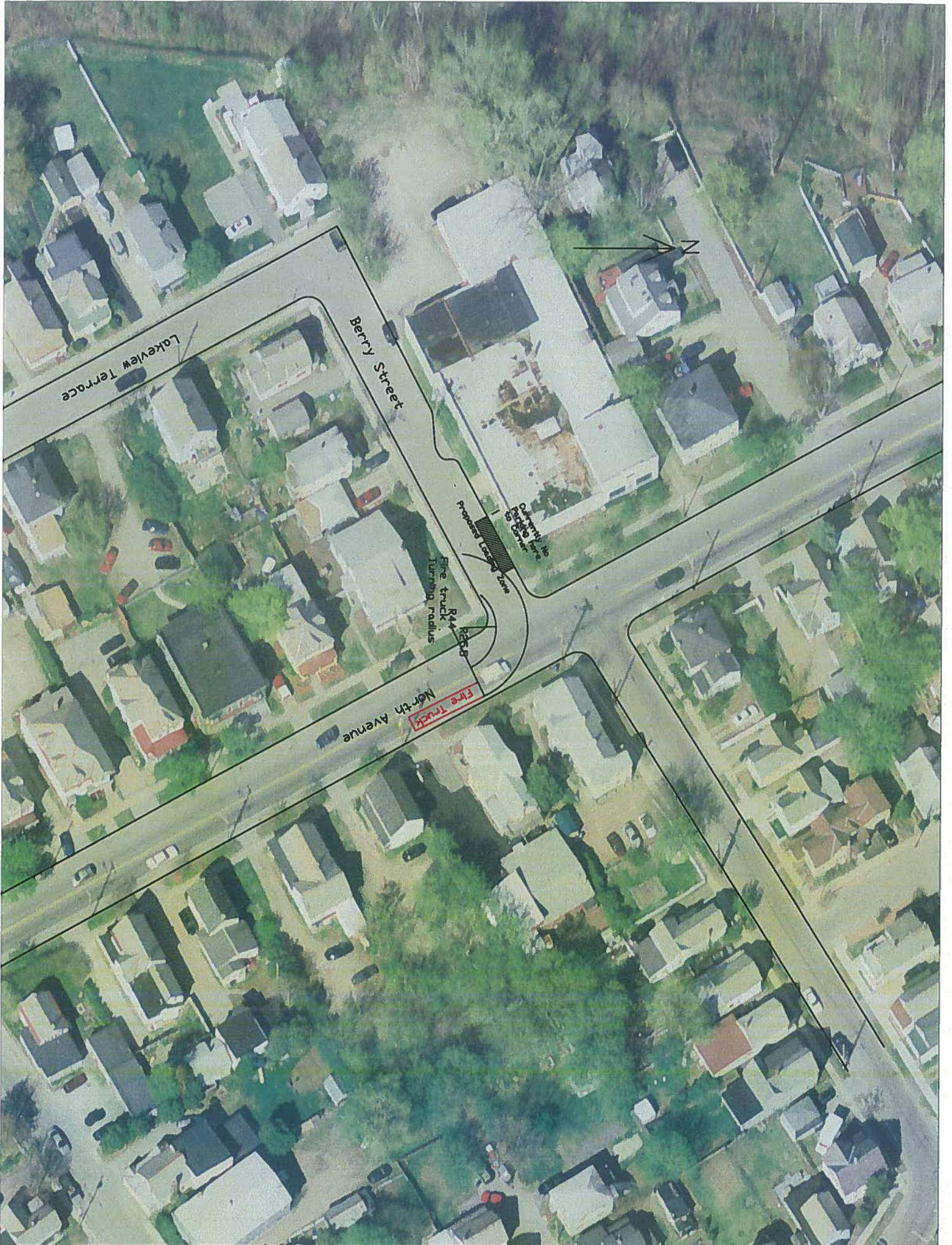
BUMPER SWING CLEARANCE 44' 0"  
 TREE CURB CLEARANCE 39' 9"  
 S.A.E. TURNING RADIUS 39' 0"  
 MINIMUM INSIDE RADIUS 25' 5"

95' MIDMOUNT PLATFORM  
 C2A CAB/CHASSIS  
 250" WHEELBASE  
 21,500# FRONT AXLE  
 445/65R22.5 TIRES/ALUMINUM WHEELS  
 60,000# REAR TANDEN AXLES  
 315/50R22.5 REAR TIRES/ALUMINUM WHEELS  
 10" BUMPER/20" EXTENSION

VALUES BASED ON 38° AXLE CRAMP ANGLE



DIMENSIONS ARE IN INCHES UNLESS OTHERWISE SPECIFIED. UNLESS TO DIMENSIONS ARE INDICATED OTHERWISE. DO NOT SCALE DRAWING		<b>E-STAR</b> EMERGENCY ONE, INC. OCALA, FL, USA	
DATE OF THIS DRAWING: 5-10-07 DRAWN BY: [Signature] CHECKED BY: [Signature]	PROJECT NO.: 05-10-07 SHEET NO.: 1 OF 1	95' MIDMOUNT PLATFORM TURNING RADIUS SPEC.	PART NO.: 656091



Lakeview Terrace

Berry Street

North Avenue

Proposed Loading Zone

Fire truck turning radius

R44

Fire Truck

Outright to be sold to the City of Denver





MEMORANDUM

October 7, 2013

**TO:** Public Works Commission  
**FROM:** Joel Fleming  
**RE:** Bilodeau Court Loading Zone

---

**Background:**

Staff received a request from City Councilor Sharon Bushor asking for some short term parking on the south side of Bilodeau Court in front of number 69 Bilodeau Court. Councilor Bushor mentioned that an elderly neighbor, Betty Bouchard, Needs some type of short temporary parking so she can load and unload her car in front of her house.

**Observations:**

Staff has visited the street and determined that there is a parking restriction along the south side of Bilodeau Court. 69 Bilodeau Court is the last house on the south side of the street. The street widens from 26 feet to 32 feet in front of this address. If a vehicle loading zone was installed on the south side in front of 69 Bilodeau Court there would be 16 feet of travel lanes left. Since this is the end of a dead end street there is low traffic volumes and low speed so the lane widths would be adequate. There are no parking spaces being removed in order to install a loading zone at this address.

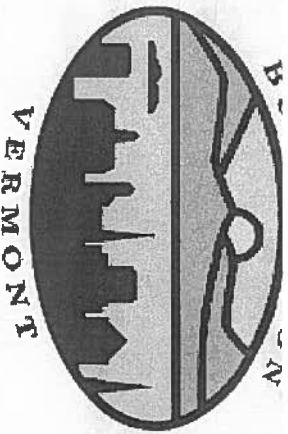
**Conclusions:**

Installing a vehicle loading zone with a 30 minute time limit will allow this resident, and others, to park in this space and load and unload for short periods of time without allowing parking all day long. This will make it much easier for this elderly resident to stay independent while living in Burlington.

**Recommendations:**

Staff recommends that the commission adopt a Vehicle Loading and Unloading Zone with a time limit of 30 minutes in front of 69 Bilodeau Court.

JFB 10/22/13



CITY OF BURLINGTON - DEPARTMENT OF PUBLIC WORKS

# 2582

# SERVICE REQUEST

## Name and

## Address

Name: Betty Bouchard

Request Date: 09/11/2013 2:47 PM

Address: 69 Bilodeau Court

Due Date: 10/11/2013

Phone Number: unknown

Email Address:

sharon.bushor@vtmednet.org

## Request

Location: 69 Bilodeau Court

Request Description: City Councilor Sharon Bushor called to report and incident and ask for assistance. Her 80 year old neighbor Betty Bouchard has limited mobility and Sharon says Betty needs to park in front of her own home on the dead end street to load and unload groceries into her home, etc. There is a no parking this side of street prohibition on her side of the street. She received a parking ticket the other day. Councilor Bushor wants us to explore some way to allow her neighborhood to be able to temporarily park in front of her house while she loads and unloads her car. I don't have Betty's contact info. The email contact is Councilor Bushor's email.

## Assign History

Date	Assigned To	Description
9/11/2013 2:47:22 PM	Joel Fleming	Request Assigned

## Work History

Date	Staff Person	Description
------	--------------	-------------



East Avenue

Bladeau Court

Case Parkway

No Parking this side of Street





**CITY OF BURLINGTON  
DEPARTMENT OF PUBLIC WORKS**

645 Pine Street, Suite A  
Burlington, VT 05401  
802.863.9094 VOICE  
802.863.0466 FAX  
802.863.0450 TTY  
[www.burlingtonvt.gov/dpw](http://www.burlingtonvt.gov/dpw)

**Chapin Spencer**  
*DIRECTOR OF PUBLIC WORKS*

To: DPW Commissioners  
Fr: Chapin Spencer, Director  
Re: **Downtown Parking Improvement Initiative**

October 23, 2013

**REQUESTED COMMISSION ACTION:**

Vote to support the attached draft resolution and have it sent to the City Council for their consideration.

**BACKGROUND:**

As I briefly reported at last month's Commission, Public Works is partnering with the Burlington Business Association and to undertake a major planning and implementation effort around enhancing the public/private parking system in the downtown/waterfront area. There are also many other entities, including the CCRPC and the Police Department, who are also engaged.

**PROBLEM STATEMENT:**

There are two main drivers for this effort:

- 1) Policy makers, business leaders and the public want a more user-friendly parking system. Following up from the parking management recommendations in PlanBTV, we've had numerous conversations with key stakeholders – and the interest in comprehensively exploring ways to improve the system has been very strong.
- 2) The current funding model for maintaining the garages is broken and must be urgently fixed. The Traffic Fund has had two years of deficit budgets and critical capital investments have been deferred. The policy makers' and the public's appetite for raising more funds from parking will be dependent on our ability to lay out a compelling roadmap to an improved parking experience.

**DESIRED OUTCOMES:**

1. A concerted communications and outreach effort to engage the community in a dialogue around how the parking system can be improved

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.

2. The implementation of short-term pilot projects in 2014 to try out new approaches and technologies while also raising additional revenue for critical capital improvements
3. The completion of a downtown parking facilities assessment for City-owned parking garages by the end of 2014
4. The development of a Parking Management Plan by March 2015 that will deliver long-term policy and operational recommendations for dramatically enhancing the public/private parking system

#### **PATH FOR THE PROPOSED CITY COUNCIL RESOLUTION**

We are taking the attached draft City Council resolution on the Downtown Parking Improvement Initiative to various Committees and Commissions prior to bringing it to the City Council in mid-November. We are looking for suggested edits and a vote of support at the following meetings:

- Oct 29<sup>th</sup>: CC Transportation Energy & Utilities Committee
- Oct 30<sup>th</sup>: DPW Commission
- Nov 5<sup>th</sup>: Police Commission

#### **CAN YOU ATTEND THE DOWNTOWN PARKING SUMMIT?**

In an effort to continue improving the downtown parking system in Burlington, Public Works, in partnership with the BBA and the City's Community and Economic Development Office (CEDO), will be holding a downtown parking summit next month. The summit will be held on November 13 from 7:30-11:30am at the Burlington Hilton and feature a keynote speech by [Jeffrey Tumlin](#), a nationally-renowned parking expert and principal at Nelson/Nygaard Consulting Associates.

I would very much like to have the DPW Commission well represented at this upcoming summit. If you would like to attend, please let me know. Please click [here](#) to learn more about and to register for the summit.

**DRAFT: For Discussion Only**

**Resolution Launching the Downtown Parking Improvement Initiative**

Version 10-23-13

**Target Date:** November 18, 2013 Council Meeting

**Proposed Council Sponsor:** City Council Transportation, Energy & Utilities Committee

**WHEREAS** Plan BTV reported that Burlington's parking system, including both public and private parking, is not fully utilized; and

**WHEREAS** the Department of Public Works reports its Traffic Fund lacks sufficient funds to adequately maintain its downtown garages and the facilities have therefore suffered from years of delayed capital investment; and

**WHEREAS** downtown/waterfront business owners, visitors, customers, and employees periodically report mediocre to negative experiences when using Burlington's downtown parking system; and

**WHEREAS** downtown Burlington's future vitality depends a parking system that is managed and operated to improve efficiency, to enhance the customer experience and to better maintain our diverse parking infrastructure; and

**WHEREAS** a highly-efficient parking management system may minimize the needed parking footprint and maximize space for other uses in our dense, vibrant core; and

**WHEREAS** PlanBTV calls for "a comprehensive approach to parking management" and goes on to say that "building more parking is extremely costly and can take many years to see results. Therefore, managing the parking resources that we already have more efficiently must be our immediate priority to mitigate and/or reduce demand as much as possible"; and

**WHEREAS** Plant BTV further suggests that there "is a real and immediate opportunity for a public/private partnership possibly working in partnership with the expanded Business Improvement District who could play a key role in the overall management of downtown parking facilities"; and

**WHEREAS** representatives from the Department of Public Works, the Burlington Business Association and the Community & Economic Development Office have been meeting to explore both short-term and long-term strategies to improve the downtown/waterfront parking system over the past six months; and



**WHEREAS** the outreach to over 50 downtown business leaders and stakeholders has demonstrated significant support for a focused effort on enhancing the downtown/waterfront parking system; and

**WHEREAS** this resolution has been reviewed by and received support from the City Council Transportation, Energy & Utilities Committee, the Public Works Commission, the Police Commission, and the Church Street Marketplace; and

**WHEREAS** the recent Downtown Parking Summit, hosted in partnership with the BBA, brought together over a hundred stakeholders to explore ways we can improve the system;

**NOW THEREFORE BE IT RESOLVED** the City Council establishes a collaborative public/private Downtown Parking Improvement Initiative with a **vision** of a managed parking system that delivers a positive experience for customers and reinforces the downtown's and waterfront's vitality well into the future; and

**BE IT FURTHER RESOLVED** that the **mission** of the Downtown Parking Improvement Initiative is to listen, learn, and experiment so that stakeholders can identify and propose new and improved ways to manage, operate and maintain Burlington's public and private parking assets in the city's core.

**BE IT FURTHER RESOLVED** that the Downtown Parking Improvement Initiative will fulfill its mission by achieving these **outcomes**:

- Facilitate a public dialog about the downtown/waterfront parking system and inform stakeholders in the larger community about improvements to the parking system
- Complete an assessment of the City's downtown parking infrastructure including maintenance needs, expected lifespan, and capital improvement needs
- Recommend, implement and evaluate a series of pilot projects to test the impact of changes to the downtown public/private parking system that are in line with the Initiative's mission and collecting data from those pilots to inform future efforts
- Create a Parking Management Plan based on input from the public, area businesses and national parking experts; and

**BE IT FURTHER RESOLVED** that there shall be a **Working Group** that will closely manage the initiative and shall have at least one representative from the following entities:

- Burlington Business Association
- Department of Public Works
- Community & Economic Development Office
- Police Department; and

**BE IT FUTHER RESOLVED** that an **Advisory Committee** shall be established to provide strategic direction and include the following representatives:

- Two business owners, managers or officials from the Church Street Marketplace selected by the Church Street Marketplace Commission
- Two business owners or managers from the downtown / waterfront area outside of the Church Street Marketplace selected by the Burlington Business Association
- Two downtown residents selected by the Mayor
- Two stakeholders representing cultural, educational or non-profit entities with a presence in the downtown / waterfront area selected by the Mayor
- A City Councilor selected by the City Council
- A Public Works Commissioner selected by the Public Works Commission
- A Regional Planning Commission official selected by the CCRPC; and

**BE IT FURTHER RESOLVED** that the Advisory Committee shall vote to elect a **Chair** and **Vice Chair** at their first meeting; and

**BE IT FURTHER RESOLVED** that the Advisory Committee shall meet at least quarterly and undertake the following tasks:

- Provide input on proposed short-term pilot projects and review after-implementation results
- Finalize the consultant selection for the Parking Management Plan by a vote of the majority of the Advisory Committee members
- Provide policy guidance on key issues in the development of the Parking Management Plan
- Have members serve as liaisons in outreach and communication efforts
- Send the Parking Management Plan forward to the City Council once a majority of the Advisory Committee members vote affirmatively that the plan is ready for adoption

**BE IT FURTHER RESOLVED** that the Downtown Parking Improvement Initiative will complete the downtown parking facilities assessment no later than the end of 2014

**BE IT FURTHER RESOLVED** that the Downtown Parking Management Plan be presented to the City Council for adoption no later than March 2015.

**Downtown Parking Garages  
Needed Capital Work**

**Preliminary  
Estimated  
Costs**

<b>Item</b>	
A. Full Structural Assessment of Marketplace (1976) and College Street (1985) Parking Garages	\$ 110,000
B. Marketplace Garage two bridge support repairs and horizontal beam repair Design & Construction	\$ 82,500
C. College Street Garage Replace existing high pressure sodium lighting with LED or Induction Lighting	
LED	\$ 107,100
Induction	\$ 62,150
D. Marketplace Garage: Deck patching potholes	
Drive lanes	\$ 120,000
Parking Lanes	\$ 205,000
E. Marketplace Garage: Deck sealing Hydrozo Silane 40 126,100 square feet of deck surface at \$.88/sf	\$ 126,050
F. College Street Garage: Replace rotting cast iron floor drain system. Needs pricing out	
G. College Street Garage: Repair/replace sealants between concrete deck planks to stop water leaking Needs pricing out--Minimum placeholder	\$ 350,000
H. All Parking Facilities: Internal wayfinding signage	\$ 60,000
Totals.....	\$ 1,160,650



**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

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**Steven Goodkind, P.E.**  
*DIRECTOR OF PUBLIC WORKS*  
*CITY ENGINEER*

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

October 22, 2013

**TO: Public Works Commission**

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

**RE: 144 South Willard Street-Appeal of Second Means of Egress Order by Code Enforcement**

---

**Appeal History-Currently Appeal was issued a continuance until Ms.Lavin's return to Vermont in spring 2013**

Ms. Lavin is the owner of a three story, duplex structure at 144 South Willard Street. Ms. Lavin has sought to appeal Code Enforcements order identifying the third floor rental unit at this property as lacking an adequate second means of egress. The Department received the Appellants letter of appeal dated August 17, 2012 along with a cover letter from the Code Enforcement office dated September 4 2012 that frames this issue of appeal. I have attached both documents for the Commission's consideration.

