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7 RESOLUTION AND ORDER RELATING TO
8 UNDERGROUND RELOCATION OF UTILITIES
9 ON THE CHAMPLAIN PARKWAY
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14 In the year Two Thousand Eleven.....
15 Resolved by the City Council of the City of Burlington, as follows:
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17 That WHEREAS, the Champlain Parkway is ready to enter the final permitting and design
18 phase; and

19 WHEREAS, the City has an Ordinance in place that relates to the placement of utilities
20 below ground on new roadway; and substantial highway reconstruction projects, Burlington City
21 Ordinance Section 27-126; and

22 WHEREAS, because the Champlain Parkway includes the construction of a new road
23 from I189 to Lakeside Avenue and a new shared use path along the west side of Pine Street; and

24 WHEREAS, the shared use path is being undertaken to benefit the public and could be
25 considered similar to the construction of a road or park, the Parkway may be examined under
26 Section 27-126(c)(3) of the ordinance; and

27 WHEREAS, the Ordinance requires that, absent a waiver, the utilities shall be placed
28 underground; and

29 WHEREAS, the Ordinance also directs the City to “consider whether there is an
30 alternative to underground placement of utilities that is more appropriate;” and

31 WHEREAS, the factors to be considered include but are not limited to “aesthetics, public
32 safety, physical and technical considerations of construction, alternatives to underground
33 placement and an analysis of the economic impacts of requiring placement of utilities
34 underground for the project;” and

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40 WHEREAS, the Underground Ordinance Committee met on December 2, 2010 and
41 conducted a review of the considerations relative to Champlain Parkway construction, and based
42 on a review of evidence submitted, including the memo submitted by the Department of Public
43 Works, dated November 29, 2010, the Underground Ordinance Committee determined that the
44 physical and technical considerations of construction and the economic impact of requiring
45 utilities to be placed underground in the area of the new shared use path along the west side of
46 Pine Street strongly weighed towards finding that it is more appropriate to leave utilities where
47 they currently exist and recommended that the City Council make a waiver determination for
48 same; and

49 WHEREAS, utilities on the remainder of the Champlain Parkway (Sections C1 and C2)
50 from I189 to Lakeside Avenue will be placed underground during construction of the new road;

51 NOW, THEREFORE, BE IT RESOLVED AND ORDERED that pursuant to the
52 ordinance described above, the City Council of the City of Burlington hereby determines that a
53 waiver of the Underground Utilities Ordinance is appropriate for the C6 (Pine Street and
54 Lakeside Avenue) Section of the Champlain Parkway Project; and

55 BE IT FURTHER RESOLVED that the City Council hereby determines that the project
56 on existing streets should proceed in accordance with the current plans in which utilities remain
57 overhead; and

58 BE IT FURTHER RESOLVED that the City Council determines that no waiver is
59 required for Sections C1 and C2 which involve new roadway construction and the placement of
60 utilities underground at intersections.