MEMORANDUM

October 31, 2013

TO: Burlington City Council

FROM: Norman Baldwin, P.E.
City Engineer/Assistant Director-Technical Services

RE: Request special consideration to repave St.Paul Street between King and Maple in lieu of Excavation Fees

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The Department has received a request to waive Excavation Fees in lieu of repaving St.Paul Street between King Street and Maple Street

The Department received the request from Mr.Stuart Chase who is the developer currently advancing the residential development project on St.Paul Street on the west side of the block section between King Street and Maple Street, commonly referred to as the Stratos Project at 183 St.Paul Street. As part of the Stratos project the developer made utility connections within the roadway, precipitating the need for the developer to pull an Excavation Permit and at the closing of their permit pay Excavation Fees.

The Excavation Permit Fees currently due are $ 30,209.76, with 1296 square foot of excavation within the roadway.

As background information, the Excavation Fees are structured to recover costs to rebuild the roadway given the cuts within the roadway reduce the service life of the roadway. The Excavation Fee structure is represented in Chapter 27, Streets and Sidewalk within the Burlington Code of Ordinances.

Administrative fees & Inspection fees :	$ 1.52 s.f..
Excavation within paved Portion of the right of way	$ 21.79 s.f.
Total Excavation Fees/Square Foot	$ 23.31 s.f.

Within Chapter 27 there are no provisions for staff to waive excavation fees in lieu of the developers offer to repave the street.

Stuart Chase as the developer for the Stratos Project has made the offer to

- Repave St.Paul Street between King Street and Maple Street and
- Pay the Administrative & Inspection Fees of $ 1,969.92

As an alternate to paying the permit fees due of $30,209.76.

Rather than denying the developer the opportunity to give his proposal fair consideration I had suggested that he present his request to a higher authority beginning with the City Council Licensing Committee and then onto the Full Council. The item was presented to the License Committee and it had received the License Committees vote of support at their Tuesday, October 21, 2013 meeting.

Given Mr.Chase's proposal has meet with the License Committees approval the item is now being presented to the Full Council as the final step in the approval process.

As staff, we have reviewed Mr.Chase's request and we are supportive of the request for a number of reasons.

- Under this proposal the street would repave the street and restore it to a pristine state immediately without delay.
- Under the developers proposal the City is achieving its primary objective to have the private interests restore the roadway surface to a condition better than the pre-development state.

As staff we will be at the upcoming meeting Council Meeting.

Thank you in advance for your thoughtful consideration.

c.c. Stuart Chase
Ronald Gore, Excavation Inspector