Since receiving the appeal I attempted to schedule this appeal to be heard at the November 28, 2012 Commission meeting. In doing so I spoke to Ms. Lavin on Friday November 16, 2012 over the phone notifying of her of the upcoming meeting to verbally confirm her ability to attend. Unfortunately, Ms. Lavin on that same day of my call was departing for Florida for the winter season and was not planning on returning until the spring May of 2013.

Given her departure from the local area, I sought legal counsel from the attorney's office on how to proceed with scheduling this appeal. It was determined the appeal would need to be heard and it would be the responsibility of Ms. Lavin as the Appellant to either attend or assign someone to attend as her representative given adequate notice.

With that understanding, I again called Ms. Lavin to schedule her appeal to be heard at our January 16, 2013 meeting and verbally explained our desire to have the issue heard before the spring and had sent as a follow up document that provided her with Appellant Instructions,

referenced document is dated December 21, 2012 and was sent to her attention via U.S. Postal Service Certified Mail. (Return Receipt attached)

Since issuing the written notice of the meeting I had received a phone call from Bob Raessler from Paul, Frank & Collins on January 8, 2013 who verbally articulated to me that he would be representing Ms. Lavin. Both Bob Raessler and his associate Jim Perglozzi were in attendance at the January 16, 2013, commission meeting.

At the January 16, 2013 hearing Mr. Raessler represented Ms. Lavin and after hearing testimony the commission rendered a decision to issue a continuance for this appeal to be heard at a later date.

### **Current Efforts to Schedule Appeal**

More recently, as staff to the Commission I sought to reschedule Ms. Lavin's appeal to be heard at the October 30, 2013 Commission meeting. I had the opportunity to speak with Ms. Lavin over the phone on Friday, October 11, 2013. During my conversation with Ms. Lavin I shared with her my intent to have her appeal heard at the October 30, 2013 Commission meeting scheduled for October 30, 2013. Additionally, I was seeking to confirm her ability to attend. In response Ms. Lavin shared with me that it was her intent to comply with Code Enforcements order by seeking to have a sprinkler system installed. That she had not gotten the sprinkler installation under contract. I shared with Ms. Lavin that was positive news, however it was my expectation as staff to the commission for her as the appellant to either:

- provide documentation to Code Enforcement bringing her into compliance, or
- for her to provide me in writing her intent to vacate her appeal. or
- attend the upcoming October Commission meeting

Ms. Lavin also shared with me that she was again returning to Florida for the winter in mid-November and would not be in town to attend the next commission meeting as an alternate date.

Since my conversation in early October I have not had any further follow conversations with Ms. Lavin suggesting she has followed through with any of the alternatives than to attend the October Commission Meeting.

Given all of the facts I find it important that this appeal to be heard at this upcoming meeting and have sent a meeting notice to Ms. Lavin via email as well as a certified mail to Ms. Lavin yesterday October 21, 2013. Ms. Lavin has yet to confirm her ability to attend. I will continue to do follow on confirming Ms. Lavin's ability to attend.

I have attached both of my recent email and written notices for the Commission's consideration.

I will be serving as staff to the Public Works Commission at the meeting and will introduce the two parties Code Enforcement as the administrators of the Ordinance and Ms. Lavin as the Appellant.

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS FOLD AT DOTTED LINE

**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:

PATRICIA LAVIN  
114 So. WILLARD ST.  
BURLINGTON VT  
05401

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  
**X**  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  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number 7008 3230 0002 9264 2545  
(transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

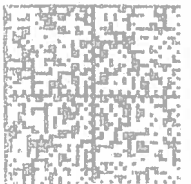
Department of Public Works  
P. O. Box 849  
Burlington, Vermont 05402

CERTIFIED MAIL™



7008 3230 0002 9264 2545

Patricia Lewis  
114 S. Willard Street  
Burlington, VT 05401



HASLER  
017H15559306  
\$6.570  
10/21/2015  
Mailed From: 05401

US POSTAGE

## Norm Baldwin

---

**From:** Norm Baldwin  
**Sent:** Monday, October 21, 2013 4:30 PM  
**To:** 'MHLMVL@AOL.COM'; 'Martylavina@aol.com'  
**Cc:** Valerie Ducharme; William Ward; Chapin Spencer; Nathan Lavery;  
'broesler@pdfclaw.com'  
**Subject:** Appeal Hearing Notice-144 South Willard Street  
**Importance:** High

### NOTICE OF HEARING

Pursuant to Burlington Code of Ordinances Chapter 18, Article III, Division 5, please take notice that the Public Works Commission will hold a hearing related to an appeal of a minimum housing code order regarding the fire safety division of the minimum housing code associated with **144 South Willard Street at 6:30 p.m. on Wednesday, October 30, 2013 in the Front Conference Room of the Department of Public Works at 645 Pine St. 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 reference the item number from the inspection report you are appealing. This statement must also specify the factual or legal basis of the appeal. Please be advised that items that have been resolved and are no longer being contested between you and the Code Enforcement Office are considered moot and will not be heard by the Commission. Please send a copy of this statement to the Code Enforcement Office.

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. 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 8 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,

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





**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

---

**Steven Goodkind, P.E.**  
*DIRECTOR OF PUBLIC WORKS*  
*CITY ENGINEER*

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

October 21, 2013

Patricia Lavin  
114 South Willard Street  
Burlington, Vermont 05401

Certified Mail:

**NOTICE OF HEARING**

Pursuant to Burlington Code of Ordinances Chapter 18, Article III, Division 5, please take notice that the **Public Works Commission** will hold a hearing related to an appeal of a minimum housing code order regarding the fire safety division of the minimum housing code associated with 144 South Willard Street at **6:30 p.m. on Wednesday, October 30, 2013 in the Front Conference Room of the Department of Public Works at 645 Pine St.** 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 reference the item number from the inspection report you are appealing. This statement must also specify the factual or legal basis of the appeal. Please be advised that items that have been resolved and are no longer being contested between you and the Code Enforcement Office are considered moot and will not be heard by the Commission. Please send a copy of this statement to the Code Enforcement Office.

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. **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 8 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 "Norm Baldwin", with a long horizontal flourish extending to the right.

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

cc: Eugene Bergman, Assistant City Attorney  
Steven Goodkind, Director of Public Works  
Valerie Beaudry, Customer Service Representative  
Bill Ward, Director of Code Enforcement



## CODE ENFORCEMENT OFFICE

645A Pine St, PO Box 849

Burlington, VT 05402-0849

VOICE (802) 863-0442

FAX: (802) 652-4221

TO: Nathan Lavery/DPW Commission Chair

From: William Ward *W.W.*

Date: October 22, 2013

RE: 144 South Willard Street appeal of second Means of Egress order by Code Enforcement

The owner of the property has appealed the Code Enforcement requirement of a 2<sup>nd</sup> means of egress from the 3<sup>rd</sup> floor unit at the property at 144 South Willard Street. This appeal was previously granted a continuance on this matter from the January 16, 2013 Public Works Commission.

### Property description

The property is a 2 family residence at the corner of South Willard at Main Street.

The 3<sup>rd</sup> floor unit is required to be inspected as a rental unit per Burlington City ordinance chapter 18, Minimum Housing requirements.



### July 2012 Inspection results

Burlington Code Enforcement Inspector Tim Ahonen made the following comments in his Minimum Housing (M.H.) inspection report:

*"MH on July 17, 2012 with female owner. This is an owner occupied duplex, meticulously maintained, of four stories: The cellar is finished as an office with computer workstations for several persons, plus offices, but is not currently in use as such. The first and second floors above grade are the owner's*

Information available in alternative media forms for people with disabilities.

For disability access information call (802) 863-0450 TTY.

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*residence. The third floor above grade is an attic conversion to an apartment. The front door is on the third floor at the top of a stair. The second means of egress is a backstair (this is an old manor style home) but it terminates on the second floor where a door opens into the owner's unit. It can be locked from the tenant's side but not the owners. This is, in my opinion a violation of Sec. 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. 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.*

...

*(Ord. of 8-4-86; Ord. of 11-8-93) "*

*The owner protested that this unit has always passed inspection in prior years. I advised her she could appeal my decision and get a fair hearing."*

The property was previously inspected on May 23, 2008 and received a Certificate of Compliance after the first inspection. The egress issue was not noted at that time.

#### **Timeline since January 2013 Public Works commission meeting**

**January 23, 2013** – An inspection was made of the 3<sup>rd</sup> floor unit by Inspector Tim Ahonen and Director of Code Enforcement Bill Ward. The findings were documented in Inspector Ahonen's written notes from that date:

*I went there with WW and we met with the tenant on January 23, 2013. The owners were in Florida and could not attend, although their attorney authorized our visit on their behalf. The unit is third floor with a second egress that enters the landlord's unit via stairs. The tenant has the ability to lock his door from the inside but this same door cannot be locked from the landlord's side. The tenant is quite happy with this arrangement and had nothing but good things to say about his landlords. We "entered" the landlord's unit during this inspection but did not go further than the stairway, enough to determine that in an emergency the tenant could escape through the unit.*

*We explained that we have an obligation to enforce the codes equally, although we recognize that this is an exceptional relationship he has with his landlords. The dilemma we face is that future tenants and future landlords may not enjoy this same type of special and cordial relationship.*

*In any event our visit was able to confirm that there is no current or ongoing threat to the safety of the tenant from fire.*

**June 26, 2013** – A site visit was made to the residence by Ned Holt, Building Official for the City of Burlington. His findings were documented in the Amanda data base with an e-mail to the property owners which reads in part:

*.....a 2nd means of egress is required and may be helpful for a professional help with the design and application of the life safety codes.*

**October 3, 2013** –City of Burlington records indicate the owners initiated a zoning permit application to –“construct exterior stairway and landing.”. That application was reviewed by Mary O’Neil at the Department of Planning and Zoning. The application was returned to the applicants with the comment noted by Mary O’Neal “*More Info Requested for Review*”

### **Code Enforcement request to the Public Works Commission**

We request the Public Works Commission uphold the findings of the Code Enforcement inspector that a second means of egress is required.

Appeal History



**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](http://www.burlingtonvt.gov/dpw)

**Steven Goodkind, P.E.**  
DIRECTOR OF PUBLIC WORKS  
CITY ENGINEER

## MEMORANDUM

To: Martha Gile, Clerks Office  
From: Steve Goodkind, Director  
Date: January 9, 2013  
Re: Public Works Commission Agenda

Please find information below regarding the next Commission Meeting.

Date: **January 16, 2013**  
Time: 6:30 – 9:00 p.m.  
Place: 645 Pine Street – Main Conference Room

## AGENDA

### ITEM

- 1 Agenda
- 2 Public Forum – 5 Minutes
- 3 15 Min South Prospect St – Resident Parking Request
  - 3.10 Communication, J. Fleming
  - 3.20 Discussion
  - 3.30 Decision
- 4 5 Min 128 North St – 15 Minute Parking Space Removal
  - 4.10 Communication, J. Fleming
  - 4.20 Discussion

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

- 5 10 Min Guidelines For Restricting Parking To One Car Between Driveways-  
Decision Regarding 37-39 Hayward St  
5.10 Communication, J. Fleming  
5.20 Discussion  
5.30 Decision
- 6 10 Min Complete Street Implementation Update: FY' 14 Street Capital  
Reconstruction Program  
6.10 Presentation, E. Demers  
6.20 Discussion
- 7 20 Min Residential Parking Program Application Changes  
7.10 Oral Communication, J. King & G. Bergman  
7.20 Discussion
- 8 20 Min 395 Manhattan Dr. – Vacant Building Appeal  
8.10 Communication, W. Ward & Appellant  
8.20 Discussion
- 9 20 Min Code Enforcement Fire Safety Appeal – 144 S. Willard St  
9.10 Communication, W. Ward & Appellant  
9.20 Discussion
- 10 Minutes of 12/19/12
- 11 Director's Report – Customer Service Update & Edmunds Mid-Block Crossing  
Update
- 12 Commissioner Communications
- 13 Possible Executive Session to Discuss Appeals
- 14 Adjournment & Next Meeting Date – 2-20-2013
-



**BURLINGTON PUBLIC WORKS COMMISSION MONTHLY MEETING**

**645 Pine Street**

**MINUTES – January 16, 2013**

**(DVD of meeting on file at DPW)**

**COMMISSIONERS PRESENT:** Bob Alberry, Tiki Archambeau, Matt Conger (Secretary), Asa Hopkins, Nathan Lavery (Chair), Solveig Overby and Mark Porter (Vice Chair)

Commissioner Lavery called the meeting to order at 6:30 p.m.

**ITEM 1 – AGENDA:** No changes.

**ITEM 2 – PUBLIC FORUM:** No one came forward.

**ITEM 3 – SOUTH PROSPECT STREET – RESIDENT PARKING REQUEST**

(Joel Fleming, Public Works Engineer)

(Refer to Commission packet for Mr. Fleming's Memo dated January 16, 2013) Staff received a request for resident parking between #'s 544 and 568 South Prospect Street (nine spaces). Mr. Pike Porter, who submitted the request and petition, was in attendance and spoke to the Commission.

- Mr. Porter's property provides sufficient parking for the residents; the restriction would allow guest parking.
- Mr. Fleming said that installing curbs along that section to prevent cars from parking on the green space is cost-prohibitive.
- Mr. Porter said that the parking prohibition 12-6 a.m. is not enforced (contributing to loud, late-night disturbances by young people getting into their cars which are parked in front of his residence).

**Commissioner Conger moved** to adopt staff's recommendation of parking prohibition from the parking lot of 500 South Prospect Street, south past the property line of 544. Commissioner Alberry seconded.

**The motion did not carry** (Commissioners Alberry, Archambeau and Conger voted in favor; Commissioners Hopkins, Lavery, Overby and Porter voted against). Commissioner Lavery asked staff to come up with low-tech options to keep vehicles off the greenbelt. He also asked all those involved to keep track of parking-related complaints in order to focus on the need for parking enforcement and the long-term benefits of that enforcement. Mr. Fleming stated he would continue to study this issue.

**ITEM 4 – 128 NORTH STREET – 15 MINUTE PARKING SPACE REMOVAL**

(Joel Fleming, Public Works Engineer)

(Refer to Commission packet for Mr. Fleming's Memo dated January 16, 2013) **Commissioner Porter's motion** (with Commissioner Conger seconding) to accept staff's recommendation of the removal of the 15 minute parking space in front of 128 North Street **was withdrawn**. Commissioner Porter wanted to wait to vote on this until next month's meeting, giving staff time to determine if the Sustainability Academy/Lawrence Barnes School's parking lot off North Champlain Street, had parking restrictions. Mr. Fleming added that there are other 15 minute parking spaces in the area for patrons of local businesses. **Commissioner Archambeau moved** to adopt staff's recommendation to remove the 15 minute parking space, confident that the parking lot has no parking restrictions. Commissioner Alberry

seconded. All Commissioners with the exception of Commissioner Porter voted in favor; **this motion carries.**

**ITEM 5 – GUIDELINES FOR RESTRICTING PARKING TO ONE CAR BETWEEN DRIVEWAYS: DECISION REGARDING 3-39 HAYWARD STREET**

(Joel Fleming, Public Works Engineer)

(Refer to Commission packet for “City of Burlington Department of Public Works: Guidelines to Restricting Parking to One Car Between Driveways” dated January 7, 2013 and Mr. Fleming’s Memo dated November 29, 2012) Staff recommends that the Commission adopt the space between the driveways of 37 and 39 Hayward Street to be reserved for one vehicle only. John King, Director of Parking Enforcement, explained how his staff determines which vehicles to ticket, as well as the grey areas his staff would encounter if the recommendation passes. Discussion ensued on ordinance vs. guideline and the Federal standards that DPW staff follows when posting a parking restriction sign (i.e., the parking sign is posted at the head of the parking space; the parking space is 20’ long behind the sign). **Commissioner Porter moved** to adopt staff’s recommendation that the space between the driveways of 37 and 39 Hayward Street be reserved for one vehicle only; Commissioner Alberry seconded. Commissioner Archambeau opposed - with all other Commissioners voting in favor of – the motion. The motion carries.

**ITEM 6 – COMPLETE STREET IMPLEMENTATION UPDATE: FY ’14 STREET CAPITAL RECONSTRUCTION PROGRAM** (Erin Demers, Public Works Engineer, Street Capital Progr. Mgr.)

(Refer to handout distributed at meeting, “Complete Streets Documentation Update – Communications” Memo from Ms. Demers dated January 16, 2013) Ms. Demers was not present. Director Goodkind stated that he and his staff would review the information and add this item to the February agenda.

**ITEM 7 – RESIDENTIAL PARKING PROGRAM APPLICATION CHANGES**

(John King, Director of Parking Enforcement, Burlington Police Department and Eugene Bergman, Esq., City Attorney’s Office)

(Refer to two handouts from Mr. King: 1) “Burlington Police Department Resident Parking Application;” and 2) List of resident parking permits issued, by address, under BPD’s jurisdiction.)

As a result of a resident’s complaint about a heavy concentration of vehicles with resident parking passes on Fletcher Place, Mr. King and Commissioner Porter began studying the issue City-wide. Mr. King came before the Commission to explain the process he and his staff follow when granting resident parking passes. He stated that he has no authorization to deny a permit if the applicant comes in and meets the conditions of the permit. Mr. King and Commissioner Porter propose eliminating the possibility of fraudulent applications by putting the burden on the property owners/landlords: Having their residents/renters provide the Parking Enforcement office with a (property owner/landlord signature-) notarized application.

Attorney Bergman recommended a formal approach to making changes. He explained the procedures that the Commission would need to follow. He suggested that the Commission begin by reviewing the section of the Ordinance that addresses resident parking. Director Goodkind suggested that Mr. King and DPW staff work together to draft something they can bring before the Commission. Commissioner Lavery suggested that Mr. King and Commissioner Porter (and other interested commissioners) brainstorm on possible improvements to the current process. This will be a February agenda item.

