



June 4, 2014

Ref: 57634.00

Scott Gustin, AICP, CFM
Senior Planner
Department of Planning and Zoning
City Hall, 149 Church Street
Burlington, VT 05401

Re: Zoning Permit Application – Burlington Bike Path Rehabilitation
First Phase of Construction (Perkins Pier to North Beach)

Dear Scott:

On behalf of the City of Burlington (“City”) Department of Parks and Recreation (“Applicant, “DPR”), Vanasse Hangen Brustlin, Inc. (“VHB”) has prepared the enclosed application for a Zoning Permit for the first phase of construction for the Burlington Bike Path Rehabilitation Project (“Project”). This first phase will address a variety of deficiencies in the Bike Path within its most heavily used segment: the downtown area between Maple Street and College Street and in Waterfront Park. Furthermore, Path realignment is proposed through the Urban Reserve to Texaco Beach, and Path widening to continue north to a point just south of the entrance to North Beach Park.

This application includes the following materials, which have also been provided electronically on the enclosed flash drive:

- signed Basic Zoning Permit Application Form;
- signed Erosion Prevention and Sediment Control Plan Form;
- representative photographs of existing conditions within the Project area;
- Preliminary Design Plans for the Project, printed at full-scale and reduced to 11X17;
- Zoning District Summary and Site Location Map; and
- tabular Summary of Lot Coverage.

As this is a City project, the application fees are waived.

Proposed Project Phasing

The overall Project encompasses the entire length of the Bike Path; roughly 7.9 miles from Austin Drive to the Winooski River Bridge. The first phase of construction, for which the Applicant is seeking approval, includes approximately 1.70 miles commencing just south of the Maple Street near Perkins Pier and running north to a location approximately 150 feet south of the entrance to North Beach Park (see Zoning District Summary and Site Location Map).

Status of Design and Plan Updates

As you are aware, the Project is moving forward at an accelerated schedule in order to provide the citizens of Burlington with much needed enhancements to one of the City's most prized recreational resources. The Mayor has made a commitment to commencing the Bike Path rehabilitation this year. It is for this reason that we have initiated the process of Project Review through this application, though some updates to the Design Plan are anticipated based on forthcoming information. In particular, soil testing in the Urban Reserve will be used to determine the degree to which removal of impervious surfaces, remnants of the area's industrial period, can be carried out in order to comply with the lot coverage restrictions for this Zoning District and to generally minimize unnecessary impervious surfaces.

The Applicant understands that any updates to the Design Plan are to be submitted to the Department of Planning and Zoning by June 23rd, 2014.

Components Not Included in this Application

- the segment of the Bike Path within the Waterfront Access North ("WAN") Project area, as this is a separate project subject to a previously issued Zoning Permit (between stations 131+19 and 140+96 on attached Design Plans);
- improvements to adjoining areas funded by the Public Investment Action Plan ("PIAP"), such as in Waterfront Park;
- shoreline stabilization; and
- design for pause places, signage, and wayfinding.

Proposed Activities by Design Segment and Schedule

The proposed activities for the first phase of construction are described in detail below by design segment, including the proposed construction schedule. A suite of representative photographs for each segment are provided as a separate attachment and referenced below.

Improvements Proposed for All Sections

The Bike Path will be generally rehabilitated along its existing alignment but widened wherever possible to a paved width of 11' with a 2' aggregate shoulder on each side for runners/walkers.



There will be two areas of major Path realignment that are described below in the section-by-section descriptions. Other improvements that are being designed for the path include centerline striping, appropriate path paint markings and standard signage.

Perkins Pier to King Street

Work along the Bike Path through this section will consist of resurfacing and striping. The portion to be milled and resurfaced (Photo 1) is approximately 150' in length. The striping will consist of the painting of a 4" thick white line to better delineate the area of the path where an existing painted yellow stripe is fading (Photo 2). The crossing of Maple Street lacks appropriate crossing markings (Photo 3), this problem will be solved with the painting of a proposed green textured surface, as well as crosswalk lines. The path will be realigned and reconstructed between Maple Street and King Street to eliminate a 'kink' in the path (Photo 4) that exists to allow for a 90° angle crossing over old railroad rails (Sheet 4 – "Layout View (1 of 16)").

Proposed Construction Schedule: November, 2014

King Street to College Street

The focus through this length of the Bike Path will be intersection improvements and enhanced Bike Path delineation. The intersection of the Bike Path and King Street (Photo 5) is proposed to be painted with the above mentioned green textured surface paint that will align Path users to cross the railroad tracks at a 90° angle. This same green textured surface paint is proposed between King Street and College Street (Photo 6) to widen the delineated area and alert non-path users of traveling cyclists and other path users.

Proposed Construction Schedule: November, 2014

College Street to Penny Lane (Waterfront Park)

This stretch of the path consists of two sections; the southern, "Great Lawn" section, and the northern, "Event Grounds" section. The Great Lawn section (Photo 7) will be milled and resurfaced at the existing width in order to rehabilitate the pavement without harming the roots of the existing silver linden trees that line the Path on both sides. The diagonal section of the Bike Path that currently bisects the Event Grounds will be removed and the Bike Path re-routed to the eastern perimeter of the Park where an existing gravel access road is present (Photo 8). Access along the waterfront will remain, so that cyclists and other users will have continuous access around the perimeter of the Event Grounds during most events (Sheet 8 – "Layout View (5 of 16)").