## **ITEM 8 – 395 MANHATTAN DRIVE – VACANT BUILDING APPEAL**

(William Ward, Director of Code Enforcement and Appellant)

(Refer to documents handed out at the meeting by Code Enforcement staff:

- Memorandum to Public Works Commission from Norman Baldwin re: 395 Manhattan Drive-Appeal of Vacant Building Order/Decision dated January 8, 2013; Handwritten note to Bill Ward from Chris Khamnei hand-dated October 24, 2012/date-stamped by Code Enforcement October 25, 2012; Notice of Hearing from Norman Baldwin to Chris Khamnei dated December 21, 2012, copy of Certified Mail card and USPS Track and Confirm record; and a Memorandum to Public Works Commission from William Ward re: Report on Appeal of 395 Manhattan Drive Vacant Building Status dated January 8, 2013.
- Vacant Building Permit Application for 395 Manhattan Drive dated October 1, 2012; Nick Greilich's Carpentry Services Invoice; and Handwritten note to Bill Ward from Chris Khamnei hand-dated October 24, 2012/date-stamped by Code Enforcement October 25, 2012.
- Letter to Chris Khamnei from William Ward re: September 27, 2012 inspection, dated October 1, 2012.
- Vermont Property Transfer Tax Return re: 240 Pine Street, Burlington, with date of record as 10/15/12.
- Letter to Chris Khamnei from William Ward dated June 29, 2012.
- E-mail to Chris Khamnei from William Ward dated June 29, 2012; E-mail to Chris Khamnei from William Ward dated July 27, 2012; E-mail to Chris Khamnei from Ned Holt dated May 16, 2012.
- Letter to Chris Khamnei from William Ward dated April 17, 2012.
- 26 pictures taken of the property dated April 4, 13, 19, 20 & 27; May 3; June 29; July 2, 11, 16 & 25; August 13 & 28; September 27; November 13; and December 10, 2012.

Also refer to one-page statement/signed petition submitted by Michael Cook during this meeting, on behalf of neighbors of 395 Manhattan Drive.)

The Appellant, Chris Khamnei, was not in attendance. Commissioner Lavery asked Attorney Bergman to offer a recommendation to the Commission on how to proceed. Attorney Bergman reminded the Commission that this was a quasi-judicial hearing. His recommendation to the Commission: Take the evidence you receive at this hearing and, based on that evidence, make a decision in a deliberative session. Submit the decision in writing and forward to the City Attorney's office, along with the handouts submitted tonight as evidence.

Director Ward verbally outlined the "timeline of significant events" listed on his Memo to the Commission dated January 8, 2013. Deborah Dalton, Code Enforcement Case Manager, displayed slides of photos taken of the property. Tim Ahonen, Minimum Housing Inspector, distributed the above-named handouts to the Commission. Director Ward asked the Commission to approve his request for the Appellant to pay his fees and comply with all requirements to bring the property up to code. He also asked any neighboring property owners in attendance to step forward with their input. Michael Cook and Peg Dumas spoke briefly to the Commission, citing hazardous (e.g., previous fire, building leaning toward sidewalk) and unsightly conditions as well as the property attracting vagrants. Director Ward finally noted that the structure was built prior to 1978 and should be abated as soon as possible.

Attorney Bergman reminded the Commission that their jurisdiction was limited to the appeal. Commissioner Lavery stated that after this meeting, the Commission would convene to discuss and possibly make a decision on the appeal.

**ITEM 9 – CODE ENFORCEMENT FIRE SAFETY APPEAL – 144 SOUTH WILLARD STREET**  
(William Ward, Director of Code Enforcement and Appellant)

(Refer to Commission packet for:

- Memorandum to Public Works Commission from Norman Baldwin re: 144 South Willard Street- Appeal of Second Means of Egress Order by Code Enforcement, dated January 8, 2013;
- Letter to Norm Baldwin from Deborah Dalton re: Appeal of Code Enforcement order #227965, 144 South Willard Street, dated September 4, 2012;
- Handwritten “Notice of Appeal of Routine Inspection of 144 South Willard Street, Inspection 227965” signed by Martin Lavin and Patricia A. Lavin, dated August 16, 2012;
- Letter to Martin Lavin from Tim Ahonen, Minimum Housing Inspector re: Routine Inspection of 144 South Willard Street, Inspection 227965, dated July 7, 2012;
- Inspection Detail for 144 South Willard Street by Inspector Tim Ahonen, dated July 17, 2012;
- Letter to Patricia Lavin from Normal Baldwin re: Notice of Hearing, dated December 21, 2012;
- USPS Track & Confirm record for above-mentioned letter;
- Certified Mail card for above-mentioned letter;
- City of Burlington Ordinance 7.0, “An Ordinance in Relation to Buildings and Building Construction\* Article III, Abatement and Rehabilitation of Vacant Buildings and Structures and Dangerous Structures\* adopted December 7, 2009 and effective January 12, 2010.)

The Appellant, Pat Lavin, was not present. As was anticipated and noted in Assistant Director Baldwin’s Memorandum to Public Works Commission dated January 8, 2013, a representative from Paul, Frank & Collins - Attorney Jim Perglozzi – was present, representing Ms. Lavin. The Appellant submitted a request for appeal; the appeal was scheduled for this meeting. As the Appellant is presently out of state, her attorney is seeking a continuance until her return, possibly on May 1, 2013.

Director Ward: He has mixed feelings about the request for a continuance. While he doesn’t object to granting the additional time, he is questioning the second means of egress. If the continuance is granted, the Commission won’t hear the appeal tonight, and it is possible to resolve the matter without the hearing.

Attorney Bergman: It is up to the Commission to decide on whether or not to grant the continuance. Being a fire safety concern adds gravity to the issue.

**Commissioner Alberry moved to grant a continuance. Commissioner Hopkins said he would second the motion, asking if he could add a clarifying amendment; Attorney Bergman concurred that having a condition would be appropriate. Addition to the motion: Motion made to grant a continuance, as long as verification can be made that the existing door is open. Director Ward stated that this could happen within a week. Attorney Perglozzi stated that he felt this would be acceptable, and would talk with Ms. Lavin. The Commission unanimously approved the continuance with conditions.**

**ITEM 10 - MINUTES OF 12/19/12: Commissioner Alberry moved to accept the Minutes as written; the motion was seconded. Unanimous approval.**

**ITEM 11 – DIRECTOR’S REPORT – CUSTOMER SERVICE UPDATE & EDMUNDS MID-BLOCK CROSSING UPDATE (Steven Goodkind, Director)**

- Edmunds School mid-block crossing is progressing.

- New Customer Service software program progress has been slow; staff shortage in IT. We have recently started to receive more support. A meeting with DPW and IT staff is scheduled for Friday. This item will be addressed at the February meeting.
- Snowfighting is going as planned this winter.
- New staff person in the Inspection Services Division: We are advertising for a new person and will hopefully have someone in the next 2 – 3 months.

## **ITEM 12 – COMMISSIONER COMMUNICATIONS**

Commissioners Alberry, Archambeau, Conger, Overby and Porter: Nothing at this time.

Commissioner Lavery: Asked Director Goodkind for a Performance Report update. Director Goodkind had hoped that the Customer Service program would have been further along, enabling him to pull the data for the report.

Commissioner Hopkins:

- Expressed gratitude to Public Works staff for keeping the sidewalks so clear for walkers.
- Asked that a Champlain Parkway update be added to an upcoming agenda.
- Per Commissioner Hopkins' request, Director Goodkind explained the process that led to the sidewalk work on Flynn Avenue.

## **ITEM 13 – DELIBERATIVE SESSION TO DISCUSS APPEALS**

**Commissioner Archambeau made a motion** to go into deliberative session for the vacant building appeal; Commissioner Alberry seconded. The Commissioners left the room.

## **ITEM 14 – ADJOURNMENT AND NEXT MEETING DATE**

The next meeting of the DPW Commission will be held on Wednesday, February 20, 2013. **Commissioner Alberry moved** to adjourn at 9:30 p.m. Commissioner Conger seconded.



**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

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**Steven Goodkind, P.E.**  
*DIRECTOR OF PUBLIC WORKS  
CITY ENGINEER*

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

**January 8, 2013**

**TO: Public Works Commission**

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

**RE: 144 South Willard Street-Appeal of Second Means of Egress Order by Code Enforcement**

---

Ms. Lavin is the owner of a three story, duplex structure at 144 South Willard Street. Ms. Lavin is seeking to appeal Code Enforcements order identifying the third floor rental unit at this property as lacking an adequate second means of egress. The Department received the Appellants letter of appeal dated August 17, 2012 along with a cover letter from the Code Enforcement office dated September 4 2012 that frames this issue of appeal. I have attached both documents for the Commission's consideration.

Since receiving the appeal I had attempted to schedule this appeal to be heard at the November 28, 2012 Commission meeting. In doing so I spoke to Ms. Lavin on Friday November 16, 2012 over the phone notifying of her of the upcoming meeting to verbally confirm her ability to attend. Unfortunately, Ms. Lavin on that same day of my call was departing for Florida for the winter season and was not planning on returning until the spring May of 2013.

Given her departure from the local area, I sought legal counsel from the attorney's office on how to proceed with scheduling this appeal. It was determined the appeal would need to be heard and it would be the responsibility of Ms. Lavin as the Appellant to either attend or assign someone to attend as her representative given adequate notice.

With that understanding, I again called Ms. Lavin to schedule her appeal to be heard at our January 16, 2013 meeting and verbally explained our desire to have the issue heard before the spring and had sent as a follow up document that provided her with Appellant Instructions, referenced document is dated December 21, 2012 and was sent to her attention via U.S.Postal Service Certified Mail. (Return Receipt attached)

Since issuing the written notice of the meeting I have received a phone call from Bob Raessler from Paul, Frank & Collins today(January 8, 2013) who verbally articulated to me that he would

be representing Ms. Lavin in this matter and that either himself or his associate Jim Perglozzi would be attendance at the January 16, 2013, commission meeting.

As such it has been confirmed both parties have been given notice of the scheduled appeal hearing and plan on being in attendance. .

I will be serving as staff to the Public Works Commission at the meeting and will introduce the two parties Code Enforcement as the administrators of the Ordinance and Mr. Raessler representing Ms. Lavin as the Appellant.

Gene Bergman from the City Attorney's Office will be in attendance to provide legal counsel to the Commission as well.



**CODE ENFORCEMENT OFFICE**

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

9/4/2012

Norm Baldwin  
Assistant Director of Technical Services  
DPW, 645 Pine ST  
Burlington, VT 05401

RE: Appeal of Code Enforcement order # 227965 144 South Willard Street

Dear Mr. Baldwin

On August 17, 2012, Code Enforcement received a letter from Martin and Patricia Lavin appealing Code Enforcement's order of July 17, 2012 requiring a separate egress path for the 3<sup>rd</sup> floor rental unit. The property owners are not available for the September 19, 2012 DPW Commission hearing but would be available for the next scheduled meeting after September 19, 2012.

Currently, the egress for the 3<sup>rd</sup> floor unit is through the 2<sup>nd</sup> and 1<sup>st</sup> floor of the property which is owner-occupied.

Inspector Ahonen's comments from the Minimum Housing inspection:

**TWA:**

MH on July 17, 2012 with female owner. This is an owner occupied duplex, meticulously maintained, of four stories: The cellar is finished as an office with computer workstations for several persons, plus offices, but is not currently in use as such. The first and second floors above grade are the owner's residence. The third floor above grade is an attic conversion to an apartment. The front door is on the third floor at the top of a stair. The second means of egress is a backstair (this is an old manor style home) but it terminates on the second floor where a door opens into the owner's unit. It can be locked from the tenant's side but not the owners. This is, in my opinion a violation of Sec. 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. 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.

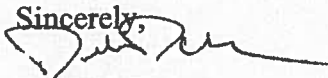
...

(Ord. of 8-4-86; Ord. of 11-8-93) "

The owner protested that this unit has always passed inspection in prior years. I advised her she could appeal my decision and get a fair hearing.

The property was previously inspected on May 23, 2008 and received a Certificate of Compliance after the first inspection. The egress issue was not noted at that time.

Sincerely,



Deborah Dalton

Code Enforcement Case Manager

Notice of Appeal of <sup>July 10, 2011</sup>  
Routine Inspection of 144 South  
Willard Street, Inspection 22796:

This appeal is based on the  
following:

1. This same, identical apartment  
with no changes made of any  
sort, including the tenant, has  
been inspected many times in the  
past and has passed inspection

with the same egress now provided  
which is thru the owner's property.

2. Any correction ordered for this  
property which does not take in  
the historical perspective of approval  
of exterior changes which could be  
required and grants only 30 days for  
such improvement and/or correction is  
highly unreasonable.

3. This tenant and all other tenants we

**WESTIN**  
HOTELS & RESORTS

had have been show the emergent  
egress and all preferred it to an  
possible wooden stairway on the  
exterior of the building, claiming  
that in winter weather such egress  
is unsafe.

Filed this 16<sup>th</sup> Day of August, 2012

Martin Lawin

Patricia A. Lawin

RENEWAL CODE

BO. DIVISION

AUG 17 2012

RECEIVED



**CODE ENFORCEMENT OFFICE**

645A Pine St, PO Box 849

Burlington, VT 05402-0849

**VOICE (802) 863-0442**

**FAX: (802) 652-4221**

July 7, 2012

Martin Lavin  
Ajax Property Management  
350 Main Street  
Burlington, VT 05401

RE: Routine Inspection of 144 South Willard St., Inspection 227965

Dear Owner(s):

Thank you for your cooperation with the routine inspection I conducted on Tuesday, July 17, 2012 at 9:30:00 AM. My findings are included in this Order. Each deficiency listed must be corrected by the compliance date listed for that item.

**A re-inspection has been scheduled for August 20, 2012 at 11:00:00 AM. Tenants must be notified at least 48 hours in advance. All areas of the property must be accessible. Please contact me at least 24 hours in advance, sooner if possible, if this needs to be rescheduled for any reason.**

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

For information only, please be advised that if this office is unable to verify compliance with the Order by the compliance date(s) and a written extension has not been granted, a \$60.00 re-inspection fee per unit will be charged. You may also be ticketed for the Minimum Housing Standards violations and the rental certificate of compliance may be revoked. Failure to comply with this Order is also a criminal offense.

The decisions stated in this Order and report may be appealed in writing within thirty (30) days of the date of this correspondence, addressed to the Director of the Code Enforcement Office.

Information available in alternative media forms for people with disabilities.

For disability access information call (802) 863-0450 TTY.

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8/17/2012 144 South Willard ST 227965

All plumbing, electrical, and building work performed must conform to applicable Codes and City Ordinances and necessary permits must be procured through the appropriate Inspection Services Office of the Public Works Department (863-9094). Any exterior repairs/modifications or change of use may also be subject to review by the Planning and Zoning Department (865-7188). It is your responsibility to check with these Departments regarding permit requirements. A copy of this Order must be presented at time of application for permits.

Safety codes protect everyone, and we appreciate your time and assistance in keeping Burlington a safe and attractive community. Please feel free to contact me at 802-863-0442 if you have any questions or concerns.

Sincerely,

Tim Ahonen  
Minimum Housing Inspector

**Unit/Area**

**Egress path (Item 1 of 2)**

[Redacted]

**Finding:** Required egress path of third floor rental unit goes through second and first floors of the owner's unit.

**Remedy:** Construct and maintain safe path of egress to code: cannot pass through another unit or bathroom. Sec. 18-95. - Means of egress. 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. Exits from dwelling units shall not lead through other such units or through toilet rooms or bathrooms.

**Non Complied**

**Correct By:** Aug 20, 2012

**Code Section: Means of egress**

18-95 Exits from dwelling units shall not lead through other such units or through toilet rooms or bathrooms.

---

**Lead Paint Law (Item 2 of 2)**

[Redacted]

**Finding:** Lead Paint responsibility not met under Burlington City Ordinance: Chapter 18 -112 available online @ [www.cedoburlington.org/housing/lead\\_paint\\_ordinance.htm](http://www.cedoburlington.org/housing/lead_paint_ordinance.htm)

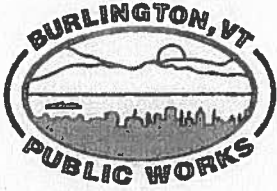
**Remedy:** Please forward to this office a copy of your most recently completed EMP certification form that you filed with the State Lead Program as required by law. For information on the EMP/lead law contact the State Lead program at 1-800-439-8550.

**Non Complied**

**Correct By:** Aug 20, 2012

**Code Section: Paint**

18-112 (h) Owners of pre-1978 rental housing shall have continuing disclosure, education, and cleaning obligations



**CITY OF BURLINGTON  
DEPARTMENT OF PUBLIC WORKS**

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**Steven Goodkind, P.E.**  
*DIRECTOR OF PUBLIC WORKS  
CITY ENGINEER*

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

December 21, 2012

Patricia Lavin  
P.O. Box 545927  
Miami Beach, Florida 33154

**NOTICE OF HEARING**

Pursuant to Burlington Code of Ordinances Chapter 18, Article III, Division 5, please take notice that the **Public Works Commission** will hold a hearing related to an appeal of a minimum housing code order regarding the fire safety division of the minimum housing code associated with 144 South Willard Street at **6:30 p.m. on Wednesday, January 16, 2012 in the Front Conference Room of the Department of Public Works at 645 Pine St.** in Burlington, Vermont.

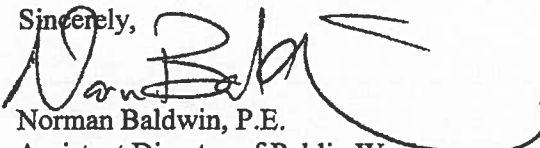
In order to expeditiously hear this appeal, the Commission needs and hereby notifies you as the appellant to provide it with a short and concise statement outlining the specific items to be heard and addressed by the Commission. This statement must reference the item number from the inspection report you are appealing. This statement must also specify the factual or legal basis of the appeal. Please be advised that items that have been resolved and are no longer being contested between you and the Code Enforcement Office are considered moot and will not be heard by the Commission. Please send a copy of this statement to the Code Enforcement Office.

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. **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 8 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,

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

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P.O. BOX 545927  
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**CITY OF BURLINGTON  
DEPARTMENT OF PUBLIC WORKS**

645 Pine Street  
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Burlington, Vermont 05402-0849  
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802.863.0466 FAX  
802.863.0450 TTY

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**Steven Goodkind, P.E.**  
*DIRECTOR OF PUBLIC WORKS*  
*CITY ENGINEER*

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

October 22, 2013

**TO: Public Works Commission**

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

**RE: Appeal of Code Enforcement Order for 234-240 College Street**

---

Mr. Handy is the owner of a three story rental property at 234-240 College Street. Mr. Handy is seeking to appeal Code Enforcements order for this property requiring Mr. Handy to remedy an existing condition that according to Code Enforcement Department does not provide for a continuous and unobstructed egress.