A pervious grass pavement system will be installed along the western side of the realigned Bike Path within the Event Grounds to improve access to the area by event construction and support vehicles. The width will be sufficient to allow for both vehicle parking and unencumbered access



for emergency access during events. The use of pervious grass pavers will minimize the rutting that is a current maintenance issue and allow for stormwater generated by the Bike Path to infiltrate into the underlying soil.

Proposed Construction Schedule: October to November, 2014

WAN to Texaco Beach (Urban Reserve)

The Bike Path from the terminus of WAN through to the end of the Urban Reserve will see a full realignment (Sheets 11-15 – “Layout View (8 of 16)” to “Layout View (12 of 16)”). The pavement conditions through here have deteriorated and have severe drainage issues (Photo 9). The proposed realignment of the Bike Path will lead the path west (Photo 10) away from the existing, damaged paved areas and towards Lake Champlain. Once the path reaches a point approximately 25’ from the top of the shoreline revetment or break in slope, it will travel parallel to the shoreline and connect back to the existing path alignment at station 167+00.

Proposed Construction Schedule: April to July, 2015

Texaco Beach to North Beach

The majority of the work taking place along this length of the Bike Path will be the items listed in the above “Improvements Proposed for All Sections”. A connection from the Bike Path to Lakeview Cemetery is also being proposed (Photo 11) in this section. This connection is not yet shown in the layout plans but will likely be a 5’ wide aggregate path to include a gated fence for access to the cemetery. The existing railing (Photo 12) is not safe for path users and will be replaced in all necessary locations.

Proposed Construction Schedule: August to November, 2015

Summary of Lot Coverage by Zoning District

Because of the breadth of the Project, the determination of existing lot coverage was carried out via a geographic information system (“GIS”) analysis using available geospatial data provided by the City, including impervious surface coverage by parcel. Survey data for the existing Bike Path alignment collected by VHB was used to supplement this information.

Of the nine parcels intersected by the proposed alignment of the rehabilitated Bike Path, all or portions of 6 parcels are zoned as Downtown Waterfront (“DW”), or Downtown Waterfront – Public Trust (“DW-PT”). Accordingly, there is no restriction on lot coverage for these segments of the Bike Path.

Four of the nine parcels intersected by the Bike Path are zoned in whole or part as Recreation, Conservation and Open Space / Recreation-Greenspace (“RCO-RG”) (see Zoning District



Summary and Site Location Map). However, because of their relatively intensive land use or because, in the case of Parcel 028-2-220-000, their relatively thinness, the current percent lot coverage for each exceeds the allowed lot coverage under the Zoning Ordinance (see enclosed Summary of Lot Coverage). These parcels include those housing the Wastewater Treatment Plant, Perkins Pier, and Waterfront Park. The proposed Bike Path improvements would result in only minor increases in the lot coverage for these parcels, as outlined in the enclosed table. Nevertheless, the Applicant understands that the proposed Bike Path improvements will require Conditional Use review and approval.

Also, portions of two of the parcels intersected by the Bike Path are zoned as Urban Reserve ("UR"). The Applicant understands that, for the proposed activities in the UR, the final design plans must indicate clearly where and how existing impervious surfaces will be removed to, at a minimum, offset the same square footage of proposed Bike Path improvements so that there is no change in lot coverage for this Zoning District.

Conditional Use Review Standards

Because the new proposed alignment of the Bike Path will intersect the Riparian and Littoral Conservation Zone, the Applicant hereby agrees to conform to the requirements listed in Section 4.5.4 (c) 4. of the Zoning Ordinance. Furthermore, because of these proposed activities within a Natural Resource Overlay District and because a number of the RCO-RG zoned lots have coverages exceeding their allowable limits, the Applicant understands that this Application is subject to review and approval pursuant to the Conditional Use review provisions of Article 3. An initial response to Section 3.5.6 (a) 1-5 is provided below.

Capacity of Existing or Planned Community Facilities

The Project will have no undue adverse effect on existing or planned community facilities. By its nature, the Bike Path rehabilitation will encourage community recreation and appreciation of the waterfront area and promote healthy lifestyles.

Character of the Area

Because the Project largely occupies the existing alignment and does not propose any new uses, it is consistent with the purposes of the Zoning Districts through which it passes. The realignment of the Bike Path in the UR represents passive use of a publically accessible open space, consistent with Section 4.4.7 of the Zoning Ordinance. The Applicant believes the proposed realignment of the Bike Path in the UR is consistent with Section 4.4.7. (c) 4), which allows for the following conditionally permitted use:

Existing public recreational paths and railroad facilities and their necessary maintenance.



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Traffic on Roads and Highways

It is not anticipated that the Project will result in any increased traffic demand such that an undue adverse effect would occur. Though the improvements will likely attract more visitors to the Bike Path, this would occur gradually over time.

City Bylaws and City and State Ordinance

The Project will be constructed and operated in accordance with all applicable City Bylaws and City and State Ordinance.

The Utilization of Renewable Energy Resources

Generally speaking, the Bike Path is not a consumptive use of energy. Accordingly, there is little opportunity for employing renewable energy resources.

We appreciate your assisting in reviewing this application and look forward to the opportunity to discuss the Project before the Conservation Board (June 30th) and Development Review Board (July 1st).

Sincerely,
VANASSE HANGEN BRUSTLIN, INC.



Brad Ketterling
Senior Environmental Scientist

DBK/pwe
Enclosure

cc: Jesse Bridges, Director and Harbormaster, Department of Parks and Recreation