Mr. Handy references the Code Enforcement Order issued by Minimum Housing Inspector Kim Ianelli on August 9, 2013 Order identifying the third floor rental unit at this property as lacking an adequate second means of egress. The Department received the Appellants letter of appeal dated August 27, 2013. Mr. Handy's letter of appeal is attached for your consideration.

Since receiving the appeal I attempted to schedule this appeal to be heard at the October 30, 2013 Commission meeting. In doing so I spoke to Mr. Handy on Thursday October 17, 2013 over the phone notifying of her of the upcoming meeting to verbally confirm her ability to attend. Mr. Handy was unsettled as to his ability to be prepared for the upcoming meeting and he would need to consult with legal counsel.

As a result of my conversation with Mr. Handy this past Thursday, October 17, 2013 I was able to speak to Mr. Handy's attorney Mr. Greenberg yesterday Monday, October 21, 2013. Mr. Greenberg had sought to better understand our process for scheduling the appeal and the process to provide the Commission documentary evidence. As a result of our phone conversation Mr. Greenberg provided me with 8 hard copies of documentary evidence I have labeled appellant submission.

Included in your packet of information I am also including my email to Mr. Handy dated Saturday, October 19, 2013 and the certified letter dated today October 22, 2013.

At this point I cannot confirm the appellants ability to attend however I have received information from Mr.Handy's attorney and from that I am of the belief someone will be in attendance to represent Mr.Handy. I will continue to do follow up with Mr.Handy to confirm his ability to attend.

I will be serving as staff to the Public Works Commission at the meeting and will introduce the two parties Code Enforcement as the administrators of the Ordinance and Mr.Handy as the Appellant.



**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

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**Steven Goodkind, P.E.**  
*DIRECTOR OF PUBLIC WORKS*  
*CITY ENGINEER*

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

October 22, 2013

Joseph Handy  
Sisters & Brothers Investment Group, LLP  
75 So. Winooski Avenue  
Burlington, Vermont 05401

Certified Mail:

Mr. Handy,

As a follow up to our phone conversation this past Thursday and the message I left you over two weeks ago. I am providing you with notice of your scheduled appeal hearing related to 234-240 College Street.

**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 appeal of a minimum housing code order regarding the fire safety division of the minimum housing code associated with 234-240 College Street at 6:30 p.m. on Wednesday, October 30, 2013 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 to hereby notify 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 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. 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 of those facts. If you intend to present documentary evidence, please bring 8 copies of each document to the hearing.

Furthermore, the Commission Packet will be sent out Tuesday, October 22, 2013, 12:00 p.m.. If it is your intent to have documentary evidence included in the commission packet you must have the information to our office no later than Monday, October 21, 2013, 12:00 p.m.

If there are any further questions or concerns please feel free to call me at 865-5826. Please reply to this email to acknowledge your receipt of this notice.

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.

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Sincerely,

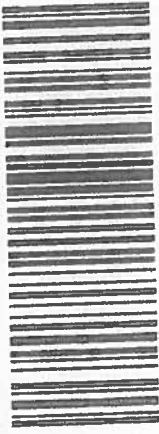
A handwritten signature in black ink, appearing to read "Norm Baldwin", with a long horizontal flourish extending to the right.

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

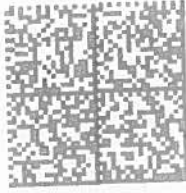
cc: Eugene Bergman, Assistant City Attorney  
Chapin Spencer, Director of Public Works  
Valerie Beaudry, Customer Service Representative  
Bill Ward, Director of Code Enforcement

Department of Public Works  
P. O. Box 849  
Burlington, Vermont 05402

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10/22/2013

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Sisterhood & Brothers Investment Group LLP  
75 S. Willoughby Ave  
Burlington VT 05401

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1. Article Addressed to:

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102595-02-M-1540

## Norm Baldwin

---

**From:** Norm Baldwin  
**Sent:** Saturday, October 19, 2013 4:03 PM  
**To:** 'joehandy@handyvt.com'  
**Cc:** Eugene Bergman; Chapin Spencer; Valerie Ducharme; Nathan Lavery; William Ward  
**Subject:** Hearing Notice 234-240 College Street

**Importance:** High

Mr.Handy,

As a follow up to our phone conversation this past Thursday and the message I left you over two weeks ago. I am providing you with notice of your scheduled appeal hearing related to 234-240 College Street.

### **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 appeal of a minimum housing code order regarding the fire safety division of the minimum housing code associated with 234-240 College Street at **6:30 p.m. on Wednesday, October 30, 2013 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 to hereby notify 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 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. 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 of those facts. If you intend to present documentary evidence, please bring 8 copies of each document to the hearing.

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If there are any further questions or concerns please feel free to call me at 865-5826. **Please reply to this email to acknowledge your receipt of this notice.**

Sincerely,

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



Code  
Enforcements

Submission



## CODE ENFORCEMENT OFFICE

645A Pine St, PO Box 849

Burlington, VT 05402-0849

VOICE (802) 863-0442

FAX: (802) 652-4221

TO: Nathan Lavery/DPW Commission Chair

From: William Ward *Ward*

Date: October 22, 2013

RE: 234-240 College Street appeal of second Means of Egress order by Code Enforcement

The owner of the property Joe Handy has appealed the Code Enforcement requirement of a 2<sup>nd</sup> means of egress from the 3<sup>rd</sup> floor unit at the property at 234-240 College Street.

### Property description

The property has 18 units in the 3 story brick building on College Street between S. Willard Street and S. Union Street.



### July 2013 Inspection results

Burlington Code Enforcement Inspector Kim Ianelli inspected the units on July 1 and issued a report which had 25 deficiencies to be corrected. She made a follow up visit on August 14, 2013 and only 2 deficiencies remained. She made the following comments in her Minimum Housing (M.H.) inspection report for August 14th:

Information available in alternative media forms for people with disabilities.

For disability access information call (802) 863-0450 TTY.

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*KI- Met property manager marty and owner joe handy at property, we went through all the units, they were more "organized" and at least had keys to get into all the units we needed to. The deficiencies were corrected to a minimal standard. The common hallways were slightly cleaner than before. Mr. Handy assured me that the cleaner is working on the hallways weekly. The unit number 5 that i had not been able to get into needed a faucet screen and a pressure lock for the window which they called their worker in to do on the spot. There is still the outstanding issue of fire escape for the units in the front of the building.*

**Relevant Code Section**

***Burlington City ordinance section 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. 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.***

**Code Enforcement request to the Public Works Commission**

We request the Public Works Commission uphold the findings of the Code Enforcement inspector that a second means of egress is required for the units on the South side of the building.

IN: 250392

Inspection Detail for: 234-240 College Street

Inspection Date: Aug 14, 2013 Inspector: Kim Ianelli

Page 1 of 1

Unit/Area

#7, #11 and #9 #5 (Item 1 of 2)

**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.

**Non Complied**

**Correct By:** Aug 30, 2013

**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.

#7, #11 and #9 #5 (Item 2 of 2)

**Finding:** Required egress path goes through another unit or bathroom

**Remedy:** Construct and maintain safe path of egress to code: cannot pass through another unit or bathroom.

**Non Complied**

**Correct By:** Aug 30, 2013

**Code Section:** Means of egress

18-95 Exits from dwelling units shall not lead through other such units or through toilet rooms or bathrooms.

Appellant's

Submission

Sisters & Brothers Investment Group, LLP  
75 So Winooski Avenue  
Burlington, VT 05401

8/27/13

Re: Appeal of Inspection#250392  
234-240 College St, Burlington VT

Mr Nathan Lavery, Chair

Please accept this as an Appeal of the findings by Kim Ianelli, Minimum Housing Inspector on August 9, 2013 at 234-240 College Street, Burlington, VT. In regards to the third floor needing a continuous and unobstructed means of egress, tenants are able to go through boarding apartments to reach the fire escape. This practice has been in place for years and has never been questioned or an issue until now.

Please contact me personally if you'd like to meet at said property or to discuss this matter further.

Respectfully,



Joe Handy  
373-9200

cc: Norm Baldwin  
William Ward



**CODE ENFORCEMENT OFFICE**

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

*Bryan  
Ply - 908-587 1086*

February 3, 2009

Joseph Handy  
Sisters and Brothers Investment Group, LLP  
75 South Winooski Avenue  
Burlington VT 05401

*Call  
Roger*

RE: Complaint Inspection of 234-240 COLLEGE ST, Inspection 176871

Dear Owner(s):

I conducted a complaint inspection on January 16, 2009, at the above property. My findings are included in this Order. Each deficiency listed must be corrected by the compliance date listed for that item.

**A re-inspection has been scheduled for February 19, 2009 at 11:00:00 AM. Tenants must be notified at least 48 hours in advance. All areas of the property must be accessible. Please contact me at least 24 hours in advance, sooner if possible, if this needs to be rescheduled for any reason.**

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

For information only, please be advised that if this office is unable to verify compliance with the Order by the compliance date(s) and a written extension has not been granted, a \$60.00 re-inspection fee per unit will be charged. You may also be ticketed for the Minimum Housing Standards violations and the rental certificate of compliance may be revoked. Failure to comply with this Order is also a criminal offense.

The decisions stated in this Order and report may be appealed in writing within thirty (30) days of the date of this correspondence, addressed to the Director of the Code Enforcement Office.

Information available in alternative media forms for people with disabilities.  
For disability access information call (802) 863-0450 TTY.  
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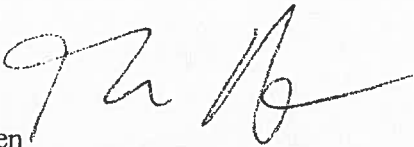
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2287*

2/3/2009 234-240 COLLEGE ST 176871

All plumbing, electrical, and building work performed must conform to applicable Codes and City Ordinances and necessary permits must be procured through the appropriate Inspection Services Office of the Public Works Department (863-9094). Any exterior repairs/modifications or change of use may also be subject to review by the Planning and Zoning Department (865-7188). It is your responsibility to check with these Departments regarding permit requirements. A copy of this Order must be presented at time of application for permits.

Safety codes protect everyone, and we appreciate your time and assistance in keeping Burlington a safe and attractive community. Please feel free to contact me at 802-863-0442 if you have any questions or concerns.

Sincerely,



Tim Ahonen  
Minimum Housing Inspector

C: Bill Carpenter  
Handy Properties  
75 South Winooski Avenue  
Burlington VT 05401





**CODE ENFORCEMENT OFFICE**

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

February 3, 2009

Joseph Handy  
Sisters and Brothers Investment Group, LLP  
75 South Winooski Avenue  
Burlington VT 05401

RE: Complaint Inspection of 234-240 COLLEGE ST, Inspection 176871

Dear Owner(s):

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For information only, please be advised that if this office is unable to verify compliance with the Order by the compliance date(s) and a written extension has not been granted, a \$60.00 re-inspection fee per unit will be charged. You may also be ticketed for the Minimum Housing Standards violations and the rental certificate of compliance may be revoked. Failure to comply with this Order is also a criminal offense.

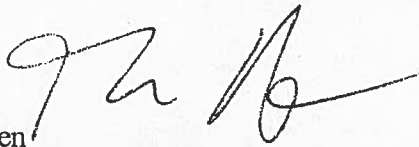
The decisions stated in this Order and report may be appealed in writing within thirty (30) days of the date of this correspondence, addressed to the Director of the Code Enforcement Office.

2/3/2009 234-240 COLLEGE ST 176871

All plumbing, electrical, and building work performed must conform to applicable Codes and City Ordinances and necessary permits must be procured through the appropriate Inspection Services Office of the Public Works Department (863-9094). Any exterior repairs/modifications or change of use may also be subject to review by the Planning and Zoning Department (865-7188). It is your responsibility to check with these Departments regarding permit requirements. A copy of this Order must be presented at time of application for permits.

Safety codes protect everyone, and we appreciate your time and assistance in keeping Burlington a safe and attractive community. Please feel free to contact me at 802-863-0442 if you have any questions or concerns.

Sincerely,



Tim Ahonen  
Minimum Housing Inspector

C: Bill Carpenter  
Handy Properties  
75 South Winooski Avenue  
Burlington VT 05401

IN: 176871

Inspection Detail for: 234-240 COLLEGE ST

Inspection Date: Jan 16, 2009 Inspector: Tim Ahonen

Page 1 of 1

**Unit/Area**

B5 (Item 1 of 3)

Bathroom

**Finding:** Bathroom without working electrical outlet

**Remedy:** Install outlet to bathroom. Electrical permit required. New outlets in bathroom must be GFI-type.

**Status of Deficiency: Non Complied**

**Correct By:** Feb 19, 2009

**Code Section:** Electrical facilities

18-85 Every bathroom shall contain at least one electric light fixture and one electric outlet.

B5 (Item 2 of 3)

Kitchen

**Finding:** Kitchen without adequate electrical outlets/fixtures

**Remedy:** Provide additional outlets/fixtures as required by code. Kitchen must have 3 separate and remote outlets, OR 2 separate and remote outlets and 1 electrical fixture. Electrical permits required. New outlets in kitchen must be GFI-type.

**Status of Deficiency: Non Complied**

**Correct By:** Feb 19, 2009

**Code Section:** Electrical facilities

18-85 Every kitchen shall have three separate and remote wall-type electric convenience outlets, or two such convenience outlets and one ceiling or wall-type electric light fixture.

General (Item 3 of 3)

**Finding:** Inadequate electrical service: The complaint stated that the lights flicker which may indicate a problem with supply not limited to the one apartment.

**Remedy:** Obtain consultation with licensed electrician, provide electrician's written report to this office, and, if necessary, upgrade the electrical system to provide adequate electrical service to code. Permit required from City Electrical Inspector.

**Status of Deficiency: Non Complied**

**Correct By:** Feb 19, 2009

**Code Section:** Electrical facilities

18-85 Where the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the defects shall be corrected to eliminate the hazard.

Date Printed 2/3/2009 10:37:21 AM

**Unit/Area**

B5 (Item 1 of 3)

Bathroom

**Finding:** Bathroom without working electrical outlet

**Remedy:** Install outlet to bathroom. Electrical permit required. New outlets in bathroom must be GFI-type.

**Status of Deficiency:** Non Complied

**Correct By:** Feb 19, 2009

**Code Section:** Electrical facilities

18-85 Every bathroom shall contain at least one electric light fixture and one electric outlet.

B5 (Item 2 of 3)

Kitchen

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**Correct By:** Feb 19, 2009

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**CODE ENFORCEMENT OFFICE**

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Burlington, VT 05402-0849  
**VOICE (802) 863-0442**  
FAX: (802) 652-4221

June 23, 2009

Joseph Handy  
75 South Winooski Avenue  
Burlington VT 05401

RE: Re-Inspection of 234-240 COLLEGE ST, Inspection 176883

Dear Owner(s):

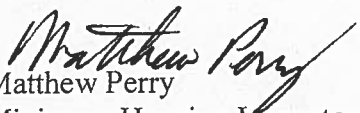
Thank you for your cooperation with the routine inspection I conducted on Monday, June 22, 2009 at 12:00 am.

Based on the results a 3-year Rental Certification of Compliance is enclosed. Please note: Although these Certificates are issued with a 3-year expiration date, our protocol is to conduct routine inspections of all units every 1 to 1 ½ years. You should therefore expect to be contacted by our office to schedule your next routine inspection in approximately 12 to 18 months.

**Please note that a copy of this Rental Certificate of Compliance must be displayed on the premises at all times and must also be produced upon request to an existing or prospective tenant, in accordance with City of Burlington Code of Ordinances, Section 18-21.**

Safety codes protect everyone, and we appreciate your time and assistance in keeping Burlington a safe and attractive community. Please feel free to contact me at (802)802-864-2156 if you have any questions or concerns.

Sincerely,

  
Matthew Perry  
Minimum Housing Inspector

CC: Handy Properties  
75 South Winooski Avenue  
Burlington, VT 05401

Attachment: Rental Certificate of Compliance



**CODE ENFORCEMENT OFFICE**

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

**CITY OF BURLINGTON RENTAL HOUSING INSPECTION PROGRAM  
CERTIFICATE OF COMPLIANCE**

RE: 234-240 COLLEGE ST  
Units: 18  
Property Owner: Joseph Handy  
Sisters and Brothers Investment Group, LLP  
75 South Winooski Avenue  
Burlington VT 05401

This rental property is subject to periodic inspection under the City's Minimum Housing Standards Ordinance according to Chapter 18 of the City of Burlington Code of Ordinances.

This document certifies that the subject rental property is registered as required by the aforementioned ordinance, Sec. 18-18, and on 06/22/2009 was found to be in compliance with the standards of that ordinance.

It is a violation of Chapter 18 to rent housing without a current Rental Certificate of Compliance.

This permit expires on: 06/22/2012, or when a violation is noted at the property due to complaint or other inspection, or upon failure to respond to a request for inspection.

**Note: Routine inspection of rental units by a Code Inspector will be scheduled once every 12 to 18 months.**

Matthew Perry  
Housing Inspector

September 22, 2010

Folder RSN: 176883



## CODE ENFORCEMENT OFFICE

645A Pine St, PO Box 849

Burlington, VT 05402-0849

VOICE (802) 863-0442

FAX: (802) 652-4221

July 1, 2013

Sisters & Brothers Investment Group, LLP  
75 South Winooski Avenue  
Burlington VT 05401

RE: Routine Inspection of 234-240 College Street, Inspection 250392

Dear Owner(s):

Thank you for your cooperation with the routine inspection I conducted on Thursday, June 27, 2013 at 1:00:00 PM. My findings are included in this Order. Each deficiency listed must be corrected by the compliance date listed for that item.

**A re-inspection has been scheduled for August 1, 2013 at 1:00:00 PM. Tenants must be notified at least 48 hours in advance. All areas of the property must be accessible. Please contact me at least 24 hours in advance, sooner if possible, if this needs to be rescheduled for any reason.**

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

For information only, please be advised that if this office is unable to verify compliance with the Order by the compliance date(s) and a written extension has not been granted, a \$60.00 re-inspection fee per unit will be charged. You may also be ticketed for the Minimum Housing Standards violations and the rental certificate of compliance may be revoked. Failure to comply with this Order is also a criminal offense.

The decisions stated in this Order and report may be appealed in writing within thirty (30) days of the date of this correspondence, addressed to the Director of the Code Enforcement Office.

Information available in alternative media forms for people with disabilities.

For disability access information call (802) 863-0450 TTY.

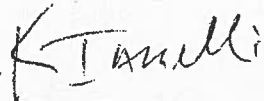
An Equal Opportunity Employer

7/1/2013 234-240 College Street 250392

All plumbing, electrical, and building work performed must conform to applicable Codes and City Ordinances and necessary permits must be procured through the appropriate Inspection Services Office of the Public Works Department (863-9094). Any exterior repairs/modifications or change of use may also be subject to review by the Planning and Zoning Department (865-7188). It is your responsibility to check with these Departments regarding permit requirements. A copy of this Order must be presented at time of application for permits.

Safety codes protect everyone, and we appreciate your time and assistance in keeping Burlington a safe and attractive community. Please feel free to contact me at 802-652-4235 if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Kim Ianelli". The signature is written in a cursive style with a large initial "K".

Kim Ianelli  
Minimum Housing Inspector



Unit/Area

#11, #7, B2 (Item 4 of 25)

**Finding:** Floors not in sound condition and repair; surface uneven, damaged or unsanitary. #11 Bathroom floor near tub, #7 subfloor around toilet and kitchen floor tiles, B2 entrance

**Remedy:** Repair uneven, damaged or unsanitary surface conditions. Maintain floors in sound and sanitary condition, and in good repair to code.

**Non Complied**

**Correct By:** Aug 1, 2013

**Code Section:** Floors, interior walls and ceilings

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

---

#4 (Item 5 of 25)

Bedroom

**Finding:** Exterior window not easily held in position by window hardware

**Remedy:** Repair/replace windows/hardware so that all windows open easily and are easily held in position without the use of props.

**Non Complied**

**Correct By:** Aug 1, 2013

**Code Section:** Exterior windows and doors

18-73 Every window shall be capable of being easily opened and shall be held in position by window hardware. All window hardware shall be maintained in good condition.

---

#4 (Item 6 of 25)

Door to fire escape

**Finding:** Exterior door pane cracked, broken or absent

**Remedy:** Replace exterior door pane and maintain in weatherproof, in sound condition and good repair to code.

**Non Complied**

**Correct By:** Aug 1, 2013

**Code Section:** Exterior windows and doors

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

Unit/Area

(Item 1 of 25)

[Redacted]



**Finding:** Disconnected smoke detector

**Remedy:** Repair or replace smoke detector and maintain in full operating condition at all times..

**Non Complied**

**Correct By:** Aug 1, 2013

**Code Section:** Smoke detectors

18-99 Smoke detectors/alarms shall be properly installed and shall be maintained in good working condition.

#1 (Item 2 of 25)

Bathroom Cold Water

WALT

**Finding:** Water flow less than 3 gallons per minute

**Remedy:** Repair plumbing fixture to provide water flow of at least 3 gallons per minute on a sustained basis. Maintain fixture to provide required water flow to code.

**Non Complied**

**Correct By:** Aug 1, 2013

**Code Section:** Plumbing connections

18-79 A minimum flow of no less than three gallons per minute shall be maintained at the most distant fixture from the meter or point of entry into the building and at all other fixtures. This flow rate shall be achieved on a sustained basis.

✓ #1, 238#2, B5 (Item 3 of 25)

[Redacted]

**Finding:** Appliance incorrectly installed or maintained. 238 #2 kitchen light fixture, #1 Light fixture in living room, B5 missing light covers on all ceiling lights

**Remedy:** Repair or replace, and maintain appliance to code.

**Non Complied**

**Correct By:** Aug 1, 2013

**Code Section:** General working conditions

18-104 Generally every supplied appliance, plumbing fixture, heating device or system, or utility which is required under this article, and every chimney and smoke pipe shall be so constructed and installed so that it will function safely and effectively and shall be kept in sound working condition.

IN: 250392

Inspection Detail for: 234-240 College Street

Inspection Date: Jul 1, 2013 Inspector: Kim Ianelli

Page 3 of 9

Unit/Area

#4 (Item 7 of 25)

Wall near Bathroom

**Finding:** Interior wall/ceiling with cracked or loose plaster

**Remedy:** Repair any cracked or loose plaster, paint and maintain all interior surfaces smooth and in good repair to code.

Non Complied

Correct By: Aug 1, 2013

**Code Section:** Floors, interior walls and ceilings

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

#4, B6 (Item 8 of 25)

**Finding:** Unsanitary condition in dwelling unit

**Remedy:** Clean and maintain dwelling unit clean and sanitary to code.

Non Complied

Correct By: Aug 1, 2013

**Code Section:** Premises to be kept clean and sanitary

18-106 Every owner or his agent shall maintain the shared or public areas of the dwelling unit or units or yard in a clean and sanitary condition. Every occupant of a dwelling unit shall maintain in a clean and sanitary condition that part of the dwelling unit and yard which he occupies and controls.

#5, #B6, 234 #3 (Item 9 of 25)

**Finding:** All or part of rental property unavailable for scheduled inspection

**Remedy:** Need to be able to access Unit #5 #B6 and 234 #3

Non Complied

Correct By: Aug 1, 2013

**Code Section:** Inspection required

18-22 The enforcement officer and inspectors may enter, examine and survey all rental units within the City which are subject to periodic inspections at any reasonable time between the hours of 8 a.m. and 5 p.m. The owner shall contact the agency to arrange for an inspection with fourteen days of being notified of the intent to conduct an inspection. The owner shall give notice of inspection to the occupants not less than forty-eight hours prior to the actual inspection. (The inspector may enter, examine and survey the dwelling unit at any time upon receipt of a complaint, or if there is reason to believe that the situation tends to create a danger to health, safety or welfare of the occupants.)

Date Printed 7/1/2013 3:38:44 PM

IN: 250392

Inspection Detail for: 234-240 College Street

Inspection Date: Jul 1, 2013 Inspector: Kim Ianelli

Page 4 of 9

Unit/Area

#6, 240 #2 (Item 10 of 25)

Ceiling

**Finding:** Interior wall/ceiling with cracked or loose plaster

**Remedy:** Repair any cracked or loose plaster, paint and maintain all interior surfaces smooth and in good repair to code.

**Non Complied**

**Correct By:** Aug 1, 2013

**Code Section:** Floors, interior walls and ceilings

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

#7 (Item 11 of 25)

**Finding:** Smoke detector not functioning

**Remedy:** Repair or replace smoke detector and maintain in full operating condition at all times.

**Non Complied**

**Correct By:** Aug 1, 2013

**Code Section:** Smoke detectors

18-99 Smoke detectors/alarms shall be properly installed and shall be maintained in good working condition.

#7 (Item 12 of 25)

Bathroom

**Finding:** Plumbing fixture incorrectly installed or maintained. Faucet dripping in bathroom

**Remedy:** Repair or replace, and maintain plumbing fixture to code.

**Non Complied**

**Correct By:** Aug 1, 2013

**Code Section:** General working conditions

18-104 Generally every supplied appliance, plumbing fixture, heating device or system, or utility which is required under this article, and every chimney and smoke pipe shall be so constructed and installed so that it will function safely and effectively and shall be kept in sound working condition.

IN: 250392

Inspection Detail for: 234-240 College Street

Inspection Date: Jul 1, 2013 Inspector: Kim Ianelli

Page 5 of 9

Unit/Area

#7, #11 and #9 (Item 13 of 25)

*Requested Variance*  
**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.

**Non Complied**

**Correct By:** Aug 1, 2013

**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.

#7, #11 and #9 (Item 14 of 25)

*Requested Variance*  
**Finding:** Required egress path goes through another unit or bathroom

**Remedy:** Construct and maintain safe path of egress to code: cannot pass through another unit or bathroom.

**Non Complied**

**Correct By:** Aug 1, 2013

**Code Section:** Means of egress

18-95 Exits from dwelling units shall not lead through other such units or through toilet rooms or bathrooms.

#8 (Item 15 of 25)

Kitchen

**Finding:** Bathroom/kitchen floor not constructed and maintained impervious to water

**Remedy:** Repair and maintain floor to be impervious to water, in sound condition and good repair to code.

**Non Complied**

**Correct By:** Aug 1, 2013

**Code Section:** Floors, interior walls and ceilings

18-72 The interior of a structure and its equipment shall be maintained structurally sound and in a sanitary condition. Bathroom and kitchen floors shall be constructed and maintained so as to be substantially impervious to water.

IN: 250392

Inspection Detail for: 234-240 College Street

Inspection Date: Jul 1, 2013 Inspector: Kim Ianelli

Page 6 of 9

Unit/Area

238 #2 (Item 16 of 25)

Porch

**Finding:** Appliances or furniture stored in the yard. Couch on back porch.

**Remedy:** Remove appliances or furniture from the yard. Maintain free of accumulations.

**Non Complied**

**Correct By:** Aug 1, 2013

**Code Section:** Accum of trash, inoper. vehicles, appliances and furn prohibited

18-111 The following materials or items shall not be stored, kept, maintained, deposited or allowed to remain outdoors: appliances such as refrigerators, stoves and microwave ovens; sinks, toilets, cabinets, or other fixtures or equipment; abandoned, discarded, or broken furniture; furniture not constructed for outdoor use.

TENANT  
OR  
AWAY

All Units (Item 17 of 25)

**Finding:** Smoke/CO detector does not meet required standards: Expired smoke/co detectors throughout building.

**Remedy:** Replace smoke/CO detector to code. Carbon monoxide detectors must be UL 2034 listed or approved by a nationally recognized independent testing laboratory. Installation must be in the vicinity off sleeping areas and on every floor of the dwelling, in accordance with the manufacturer's instructions and State law. City of Burlington electrical permit required for electrical work.

**Non Complied**

**Correct By:** Aug 1, 2013

**Code Section:** Smoke detectors

18-99 Smoke detectors/alarms shall be properly installed and shall be maintained in good working condition.

B1 (Item 18 of 25)

Bathroom Ceiling and Bedroom wall

**Finding:** Interior wall/ceiling with deteriorated or damaged surface condition

**Remedy:** Replace/repair deteriorated or damaged interior surfaces. Maintain interior surfaces in sound condition and good repair to code.

**Non Complied**

**Correct By:** Aug 1, 2013

**Code Section:** Floors, interior walls and ceilings

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

Date Printed 7/1/2013 3:38:44 PM

IN: 250392

Inspection Detail for: 234-240 College Street

Inspection Date: Jul 1, 2013 Inspector: Kim Ianelli

Page 7 of 9

Unit/Area

B4 (Item 19 of 25)

[Redacted]

CALL FOR  
SAFETY  
INS.

**Finding:** No inspection tag on unit. All fuel burning heating systems must be inspected every 2 years and serviced and certified with a tag issued to the verified contractor by the Department of Public Works.(DPW)

**Remedy:** Have a certified technician inspect and certify that system is functioning and operating in a safe manner, with proof of inspection stated on tag issued by DPW and placed in a conspicuous place on the unit

**Non Complied**

**Correct By:** Aug 1, 2013

**Code Section:** Heating and cooking equipment

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

B5 (Item 20 of 25)

[Redacted]

✓

**Finding:** Exterior door latches and hinges not maintained in good working condition

**Remedy:** Replace exterior door latches and hinges. Maintain in good working condition to code.

**Non Complied**

**Correct By:** Aug 1, 2013

**Code Section:** Exterior windows and doors

18-73 All door hardware including door latches, door hinges and locks shall be maintained in good condition.

B5 (Item 21 of 25)

[Redacted]

✓

**Finding:** Exterior door not maintained in sound condition and good repair

**Remedy:** Replace exterior door and hardware. Maintain in sound condition and good repair to code.

**Non Complied**

**Correct By:** Aug 1, 2013

**Code Section:** Exterior windows and doors

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

Unit/Area

B5 (Item 22 of 25)

Bedroom Wall

**Finding:** Interior wall/ceiling not maintained sound, sanitary and in good repair

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

**Non Complied**

**Correct By:** Aug 1, 2013

**Code Section:** Floors, interior walls and ceilings

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

B5, B6, #9 (Item 23 of 25)

**Finding:** Exterior windowpane cracked, broken or absent. B5 Kitchen, B6 Bedroom, #9 Living Room

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

**Non Complied**

**Correct By:** Aug 1, 2013

**Code Section:** Exterior windows and doors

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

Basement (Item 24 of 25)

**Finding:** Egress stairway without handrail

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

**Non Complied**

**Correct By:** Aug 1, 2013

**Code Section:** Means of egress

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



IN: 250392

Inspection Detail for: 234-240 College Street

Inspection Date: Jul 1, 2013 Inspector: Kim Ianelli

Page 9 of 9

Unit/Area

Hallways, Stairways and electrical room (Item 25 of 25)

**Finding:** Unsanitary condition in common area. Hallways and electrical room filthy.

**Remedy:** Clean and maintain common area clean and sanitary to code.

**Non Complied**

**Correct By:** Aug 1, 2013

**Code Section:** Premises to be kept clean and sanitary

18-106 Every owner or his agent shall maintain the shared or public areas of the dwelling unit or units or yard in a clean and sanitary condition. Every occupant of a dwelling unit shall maintain in a clean and sanitary condition that part of the dwelling unit and yard which he occupies and controls.

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United States Department of the Interior  
National Park ServiceNational Register of Historic Places  
Continuation SheetSection number 7 Page 44

The site of the Fire Station has been in municipal use from the early days of the town. The 19th-century City Market and the City Jail built in 1888 formerly occupied what had been the bottom of the wide ravine crossing the city. As the ravine was filled by the municipality over the years, the market was demolished for construction--at the northern end--of the Fletcher Library in 1904 and the Fire Station in 1926. The city jail was demolished for a municipal carpark in c.1975.

The coming of the automobile necessitated the replacement of the old Fire House on Church Street. The motorized fire trucks which replaced wagons required large doors and an exit apron which were not available on the increasingly congested Church Street. The funds were raised through the \$750,000 bond issue of the 1926 City Council Meeting (this bond was also used for the construction of the new City Hall and the Memorial Auditorium).

★ 51. Austin Apartments (Messier Building)(234-240 College Street);  
c.1897

This symmetrical, 3 story apartment building recalls Italianate commercial blocks with its parapeted flat roof; the stained glass transoms over the first floor windows add a Queen Anne element while the broad, round arched entrance recalls the Romanesque. This common bonded brick block is organized generally into 4 x 4 bays, with facade bays featuring, primarily, paired 1/1 windows. The two outside bays are occupied by two-story, wooden oriel windows which begin at the second floor. These have spandrel panels and molded cornices and sills. The center of the facade is emphasized by a second-story, balustraded balcony. Also made of wood, it is supported by two large consoles which feature acanthus leaves and other foliate reliefs. Below the balcony is a round arch executed in brick with corbelled impost. The arch frames a recessed entrance containing three glazed, wooden doors, with a transom light above each. The original bronze letter slots still exist in addition to bronze doorknobs and doorbells. Crowning the facade is a simple wooden entablature with three-part architrave, broad frieze with dentils, and projecting, molded cornice. Pairs of windows occupy each of the center bays on the two upper floors. The spaces below the oriels are also filled by a pair of windows, and all of the first floor windows have stained glass transoms which display swag motifs. Other than the oriel windows, the windows have gauged arches and heavy wooden sills.

United States Department of the Interior  
National Park ServiceNational Register of Historic Places  
Continuation SheetSection number 7 Page 45

On the sides of the building, the ground slopes down quickly (a reminder of the ravine which once cut across the city) to reveal a stone foundation and another floor in the back. The entablature does not continue around the sides. The rear (north) elevation has a 4-story, flat-roofed, stuccoed extension that is set in slightly from the sides of the main block. The center of this 1 x 6 bay section is deeply recessed to allow for a 4-story wooden porch. A 2-story, flat-roofed ell, also covered in stucco, projects from the west side of the rear and was originally a stable.

The building was designed and constructed by F.L. and Z.T. Austin and is supposedly connected with the building to the east (also done by the Austins) by an underground passage. The current association is with Marcel Messier.

## 52. Austin Apartments (244-248 College Street); c.1891

Architect Z.T. Austin and his brother Frank built this 3-story apartment/office building which recalls the Italianate in massing and Colonial Revival in decorative detail. This structure which housed the Austin offices gives evidence of the increasingly urban character of Burlington near the turn-of-the-century. Aluminum and asbestos siding have not totally obscured all the fine detail and individuality of the structure which is set close to the street and borders the edge of the ravine that, despite much filling, is still evident in this area.

This deep, narrow, rectangular, flat-roofed main block with its narrow end to the street is divided into a 2-bay front (south) elevation. The left (west) bay of the first story features a wood-paneled and glass door flanked by large, 2/1 sidelights with transoms; the door stands beneath a cornice and frieze enriched with swags and bellflowers and supported by two small foliate carved brackets. A 2 story oriel window hangs above the doorway. The right (east) bay entrance is deeply recessed and serves two wood-paneled and glass doors. Above, a triangular pediment is embellished with swags and ribbons and is supported by two engaged columns topped by foliate brackets. Paired 1/1 windows on the second and third floors complete this side. The entrances are separated by a set of narrow windows angled to the street; these have lattice toplights and a molded cornice. Crowning the facade is a 3-part architrave, a frieze decorated with swags and dentils, and a projecting, molded cornice.

The fenestration on the structure is irregular and all windows are 1/1. An exterior, brick chimney at the northeast corner, two recessed porches on the west and a 2 story, original, rear extension complete the structure. Because of its location on the edge of the ravine, the basement levels on the east, west and north elevations are above grade.

Tech:1: <del>XXXX</del>	<b>SUNRAY FIRE AND SECURITY SERVICE REPORT</b>	Tech:1:
Tech:2: <del>XXXX</del>		Tech:2:
Date: 9-25-08		Date:
Time in: 8:30		Time in:
Time out: 9:00		Time out:
CONTACT DATE: 9-16-08		
ACCOUNT #		

Customer: Handy Corporation	Specific problem:  FIRE T & I
Address: 238 College St Burlington, VT	
Contact: Bill	
Tel: 862-8559 EXT 201	
Scheduled: 9-25-08 @ 830	
Panel Type: NOTIFIER AFP 100	
Requested by: Bill	

Work performed:	Email:	
<del>ANNUAL INSPECTION OF FIRE ALARM SYSTEM</del>	Equipment Used	To be ordered
	1-STATE DEPT 08-17328	

Recommendations / Notes	

Do we need to return to complete this specific service request? <b>Y or N</b> <u>Y</u>	Is system working 100% ? <b>Y or N</b> <u>Y</u>
Why? & When?	If no why?

Was system tested with Central Station? <b>Y or N</b> <u>Y</u>
If no why?

Work was completed to my satisfaction	Billing:	
	Time @	
	Technicians (#)	
	Labor total	
	Service/travel fee	
	Materials	
	Sub total	
	Tax	
Signature: <i>[Signature]</i>	date: <i>[Date]</i>	Total

9/25/08  
8:30

**Fire Alarm Zone Schedule for #234, #236, #238, #240 College St.**

**\*\*Note: Device "software" address is indicated in parenthesis.**

- Zone One- Apt. 10, 3<sup>rd</sup>. Floor #238 Manual Pull Station (M-01)
- Zone Two- Apt. 8, 3<sup>rd</sup>. Floor #238 Manual Pull Station (M-02)
- Zone Three- 3<sup>rd</sup>. Floor Hall #238 Manual Pull Station (M-03)
- Zone Four- Apt. 6, 2<sup>nd</sup>. Floor #238 Manual Pull Station (M-04)
- Zone Five- Apt. 4, 2<sup>nd</sup>. Floor #238 Manual Pull Station (M-05)
- Zone Six- 2<sup>nd</sup> Floor Hall #238 Manual Pull Station (M-06)
- Zone Seven- Main Entry #238 Manual Pull Station and Smoke Detector above F.A.C.P. (Pull Station, M-07, Smoke Det. P-01)
- Zone Eight- Apt. 1, Main Level #238 Manual Pull Station (M-08)
- Zone Nine- Main Level #236 Manual Pull Station (M-09)
- Zone Ten- Main Level #240 Manual Pull Station (M-10)
- Zone Eleven- Lower Level Hall #238 Manual Pull Station (M-11)
- Zone Twelve- Basement #238 Manual Pull Station (M-12)
- Zone Thirteen- Basement Laundry #234 Manual Pull Station (M-13)
- Zone Fourteen- Apt. 2, Main Level #234 Manual Pull Station (M-14)
- Zone Fifteen- Apt. 3, Main Level #234 Manual Pull Station (M-15)
- Zone Sixteen- Main Level #234 Manual Pull Station (M-16)
- Zone Seventeen- Lower Level #234 Manual Pull Station (M-17)
- Zone Eighteen- Apt. B-3, #238 REAR Manual Pull Station (M-18)
- Zone Nineteen- Apt. B-6, #238 REAR Manual Pull Station (M-19)
- Zone Twenty- Apt. B-4, #238 REAR Manual Pull Station (M-20)
- Zone Twenty-One- Basement #238 Manual Pull Station (M-21)

COPY

TO ALL TENANTS

Re: FIRE ALARM Inspect.

There will be a fire Alarm Inspect  
on September 25, 2008 starting at 8:30

If you have any questions call me  
at 862 8553 x 261

Bill Carpenter

GREGORY McKNIGHT II  
Director

KATHLEEN BUTLER  
Health Policy/Case Management Specialist

JEANNE FRANCIS  
Zoning Specialist



**CODE ENFORCEMENT OFFICE**

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

Code Enforcement Administrators  
SUSAN DAVIS  
SHIRLEY GILMAN

Code Enforcement Inspectors  
GEORGE COUTRAYER  
MATTHEW PERRY  
FRANCES POLITI  
DONALD ROBEAR  
JOHN RYAN

Zoning Inspector  
TIMOTHY AHONEN

**CITY OF BURLINGTON RENTAL HOUSING INSPECTION PROGRAM  
CERTIFICATE OF COMPLIANCE**

RE: 234-240 College Street  
Units: 18  
Property Owner: Joseph Handy/Sisters and Brothers Investment Group, LLP


This rental property is subject to periodic inspection under the City's Minimum Housing Standards Ordinance according to Chapter 18 of the City of Burlington Code of Ordinances.

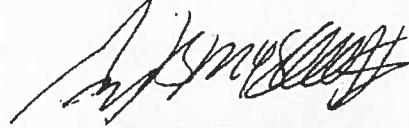
This document certifies that the subject rental property is registered as required by the aforementioned ordinance, Sec. 18-18, and on October 5, 2005 was in compliance with the standards of that ordinance.

It is a violation of Chapter 18 to rent housing without a current Rental Certificate of Compliance.

This permit expires on: October 5, 2008, or when a violation is noted at the property due to complaint or other inspection, or upon failure to respond to a request for inspection.

**Note: Routine inspection of rental units by a Code Inspector will be scheduled once every 12 to 18 months.**

  
Matthew Perry  
Housing Inspector  
Oct 25 2005

  
Gregory B. McKnight II  
Director of Code Enforcement

Folder RSN: 124685

Information available in alternative media forms for people with disabilities.  
For disability access information call (802) 863-0450 TTY.  
An Equal Opportunity Employer



IN: 124685

Inspection Detail for: 234-240 COLLEGE ST

Last Inspection Date: Aug 24 2005 Inspector: Matthew Perry

Page 1 of 5

Unit/Area

Unit 1 (Item 1 of 14)

[Redacted box]

**Finding:** All or part of rental property unavailable for scheduled inspection: Tenant changed locks. LL has no key. LL plans to reinstall master key lock.

**Remedy:** Contact this office to reschedule inspection. Provide access to all units at appointed time.

**Status of Deficiency: No Compliance**

**Correct By:** Sep 29 2005

Code Section: Inspection required

18-22 The enforcement officer and inspectors may enter, examine and survey all rental units within the City which are subject to periodic inspections at any reasonable time between the hours of 8 a.m. and 5 p.m. The owner shall contact the agency to arrange for an inspection with fourteen days of being notified of the intent to conduct an inspection. The owner shall give notice of inspection to the occupants not less than forty-eight hours prior to the actual inspection. (The inspector may enter, examine and survey the dwelling unit at any time upon receipt of a complaint, or if there is reason to believe that the situation tends to create a danger to health, safety or welfare of the occupants.)

Unit 2 (Item 2 of 14)

Bedroom

[Redacted box]

**Finding:** Exterior windowpane cracked, broken or absent: Window broken

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

**Status of Deficiency: No Compliance**

**Correct By:** Sep 29 2005

Code Section: Exterior windows and doors

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

Unit 240 (Item 3 of 14)

hallway

[Redacted box]

**Finding:** Interior wall/ceiling with cracked or loose plaster: Hallway ceiling has loose plaster.

**Remedy:** Repair any cracked or loose plaster, paint and maintain all interior surfaces smooth and in good repair to code.

**Status of Deficiency: No Compliance**

**Correct By:** Sep 29 2005

Code Section: Floors, interior walls and ceilings

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



IN: 124685

Inspection Detail for: 234-240 COLLEGE ST

Last Inspection Date: Aug 24 2005 Inspector: Matthew Perry

Page 2 of 5

Unit/Area

Unit 240 (Item 4 of 14)

Kitchen

**Finding:** Interior wall/ceiling with deteriorated or damaged surface condition: Peeling wallpaper in kitchen.

**Remedy:** Replace/repair deteriorated or damaged interior surfaces. Maintain interior surfaces in sound condition and good repair to code.

**Status of Deficiency:** No Compliance

**Correct By:** Sep 29 2005

**Code Section:** Floors, interior walls and ceilings

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

Unit 4 (Item 5 of 14)

Bathroom

**Finding:** Plumbing fixture not connected and maintained in good working order: Toilet is loose, rocks side to side.

**Remedy:** Tighten fixture to floor to prevent leaks.

**Status of Deficiency:** No Compliance

**Correct By:** Sep 29 2005

**Code Section:** Plumbing connections

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

Unit 9 (Item 6 of 14)

Bathroom

**Finding:** Interior wall/ceiling with cracked or loose plaster: Loose plaster on the ceiling.

**Remedy:** Repair any cracked or loose plaster, paint and maintain all interior surfaces smooth and in good repair to code.

**Status of Deficiency:** No Compliance

**Correct By:** Sep 29 2005

**Code Section:** Floors, interior walls and ceilings

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

IN: 124685

Inspection Detail for: 234-240 COLLEGE ST

Last Inspection Date: Aug 24 2005 Inspector: Matthew Perry

Page 3 of 5

Unit/Area

Unit 9 (Item 7 of 14)

Bathroom

**Finding:** Bathroom/kitchen floor not constructed and maintained impervious to water: Floor tiles separating.

**Remedy:** Repair and maintain floor to be impervious to water, in sound condition and good repair to code.

**Status of Deficiency: No Compliance**

**Correct By:** Sep 29 2005

**Code Section:** Floors, interior walls and ceilings

18-72 The interior of a structure and its equipment shall be maintained structurally sound and in a sanitary condition. Bathroom and kitchen floors shall be constructed and maintained so as to be substantially impervious to water.

Unit 9 (Item 8 of 14)

Bathroom

**Finding:** Plumbing fixtures not maintained: Missing handle on hot water faucet in bathtub.

**Remedy:** Install and maintain all required plumbing facilities and fixtures to code.

**Status of Deficiency: No Compliance**

**Correct By:** Sep 29 2005

**Code Section:** Toilet and plumbing facilities

18-78 All plumbing fixtures and facilities shall comply with the requirements. The owner of the structure shall provide and maintain plumbing facilities and fixtures in compliance with the requirements.

Unit 9 (Item 9 of 14)

Front hall

**Finding:** Interior wall/ceiling with deteriorated or damaged surface condition: Large hole in wall behind front door.

**Remedy:** Replace/repair deteriorated or damaged interior surfaces. Maintain interior surfaces in sound condition and good repair to code.

**Status of Deficiency: No Compliance**

**Correct By:** Sep 29 2005

**Code Section:** Floors, interior walls and ceilings

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

IN: 124685

Inspection Detail for: 234-240 COLLEGE ST

Last Inspection Date: Aug 24 2005 Inspector: Matthew Perry

Page 4 of 5

Unit/Area

Unit 9 (Item 10 of 14)

Living room

**Finding:** Interior wall/ceiling with deteriorated or damaged surface condition: Peeling wallpaper under the front window.

**Remedy:** Replace/repair deteriorated or damaged interior surfaces. Maintain interior surfaces in sound condition and good repair to code.

**Status of Deficiency:** No Compliance

**Correct By:** Sep 29 2005

**Code Section:** Floors, interior walls and ceilings

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

Unit B3 (Item 11 of 14)

**Finding:** Disconnected smoke detector: Hall smoke detector missing at time of inspection. replaced by tenant when questiond.

**Remedy:** Repair or replace smoke detector and maintain in full operating condition at all times.

**Status of Deficiency:** Compliance

**Correct By:** Sep 26 2005

**Code Section:** Smoke detectors

18-99 Smoke detectors/alarms shall be properly installed and shall be maintained in good working condition.

Unit B4 (Item 12 of 14)

Bathroom

**Finding:** Plumbing facilities and fixtures not provided and maintained: Tub caulking needs repair.

**Remedy:** Install and maintain all required plumbing facilities and fixtures to code.

**Status of Deficiency:** No Compliance

**Correct By:** Sep 29 2005

**Code Section:** Toilet and plumbing facilities

18-78 All plumbing fixtures and facilities shall comply with the requirements. The owner of the structure shall provide and maintain plumbing facilities and fixtures in compliance with the requirements.

IN: 124685

Inspection Detail for: 234-240 COLLEGE ST

Last Inspection Date: Aug 24 2005 Inspector: Matthew Perry

Page 5 of 5

**Unit/Area**

Unit B5 (Item 13 of 14)

Bathroom

**Finding:** Interior wall/ceiling with deteriorated or damaged surface condition: Wall behind shower has two large holes.

**Remedy:** Replace/repair deteriorated or damaged interior surfaces. Maintain interior surfaces in sound condition and good repair to code.

**Status of Deficiency: No Compliance**

**Correct By:** Sep 29 2005

**Code Section:** Floors, interior walls and ceilings

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

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**Unit B5 (Item 14 of 14)**

Bathroom

**Finding:** Electrical equipment installed or maintained incorrectly: Missing cover plate on light switch.

**Remedy:** Repair defective equipment/installation.

**Status of Deficiency: No Compliance**

**Correct By:** Sep 29 2005

**Code Section:** Electrical facilities

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

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MEMORANDUM

October 15, 2013

**TO:** Public Works Commission  
**FROM:** Joel Fleming  
**RE:** Bradley Street resident parking request

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**Background:**

Staff received a request and a petition from the residents of Bradley Street to make the street from Hungerford Terrace to North Union Street resident parking only. The residents are in consensus, all asking for 24 hour a day resident parking all week long. Bradley Street is a low volume, low speed, and a residential street between South Willard Street and South Union Street close to the downtown and the University. Bradley Street is in Zone 1 of the resident parking ordinance making it eligible for resident parking.

**Observations:**

Staff conducted a resident parking license plate survey of Bradley Street. The purpose of this count is to figure out who is parking on the street and when. License plate surveys were performed at 7:00 am, 11:00 am, and 5:00 pm for a total of 3 different days. There are a total of 28 parking spaces on Bradley Street from South Union Street to South Willard Street. During the three day period the parking was fully utilized.

There are 3 single family homes and 26 different apartment units, 4 of which rely solely on street parking, on Bradley Street between Hungerford Terrace and South Union Street. 8% of the Vehicles parking on Bradley Street were non-residents parking long term. 23% of the vehicles were non-residents parking short term on Bradley Street. This could be visitors of the street or people parking and doing a few errands down town. Staff assumes that the other 69% of the vehicles to be residents of Bradley Street.

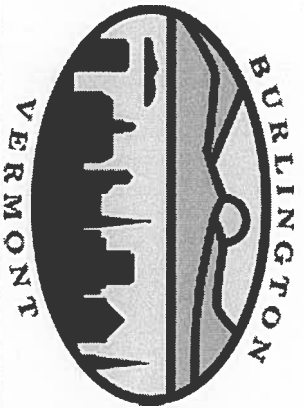
NB 10/22/13

**Conclusions:**

Bradley Street is in zone 1 of the resident parking ordinance making it eligible for resident only parking. The street is at full occupancy at all times of the day and with the pressure of external parking uses it is a perfect candidate for resident only parking.

**Recommendations:**

Staff recommends that the commission deny the petitioners request for 24 hours a day 7 days a week resident parking restriction on the south side of Bradley Street. The existing condition suggests resident use alone represents full use of the existing on street inventory, leading staff to believe the institutionalization of resident parking will be a permitting burden with out benefit.



CITY OF BURLINGTON - DEPARTMENT OF PUBLIC WORKS

# SERVICE REQUEST

Request # 1579

**Name and Address**

Name: Emily Lee  
Address: 39 Bradley St  
Phone Number: 324-4307

Request Date: 05/23/2013 1:24 PM  
Due Date: 6/22/2013

Email Address:

**Request**

Location: Bradley St  
Request Description: Customer is requesting resident parking from South Union St to Hungerford Terrace - see attached petition. - Customer stated that this was requested a couple of years ago.

**Assign History**

Date	Assigned To	Description
5/23/2013 1:24:30 PM	Joel Fleming	Request Assigned

**Work History**

**Customer Service**

Status: New  
Request created by: Valerie Ducharme

RECEIVED

MAY 23 2013

BURLINGTON PUBLIC WORKS

RESIDENT PARKING  
BURLINGTON, VERMONT  
STREET SELECTION PETITION

Date: 4.14.13

Street: BRADLEY

From House Number: 2

To House Number: 39

From Street: N-UNION

To Street: HUNGERFORD

Total single dwelling Units: 3 single family homes

Total apartment Buildings: 7 Total Apartment Units: 26

Person Conducting Petition: Name: Emily LEE

Address: 39 BRADLEY STREET

Telephone: 802-324-4307

House #	Apt #	Name	Resident Parking	Hours Day	Days Week
39		Emily Lee	<input checked="" type="radio"/> Yes	24 Hrs	Mon-Fri
			<input type="radio"/> No	6AM-6PM	All Week
28 <sup>th</sup>	4	MATTHEW Lucia	<input checked="" type="radio"/> Yes	24 Hrs	Mon-Fri
			<input type="radio"/> No	6AM-6PM	All Week
28 <sup>th</sup>	1	Iлона Blanchard	<input checked="" type="radio"/> Yes	24 Hrs	Mon-Fri
			<input type="radio"/> No	6AM-6PM	All Week
28	1	Carlo's Garden	<input checked="" type="radio"/> Yes	24 Hrs	Mon-Fri
			<input type="radio"/> No	6AM-6PM	All Week
18	1	Greg Grillone	<input checked="" type="radio"/> Yes	24 Hrs	Mon-Fri
			<input type="radio"/> No	6AM-6PM	All Week
18	2	Stacia Betley	<input checked="" type="radio"/> Yes	24 Hrs	Mon-Fri
			<input type="radio"/> No	6AM-6PM	All Week
14	1	Jennifer Hafin	<input checked="" type="radio"/> Yes	24 Hrs	Mon-Fri
			<input type="radio"/> No	6AM-6PM	All Week
14	3	Taylor Audette	<input checked="" type="radio"/> Yes	24 Hrs	Mon-Fri
			<input type="radio"/> No	6AM-6PM	All Week
4	2	Mary Manghian	<input checked="" type="radio"/> Yes	24 Hrs	Mon-Fri
			<input type="radio"/> No	6AM-6PM	All Week
2	3	Noah Book	<input checked="" type="radio"/> Yes	24 Hrs	Mon-Fri
			<input type="radio"/> No	6AM-6PM	All Week
4	2	Jack Pollis	<input checked="" type="radio"/> Yes	24 Hrs	Mon-Fri
			<input type="radio"/> No	6AM-6PM	All Week
7	a	Mickey Lantto	<input checked="" type="radio"/> Yes	24 Hrs	Mon-Fri
			<input type="radio"/> No	6AM-6PM	All Week
34		Anne Brena	<input checked="" type="radio"/> Yes	24 Hrs	Mon-Fri
			<input type="radio"/> No	6AM-6PM	All Week







### BRADLEY ST PLATE COUNT

	BRADLEY ST PLATE COUNT								
	10/3/2013			10/7/2013			10/8/2013		
	7:00	11:00	5:00	7:00	11:00	5:00	7:00	11:00	5:00
911 TX4	911 TX4	911 TX4	ECA 982	ECA 982	288 7706	172 JW9	172 JW9	90	
FAC 545	CFY 373	CFY 373	579RH3	579 RH3	DWH 481	ECR 186	ECR 186	172 JW9	
172 JW9	172 JW9	172 JW9	288 7706	288 7706	FFB 132	DPW 406	DPW 406	YXC 39J	
FMN 150	GAF 440	GAF 440	ENR 5286	ENR 5286	KATTT	YXC 39J	YXC 39J	FFB 132	
FFB 132	FFB 132	FFB 132	FFB 132	FFB 132	578 YPR	FFB 132	FFB 132	KATTT	
738 PHV	738 PHV	738 PHV	KATTT	KATTT	GAN 172	KATTT	KATTT	578 YPR	
ENW 268	ENW 268	FXW 193	578 YPR	578 YPR	FLM 236	578 YPR	578 YPR	GAN 172	
579 RH3	579 RH3	817 ZYF	GAN 172	GAN 172	148 520	GAN 172	GAN 172	DE 0367	
817 ZYF	817 ZYF	308 7772	WDF 307	589 822	161 VBM	EPG 877	DER 355	ETR 270	
308 7772	308 7772	FBS 6726	DPW 406	DPW 406	EKK 119	DE 0367	DE 0367	ETB 225	
FBS 6726	FBS 6726	EKK 119	FBS 6726	FBS 6726	DZT 6056	FHT 465	FHT 465	EKK 119	
FGT 644	EAX 043	YXC39J	161 VBM	161 VBM	PPF 150	FSL 976	FSL 976	FHT 465	
FXW 193	YXC39J	GAN 172	288R78	288R78	GAF 440	349 U2	FRH 870	PPF 150	
FLX 661	GAN 172	PPF 150	EKK 119	EKK 119	554 HG4	EKK 119	EKK 119	FLY 425	
GAN 172	PPF 150	EBM 104	DZT 6056	DZT 6056	EBM 104	DZT 6056	DZT 6056	554HG4	
PPF 150	EKK 119	FLX 5084	PPF 150	PPF 150	ETF 558	PPF 150	PPF 150	EBM 104	
EKK 119	FRY 458	FFB 511	9 8599	GAF 440	FLR 7716	FLY 425	FLY 425	DSC 488	
FRY 458	EXP 748	EBM 104	GAD 468	9 8599	FRL 350	554 HG4	554 HG4	FLR 7716	
EXP 748	EBM 104	FLR 7716	ETF 558	ETF 558	HBV 6912	EBM 104	EBM 104	FSL 976	
EBM 104	FLR 7716	EAX 143	FLR 7716	FLR 7716	308 7772	ETF 558	ETF 558	HBV 6912	
FLR 7716	EAX 143	ESA 3102	FRL 350	FRL 350	96RX83	FLR 7716	FLR 7716	308 7772	
EAX 143	9682 XY	782AV8	HBV 6912	HBV 6912	GGR 8075	BUZ 916	BUZ 916	CWA 461	
9682 XY	782 AV8	BLL 2509	308 7772	308 7772	GAN 497	HBV 6912	HBV 6912	GGR 8075	
782 AV8	FNG 902	KATTT	GBC 6604	GBC 6604	1301 SL	308 7772	308 7772	EEG 443	
FNG 902	KATTT	GGR 8075	GGR 8075	GGR 8075	26ZH76	EGE 443	CWA 461	GUR 7461	
KATTT	GGR 8075	FPL 253	GAN 497	GAN 497	AY 244	GGR 8075	GGR 8075	GGR 8075	
GGR 8075	FPL 253	36JRS8	1301 SL	1301 SL	FRY 278	EEG 443	EEG 443	GAN 497	
FPL 253	AY 244	ESE 512	FDX 163	26ZH76		1301 SL	FX 5654	FRY 278	
FRP 750	RH 787	RH-787	BUZ 916	FRS 772		26ZH76	26ZH76		
AY 244			FRY 278	FRY 278		AY 244	AY 244		
EAX 207						FRY 278	FRY 278		
<b>Utilization: 28 total spaces</b>	<b>110.71%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>103.57%</b>	<b>103.57%</b>	<b>92.86%</b>	<b>110.71%</b>	<b>110.71%</b>	<b>96.43%</b>
<b>Residents</b>	<b>100%</b>	<b>72%</b>	<b>52%</b>	<b>100%</b>	<b>80%</b>	<b>67%</b>	<b>100%</b>	<b>90%</b>	<b>50%</b>
<b>Transient Parkers</b>	<b>0%</b>	<b>10%</b>	<b>31%</b>	<b>0%</b>	<b>13%</b>	<b>22%</b>	<b>0%</b>	<b>10%</b>	<b>50%</b>
<b>Long Term parkers</b>	<b>0</b>	<b>17%</b>	<b>17%</b>	<b>0%</b>	<b>7%</b>	<b>7%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>



South Union Street

Requested Resident Parking

Requested Resident Parking

Bradley Street

Requested Resident Parking

Buell Street

Hungerford Terrace



MEMORANDUM

October 21, 2013

**TO:** Public Works Commission  
**FROM:** Joel Fleming  
**RE:** St Paul Street at South Union Street parking request

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**Background:**

Staff received a request to remove the 3 parking spaces to the north of the crosswalk across St Paul Street at South Union Street. St Paul Street is a major arterial that runs north/south and that turns into Shelburne Street just a block to the south of this intersection. South Union Street is a neighborhood collector that runs north/south through the city.

**Observations:**

There is currently 50 feet of parking removed to the north of the crosswalk on the west side of St Paul Street. The resident has asked staff to remove the 3 spaces north of this already restricted parking, totaling up to 110 feet of no parking on the west side of St Paul Street where it meets South Union Street. Parking in the south end, like much of the city, is hard to find and extremely sought after. The MUTCD only requires 20 feet of restricted parking around a crosswalk; this crosswalk has parking restricted for a total of 50 feet. The current sight distance for a pedestrian waiting to cross at this crosswalk is 160 ft. This meets the MUTCD standard for a 25 mph roadway listed at 155 feet.

Staff sent a letter to the residents, dated July 12, 2013. Out of the 30 letters sent out staff received feedback from 5 households. All 5 responses did not support removing parking because they felt that the sight distance for pedestrians is more than adequate.

**Conclusion:**

Under strict interpretation of the MUTCD this crosswalk does meet the sight distance standard for the posted design speed of 25 MPH. However we recognize the prevailing speed condition suggest a large percentage of drivers are exceeding the posted speed, therefore require

✓ NB 10/22/13

a greater sight distance. Applying a prevailing speed of 30 MPH would suggest a sight distance of at least 200 feet, requiring the loss of one additional parking space.

**Recommendation:**

Staff recommends the Commission adopt an additional parking restriction of 20 feet as opposed to the loss of 3 parking spaces.



CITY OF BURLINGTON - DEPARTMENT OF PUBLIC WORKS

Request # 1771

# SERVICE REQUEST

**Name and Address**

Name: Rachel Shelley

Request Date: 06/06/2013 3:57 PM

Due Date: 7/6/2013

Address: 499 So. Union Street

Phone Number: 864-4890

Email Address: rachskye@gmail.com

**Request**

Location: St Paul St &amp; So Union St

Request Description: Per e-mail dated 6/6/13: The crosswalk at south union and St Paul. there are 3 parking spots on the west side that if removed would make for better pedestrian and driver visibility. Making this cross walk safer.

**Assign History**
**Date**
**Assigned To**
**Description**

6/6/2013 3:57:46 PM

Joel Fleming

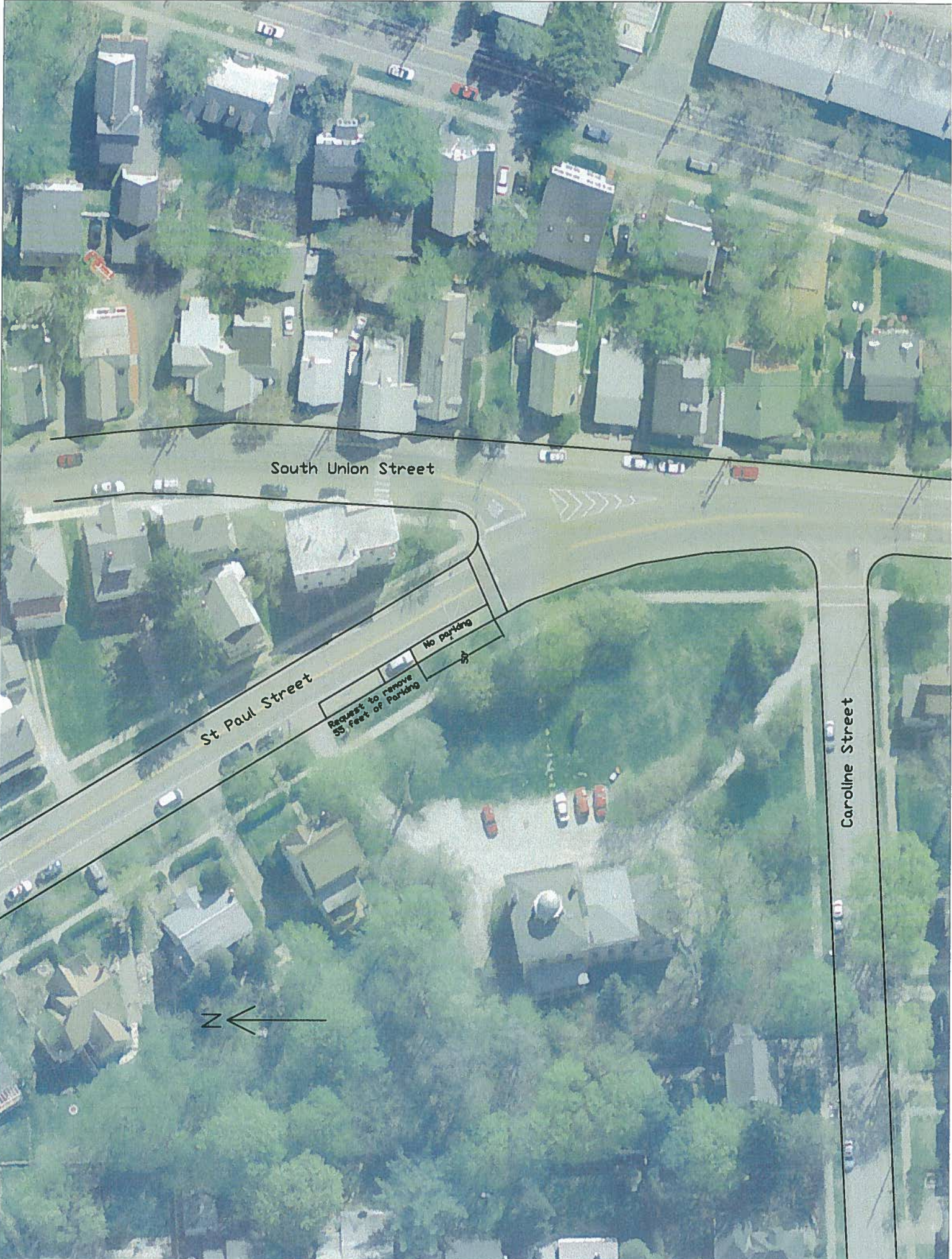
Request Assigned

**Work History**
**Customer Service**

Status: New

Request created by: Helen Plumley

Print Date: 6/6/2013 3:57:53 PM



South Union Street

St Paul Street

Caroline Street

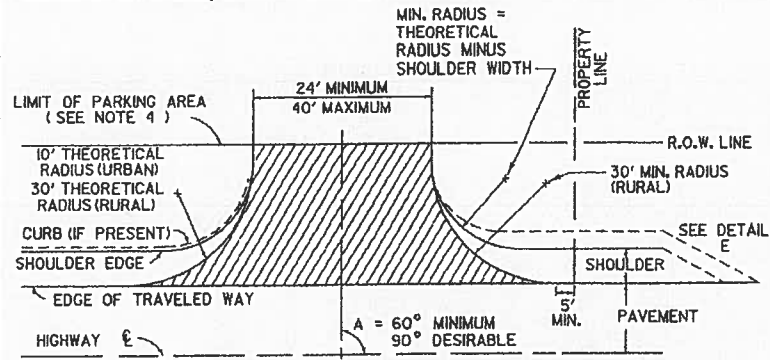
Request to Remove  
35 feet of Parking

No parking





**DETAIL C TWO-WAY UNDIVIDED COMMERCIAL DRIVE FOR SINGLE STORES, BUSINESSES, SMALL HOUSING DEVELOPMENTS**

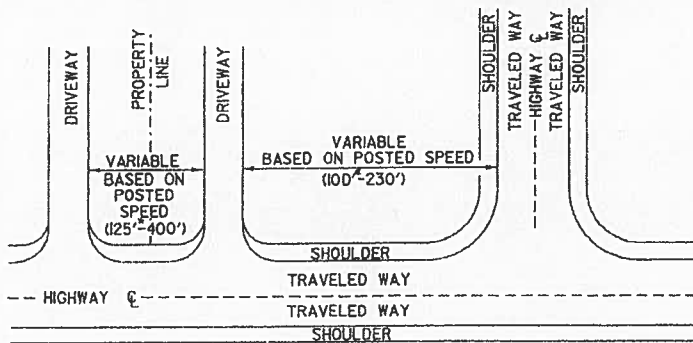


THIS DETAIL WILL ALSO APPLY TO COMMERCIAL SERVICE DRIVES, WHEN AUTHORIZED, HAVING A MAXIMUM WIDTH OF 20'. THE SERVICE DRIVE WILL HAVE A "SERVICE VEHICLES ONLY" SIGN PLACED AT THE HIGHWAY ROW LINE. SIGN SHALL BE 18" X 24" AS PRESCRIBED IN THE "STANDARD HIGHWAY SIGNS BOOK", A SUPPLEMENTAL PUBLICATION TO MUTCD.

**NOTES:**

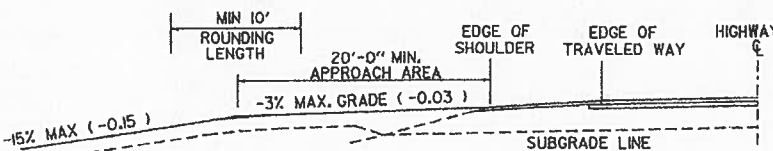
- THIS SHEET IS INTENDED FOR USE BY DESIGNERS ON HIGHWAY PROJECTS AND IN CONJUNCTION WITH A PERMIT FOR WORK WITHIN HIGHWAY RIGHTS OF WAY (FORM TA 21Q). ALL CONSTRUCTION REQUIRED BY THE PERMIT AND INDICATED ON THIS SHEET SHALL BE THE RESPONSIBILITY OF THE APPLICANT AND IS SUBJECT TO THE APPROVAL OF THE VT. AGENCY OF TRANSPORTATION, WHEN USED WITH THE PLANS FOR A HIGHWAY CONSTRUCTION PROJECT. THIS SHEET IS INTENDED TO BE A GUIDE FOR THE DESIGNER CONCERNING DRIVE WIDTHS, HORIZONTAL, VERTICAL AND GEOMETRIC CHARACTERISTICS.
- ALL COMMERCIAL DRIVES SHALL BE PAVED FROM THE EDGE OF THE TRAVELED WAY TO THE HIGHWAY RIGHT-OF-WAY, TO THE FARTHEST POINT OF CURVATURE ON THE DRIVEWAY EDGE OR AS DIRECTED BY THE DISTRICT TRANSPORTATION ADMINISTRATOR. THIS PAVING IS INDICATED IN DETAILS (B THRU E) BY HATCHING.
- DEPTH OF SUBBASE AND PAVEMENT TO BE THE SAME AS HIGHWAY OR AS SHOWN IN DETAIL J WITHIN THE LIMITS OF THE HIGHWAY RIGHT-OF-WAY.
- VEHICULAR ACCESS FROM PARKING AREAS TO THE RIGHT-OF-WAY AT OTHER THAN APPROVED ACCESS POINTS WILL BE PREVENTED BY THE CONSTRUCTION OF CURBING OR OTHER SUITABLE PHYSICAL BARRIER.
- IF CURB IS PRESENT, SEE APPROPRIATE CURB DETAIL STANDARD OR MATCH TOWN/CITY STANDARD CURB DETAIL.
- WHERE TRAFFIC VOLUME FOR A PROJECT IS SUBSTANTIAL THE AGENCY MAY REQUIRE SPECIAL LANES FOR TURNING, SIGNALS OR OTHER MODIFICATIONS. BASED ON TRAFFIC STUDIES THE AGENCY WILL DETERMINE SPECIFIC TREATMENT TO BE USED. ON DEVELOPER PROJECTS THE AGENCY WILL WORK WITH THE APPLICANT TO IMPLEMENT CHANGES TO THE STATE HIGHWAY.
- CIRCULAR DRAINAGE CULVERTS UNDER DRIVES SHALL HAVE A MINIMUM INSIDE DIAMETER (I.D.) OF 15". PIPE ARCHES USED UNDER DRIVES SHALL HAVE A MINIMUM INSIDE CROSS-SECTIONAL AREA EQUIVALENT TO THAT PROVIDED BY A 15" CIRCULAR PIPE.
- THE OFFSET BETWEEN THE PROPERTY LINE AND THE EDGE OF THE DRIVEWAY MAY BE GOVERNED BY LOCAL ZONING LAWS. DRIVEWAY WIDTH RESTRICTIONS SHOWN PERTAIN ONLY TO THE AREA WITHIN THE HIGHWAY R.O.W. OR THE END OF THE TURNING RADIUS WHICHEVER IS GREATEST.
- DRIVEWAY GRADES STEEPER THAN THOSE SHOWN MAY BE ALLOWED AS LONG AS A 20' APPROACH AREA IS ACHIEVED FOR THE VEHICLE TO PAUSE BEFORE ENTERING THE HIGHWAY. (WHERE CURB & SIDEWALKS EXIST, SEE STANDARDS C-2A & C-2B)
- INTERSECTION SIGHT DISTANCES, EQUAL TO OR GREATER THAN THOSE SHOWN BELOW, SHOULD BE PROVIDED IN BOTH DIRECTIONS FOR ALL DRIVES ENTERING ON PUBLIC HIGHWAYS, UNLESS OTHERWISE APPROVED BY THE AGENCY OF TRANSPORTATION. INTERSECTION SIGHT DISTANCE IS MEASURED FROM A POINT ON THE DRIVE AT LEAST 15 FEET FROM THE EDGE OF TRAVELED WAY OF THE ADJACENT ROADWAY AND MEASURED FROM A HEIGHT OF EYE OF 3.5 FEET ON THE DRIVE TO A HEIGHT OF 3.50 FEET ON THE ROADWAY.

**DETAIL F MINIMUM HORIZONTAL SEPARATION BETWEEN DRIVEWAYS AND INTERSECTING SIDEROADS**



\* MINIMUM UNLESS NO OTHER REASONABLE ACCESS IS AVAILABLE AND PRIOR APPROVAL IS GRANTED BY THE VADT ITEMS SUCH AS TRAFFIC SIGNALS, HIGH TRAFFIC VOLUMES, OR FUNCTIONAL CLASS OF HIGHWAY SHOULD BE CONSIDERED WHEN DETERMINING APPROPRIATE SEPARATION DISTANCE. WHEN CURRENT RECOMMENDED SEPARATION DISTANCE CANNOT BE OBTAINED RESTRICTION OF TURNING MOVEMENTS MAY BE REQUIRED.

**DETAIL I PROFILE OF DRIVE INTERSECTION (FILL SECTION)**



IF PAVED DRIVE : SURFACE WITH 2" BITUMINOUS CONCRETE PAVEMENT.  
IF GRAVEL DRIVE : SURFACE WITH 3" AGGREGATE SURFACE COURSE.

SEE DRIVE SIDE SLOPES TABLE



**DRIVE SIDE SLOPES**

LOCATION OF SLOPE	SLOPE RATE
V > 40 MPH	1:6 OR FLATTER
URBAN AREAS, OR V ≤ 40 MPH	1:4 DESIRABLE 1:2 ALLOWABLE
OUTSIDE CLEAR ZONE	1:2 OR FLATTER

**SIGHT DISTANCE CHART**

POSTED SPEED OR DESIGN SPEED (M.P.H.)	MINIMUM STOPPING SIGHT DISTANCE (FT)	MINIMUM INTERSECTION SIGHT DISTANCE (FT)
25	155	280
30	200	335
35	250	390
40	305	445
45	360	500
50	425	555
55	495	610
60	570	665
65	645	720

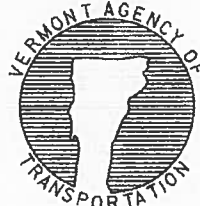
THE ABOVE VALUES ARE TAKEN FROM THE 2004 AASHTO "A POLICY ON GEOMETRIC DESIGN OF HIGHWAYS & STREETS."

NOTE : ADVANCE WARNING SIGNS WILL BE REQUIRED IF OBTAINABLE INTERSECTION SIGHT DISTANCES ARE BELOW MINIMUM STOPPING SIGHT DISTANCES.

THE CHART IS ENTERED TO SELECT DESIGN VALUES BASED ON THE POSTED SPEED LIMIT IN MPH. VALUES FOR DESIGN ARE CALCULATED BASED ON THE DESIGN SPEED IN MPH.

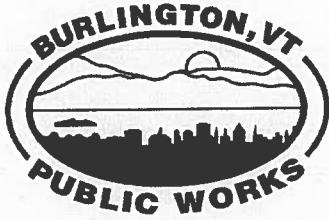
\* ASSUMES A GAP OF 7.5 SECONDS IN THE TRAFFIC STREAM ON THE HIGHWAY MAINLINE BASED ON THE HIGHWAY DESIGN SPEED IN MPH. THIS ALLOWS A STOPPED PASSENGER VEHICLE TO ENTER THE MAINLINE FROM THE DRIVE WITHOUT UNDULY INTERFERING WITH THE HIGHWAY OPERATIONS.

FOR RESIDENTIAL AND COMMERCIAL DRIVES



STANDARD B-71

Sent 7/15/13



**CITY OF BURLINGTON  
DEPARTMENT OF PUBLIC WORKS**

OFFICE OF PLANNING  
645 PINE STREET, SUITE A  
BURLINGTON, VT 05402  
802.863.9094 P  
[WWW.DPW.CI.BURLINGTON.VT.US](http://WWW.DPW.CI.BURLINGTON.VT.US)

**JOEL FLEMING, E.I.T.**  
*PUBLIC WORKS ENGINEER*

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July 12, 2013

Dear St Paul Street and South Union Street Residents:

The Department of Public Works received a request to remove parking on the west side of St Paul Street adjacent to the crosswalk at South Union Street. Staff has examined the request and the street does not feel that more parking needs to be removed because sight distance at the crosswalk is adequate. Staff would like to get feedback from you regarding this parking. I would appreciate your feedback by Friday, July 24th, 2013. Please contact me at 865-5832 or [jfleming@burlingtonvt.gov](mailto:jfleming@burlingtonvt.gov).

Thanks for your time,

Joel Fleming, EIT  
Department of Public Works  
865-5832  
[jfleming@burlingtonvt.gov](mailto:jfleming@burlingtonvt.gov)

## Joel Fleming

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**From:** Wolfgang Hokenmaier <wolfgang.hokenmaier@gmail.com>  
**Sent:** Wednesday, July 17, 2013 7:10 AM  
**To:** Joel Fleming  
**Subject:** St. Paul Street/ South Union St. crossing

Dear Mr. Fleming,

This is in regards to the above pedestrian crossing. Thank you for writing to nearby residents, what a great way to include people affected.

I know the pedestrian crossing very well. My small dog and I use it regularly. Based on my experience, I feel that the visual sight line is sufficient as it is, as long as people don't park beyond the legal area and don't go faster than the speed limit, neither would be improved by further reducing much needed parking along the street.

Having said this, the safety of this crossing as well as the one further up on Shelburne Road is very poor. Motorists seem to be completely unaware that they are supposed to stop for pedestrians at these locations. I crossed with my two small kids and the dog a few days ago, and people look you straight in the eye but continue at 30 miles an hour without a thought of stopping. Even when one motorist stopped for us and we were already in the road, traffic on the other side continued! As a driver, I had one close call where I stopped for a pedestrian on my motorcycle in front of the Shelburne Road crossing up from Christ The King School, only to have the car behind me swerve at full speed around me, missing me by inches as well as the pedestrian who had started crossing!

My recommendation: Install push button flashing lights or stop lights at both locations. I think they even make solar powered ones now, which might reduce installation costs. In the meantime, it might not be a bad idea for police to watch and issue some warnings to motorists so they become aware of the law to stop at pedestrian crossings.

Thanks again for asking.

Regards,  
Wolfgang Hokenmaier, 521 Saint Paul St  
(802) 862 5302

## Joel Fleming

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**From:** Tim McGrath <twinyone@gmail.com>  
**Sent:** Tuesday, July 16, 2013 4:47 PM  
**To:** Joel Fleming  
**Subject:** Parking at St. Paul & South Union St.

I'm writing for several of my relatives who also live in the area regarding the parking question.

We think the sight lines at the crosswalk at St. Paul & So. Union St. are more than adequate as is.

For  
Timothy & Terrance McGrath @ 4 Shelburne Rd. & 522 So. Union St., M.E. & K.V. McGrath @ 511 So. Union St., William  
& Shirley McGrath @ 516, 518 & 526 So. Union St. & 6 Shelburne Rd.

390 Saint Paul Street  
Burlington, VT 05401  
August 26, 2013

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

Traffic Division:

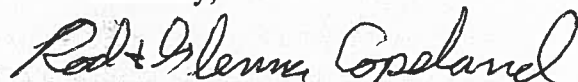
My husband and I are relatively new to Saint Paul Street and are concerned about the speeding we are observing. In exploring options available to address this issue we were pleased to find that the City of Burlington has a Traffic Calming & Neighborhood Enhancement Program. As suggested on your web we have contacted Scott Davidson of the Burlington Police Department. As he noted there are several means to address the issue of speeding; the first being enforcement. Other options appear to be at the discretion of your department. We do not know if this situation has come to the attention of the city in the past and not having data this is a narrative form of the problem as we see it.

We assume that the speed limit is 25 mph though no signage is visible from Main Street to Catherine Street. Our observation is that traffic is moving much faster than 25 mph in front of our home, and it's especially disconcerting to see large commercial vehicles speeding. It would seem that at the least the city could post the speed limit more frequently or perhaps add a "speed hump" somewhere between Maple and Howard. This would be similar to the North End speed humps on the two main arteries coming and going from the Beltline. Similarly, Saint Paul Street is the main traffic artery from downtown to Shelburne south, thus the traffic is not primarily local.

Other ideas would be to have the occasional presence of police radar surveillance and signs that tell you how your speed compares to the posted speed limit. These are strategies that we see all over town. We wonder why this stretch of Saint Paul Street appears ignored, given the dangerous situation it creates for pedestrians in this high density residential neighborhood. Finally, the situation is exacerbated with single north/south lanes and parking on both sides of the street.

We so enjoy the South End and being close to downtown Burlington....but would like to see this safety situation addressed. Thanks so much.

Sincerely,

  
Rod and Glenna Copeland

Resident, Address	Comments
Nico P, 531 St Paul Street	Against removing the parking. Would like something to be done there so vehicles yeild.
Wolfgang Hokenmaier, 521 St paul Street	Does not support removing parking. "Sight lines are sufficient. "
Timothy & Terrance McGrath, 4 shelburne Street	Does not support removing parking.
M. E. & K. V. McGrath, 511 S union Street	Does not support removing parking
William & Shirley McGrath, 516 S Union Street	Does not support removing parking

**BURLINGTON DEPARTMENT OF PUBLIC WORKS COMMISSION**  
**MONTHLY MEETING – MINUTES, September 18, 2013**  
**645 Pine Street**  
**(DVD of meeting on file at DPW)**

**COMMISSIONERS PRESENT:** Bob Alberry, Tiki Archambeau, Asa Hopkins, Nathan Lavery (Chair), Solveig Overby (via conference phone) and Mark Porter (Vice Chair)  
Matt Conger has officially resigned due to relocation.

Commissioner Lavery called the meeting to order at 6:32 p.m.

**ITEM 1 – AGENDA**

**Commissioner Alberry moved** to remove Item 13.30; Commissioner Hopkins seconded. Unanimous.

**ITEM 2 – PUBLIC FORUM**

John Drake and John Caine commented and offered suggestions on residential parking.  
Martha Lang: As of February 2014, none of her 4 houses on Colchester Avenue will have on-street parking; requesting that some accommodation be made.  
Ward 1 City Councilor Kevin Worden commented on sewage back-ups, particularly on South Willard St.

**ITEM 3 – BURLINGTON’S ADVISORY COMMITTEE ON ACCESSIBILITY**  
(Ralph Montefusco, Co-Chair)

Mr. Montefusco introduced himself and DPW Building Inspector Ned Holt, and explained the Committee’s goal of inclusion in the schools, parks, parking and sidewalk accessibility. Co-Chair Montefusco has invited Director Spencer and Assistant Director Baldwin to the Advisory Committee on Accessibility’s next meeting.

**ITEM 4 – SOUTH CHAMPLAIN STREET & MAPLE STREET PARKING REQUEST**  
(Joel Fleming, DPW Engineer)

(Refer to Commission packet) This Item was added to this month’s Agenda due to a lack of a quorum at the July meeting.

Mr. Handy submitted to Director Spencer a petition signed by over 500 people in support of providing additional customer parking on Maple and South Champlain Streets for Handy’s Lunch and area businesses. Earl Handy and resident Catherine Cain spoke to the Commission.

**Commissioner Alberry moved** to: 1) move the handicap-accessible space, creating two (2) new parking spaces with 30-minute restrictions between 8 am–4 pm; 2) change signage from “truck-“ to “vehicle-loading zone”; and 3) change three (3) unrestricted spaces to 3, 2-hr. restricted spaces between 8 am–4 pm. Commissioner Archambeau seconded. Commissioners Alberry, Archambeau, Hopkins, Lavery and Overby voted in favor; Commissioner Porter voted against. The motion carries.  
Mr. Fleming will contact Ms. Cain and two other residents in this area about the possibility of residential parking.

**ITEM 5 – NORTH WILLIAMS STREET RESIDENT PARKING REQUEST**

(Joel Fleming, DPW Engineer)

(Refer to Commission packet) Due to low Commissioner attendance at the June meeting and lack of a quorum at the July meeting, this Item was added to this month's Agenda.

**Commissioner Porter moved** to deny the request; Commissioner Alberry seconded. Commissioners Alberry, Hopkins, Lavery, Overby and Porter voted in favor; Commissioner Archambeau voted against. The motion carries.

**ITEM 6 – NO PARKING ON NORTH AVENUE ADJACENT TO EXISTING BIKE LANES**

(Nicole Losch, Transportation Planner)

(Refer to Commission packet) **Commissioner Porter moved** to accept staff recommendations; Commissioner Overby seconded. Commissioners Archambeau, Hopkins, Lavery, Overby and Porter voted in favor; Commissioner Alberry voted against. The motion carries.

**Director Spencer** requested that **ITEM 13** be addressed at this point in the meeting. **Commissioner Alberry** moved to move Item 13 to Item 6.5; Commissioner Hopkins seconded. Unanimous.

**ITEM 6.5 – SOLID WASTE LICENSING**

(Nicole Losch, Transportation Planner)

Ms. Losch handed out Director Spencer's recommendations for solid waste collection licenses and early pick-up requests for FY 2014 seeking feedback and questions from the Commission. Though the DPW Commission has historically approved hauler licenses, the decision is actually up to the DPW Director per Chapter 14 of the Code of Ordinances. Jane Gauthier of Gauthier Trucking spoke to the Commission regarding renewal of their hauling license.

**Director Spencer consulted with Eugene Bergman from the City Attorney's Office today. They will meet again and make a decision on staff recommendations.**

**ITEM 7 – EXTENDING A LOADING ZONE AT MAIN STREET AND CHURCH STREET**

(Communication, Joel Fleming, DPW Engineer)

(Refer to Commission packet) **Commissioner Hopkins moved** to accept staff recommendation; Commissioner Alberry seconded. Unanimous.

**ITEM 8 – STOP SIGN REQUEST – ST LOUIS ST AT WILLOW ST**

(Communication, Joel Fleming, DPW Engineer)

(Refer to Commission packet) **Commissioner Alberry moved** to accept staff recommendations; Commissioner Archambeau seconded. Unanimous.



**ITEM 9 – PARKING REMOVAL ON WARD ST AT DREW ST**

(Communication, Joel Fleming, DPW Engineer)

(Refer to Commission packet) **Commissioner Alberry moved** to accept staff recommendations; Commissioner Hopkins seconded. Unanimous.

**ITEM 10 – MAIN ST SIDE STREET STOP CONTROL**

(Communication, Joel Fleming, DPW Engineer)

(Refer to Commission packet) **Commissioner Archambeau moved** to accept staff recommendations; Commissioner Porter seconded. Unanimous.

**ITEM 11 – SOUTH CHAMPLAIN ST TOUR BUS PARKING**

(Communication, Joel Fleming, DPW Engineer)

(Refer to Commission packet) **Commissioner Alberry moved** to accept staff recommendations; Commissioner Hopkins seconded. Unanimous.

**ITEM 12 – 110 RIVERSIDE AVE PROPOSED RAPID FLASHING BEACON**

(Communication, Guillermo Gomez, DPW Engineer)

(Refer to Commission packet) Mr. Gomez’s explanation was informative only; no action by the Commission was required.

**ITEM 13 – SOLID WASTE LICENSING - See Item 6.5**

**ITEM 14 – STORMWATER UPDATE: CITYWIDE AND NO WILLARD ST**

(Communication, Norman Baldwin, Assistant Director)

Assistant Director Baldwin talked about proactive steps taken by DPW to educate, prepare and assist residents for future high intensity storms such that were seen in May, June and July.

**ITEM 15 – RESIDENT PARKING UPDATE**

(Communication, Commissioner Lavery)

**Commissioner Lavery recommended** making *no* changes at this time to the existing ordinance and the rules governing it. A lot of mixed feedback was received resulting in no consensus. Also, a number of issues were identified that indicate that the administration of the ordinance as written had not been consistent. Commissioner Lavery recommends following the ordinance rules as they have been written and seeing if problems resolve themselves. This includes limiting guest passes/residence to two (2). The city attorney is waiving violations of residential parking ordinances for guests of resident parking permit holders.

**Commissioner Lavery further recommended** that this Item be added to the upcoming October or November Agenda and the Commission will take any action at that meeting.

**ITEM 16 – MINUTES OF 6/19/13 & 7/17/13**

Minutes of 6/19/13: **Commissioner Archambeau moved** to accept the Minutes; Commissioner Alberry seconded. Unanimous.

Minutes of 7/17/13: Commissioners Alberry, Lavery and Porter agreed to pass the Minutes as recorded.

**ITEM 17 – DIRECTOR’S REPORT**

(Chapin Spencer, DPW Director)

- Would like to meet with each commissioner prior to the next meeting;
- Livable Wage: DPW may be impacted if passed, with a cost of approximately \$20,000/year;
- Hyde Street Update: Ms. Losch has begun monthly communication updates.
- Brown’s Court lot at the corner of King and St. Paul Streets: The City Council has authorized the sale of the lot for \$1.1 million to Champlain College. The \$30,000 revenue to the Traffic Division is in question. Director Spencer will convey to City officials the Commission’s concern of the possible loss of revenue. He and Assistant Director Patrick Buteau continue to follow this issue.

**ITEM 18 – COMMISSIONER COMMUNICATIONS**

Commissioner Porter

- Good job trimming back brush at the Lake Street pedestrian crossing;
- On behalf of Chris Pierson, 11 Brookes Avenue: Is it possible to paint a line stripe for parking vehicles to guide the cars to stay. This request would have to be determined by the Traffic Division if Mr. Pierson wishes to pursue this;

Commissioner Archambeau – requested - and was given a brief explanation of - the process of paving (milling or reclaim, adjusting structures, base course and final course).

**ITEM 19 – ADJOURNMENT & NEXT MEETING DATE**

Due to conflicting schedules, the next meeting date will not be held on October 16<sup>th</sup>. The next meeting date will be announced.

**Commissioner Hopkins moved** to adjourn at 10:15 pm; Commissioner Porter seconded. Unanimous.