<table>
<thead>
<tr>
<th>Name</th>
<th>Item #</th>
<th>Email</th>
<th>Phone</th>
<th>Ward #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michelle Cunningham</td>
<td>Consent 5</td>
<td><a href="mailto:doughnutadilemma@gmail.com">doughnutadilemma@gmail.com</a></td>
<td>803.923.6736</td>
<td></td>
</tr>
<tr>
<td>Jess Ackerman</td>
<td>Consent</td>
<td><a href="mailto:adyjess@gmail.com">adyjess@gmail.com</a></td>
<td>802.342.4728</td>
<td></td>
</tr>
<tr>
<td>Shawn Bushor</td>
<td>40-42 gd. Ave. appeal</td>
<td><a href="mailto:shawn.bushor@vine.neti.r.t">shawn.bushor@vine.neti.r.t</a></td>
<td>802.734.7000</td>
<td>1</td>
</tr>
<tr>
<td>Soon Kwon</td>
<td></td>
<td><a href="mailto:soonk.kwon@gmail.com">soonk.kwon@gmail.com</a></td>
<td>(802) 518-2457</td>
<td></td>
</tr>
</tbody>
</table>
To: Burlington Public Works Commission
From: Billy Burns, Traffic Foreman
Re: Landscaping Services 2016

On March 30, 2016, at 12:00 p.m. The Burlington Public Works Traffic Department opened the Landscaping Quotes for the 2016 summer season. Public Works had requested quotes for Landscaping Services for the City flowerbeds for one season of service. The Traffic Department sent the Request for Landscaping Services to six companies in the area and the Burlington Parks and Recreation Department.

We received two quotes back.
OrganiCare Landscapes total quote was $23,650
Pinnacle Properties total quote was $24,400

Background – On the two bids received this year; the incumbent Pinnacle Property and a new organization called OrganiCare. Pinnacle has been performing the work for the last 9 yrs, and has largely been the only submitter in the past. OrganiCare is a relatively new company that has previously focused on fertilizer and some house landscape work in developments.

In order to review the two submissions, we formed a source selection panel consisting of Pat Cashman, Dan Hill and myself. In the exercise of the selection panel we individually scored each proposal based on price, quality of prior like-work as per references, experience with projects of this scope, years’ experience and prior work with the city.

Of the two submissions received the proposal from OrganiCare was at lower cost by $750 in savings below the Pinnacle proposal (~$24K), however their lack of like work experience, limited scope of prior work, and no work history with the city led us to select Pinnacle for this work. With a contract of this size and duration we felt the risk of a wholly new company working in a new area of work was significant, however encouraging OrganiCare to continue to bid on city contracts in order to build a reputation and work history would obviously serve us well in the long run by having more competitors for this contract in the future.

As stated we have worked with Pinnacle Properties in the past and they do quality work in a timely manner. We will offer the contract to Pinnacle Properties.

Last year’s winning quote was $24,400

Thank you.
Code Enforcement DPW appeal hearing

40/42 Colchester Avenue

3 items introduced by CODE
# Code Enforcement Timeline of inspections at this property

<table>
<thead>
<tr>
<th>DATE</th>
<th>ACTION</th>
<th>INSPECTOR/STAFF</th>
<th>DEFICIENCIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>7/7/2015</td>
<td>Routine Housing Inspection</td>
<td>Tim Ahonen / Patti Wehman</td>
<td>24 Items</td>
</tr>
<tr>
<td>7/16/2015</td>
<td>Order Sent</td>
<td>Sybil Thomas</td>
<td></td>
</tr>
<tr>
<td>7/24/2015</td>
<td>Follow-up Inspection</td>
<td>Tim Ahonen / Bill Ward</td>
<td>25 Items</td>
</tr>
<tr>
<td>7/29/2015</td>
<td>Order Sent</td>
<td>Sybil Thomas</td>
<td></td>
</tr>
<tr>
<td>8/12/2015</td>
<td>2nd Follow-up Inspection</td>
<td>Tim Ahonen / Bill Ward</td>
<td>25 Items</td>
</tr>
<tr>
<td>8/14/2015</td>
<td>Order Sent</td>
<td>Sybil Thomas</td>
<td></td>
</tr>
<tr>
<td>8/31/2015</td>
<td>3rd Follow-up Inspection</td>
<td>Tim Ahonen / Bill Ward</td>
<td>19 Items</td>
</tr>
<tr>
<td>1/8/2016</td>
<td>Order Sent for November</td>
<td>Sybil Thomas</td>
<td>UNDER APPEAL</td>
</tr>
<tr>
<td>1/27/2016</td>
<td>Appeal received on 1/8/16 order</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1/28/2016</td>
<td>Inspection for compliance date 1-28-16</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
There were 25 deficiencies at the November 2015 inspection

7 of those deficiencies are from Division 5 of the housing ordinance and are subject to appeal review by the Public Works Commission

- Item #6 of 25 – Missing handrails on stairs
- Item #7 of 25 – Unsafe egress path – hole in the ground in window well
- Item #8 of 25 – Unreasonable/excessive accumulations in storage closet
- Item #9 of 25 – Path of egress obstructed
- Item #13 of 25 – Smoke/CO detectors not interconnected – COMPLIED
- Item #19 of 25 – Fire alarm system tested with deficiencies – COMPLIED by Fire Marshall -2016
- Item #3 of 25 – Front door step
40 b  (Item 6 of 25)
Missing handrails on stairs

Finding:  Egress stairways without handrails in 40b. (See supplemental report dated December 30, 2015 attached)

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.

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.  
Non Complied —Violation not corrected

Conditions observed on 12-30-15—
Photo taken by William Ward
Conditions observed on 4-20-16
Photo taken by William Ward
Finding: Required egress path unsafe or unusable: egress window route on east side has a hole in the ground over one foot deep. The stairs are rickety and the shed roof impedes egress by being below the required clear headroom of 6 feet 8 inches. (See supplemental report dated December 30, 2015 attached)

Remedy: Repair and maintain safe and stable egress path to code at all times.

Code Section: Means of egress
18-95 Egress paths shall be safe to use. All required fire escapes shall be structurally sound and maintained safe and useable and free of snow and ice.

8-31-15 Inspection STATUS: Non Complied – Violation not corrected

Conditions observed
on 8-31-15 –
Photo taken by
William Ward

Photo depicts the view of the escape window well on Northeast side of the building
Conditions observed on 10-6-14
Photos taken by William Ward

Photos depict the interior of the escape window well on the northeast side of the building and a close up of the hole in the ground
Photos depict the interior of the escape window well on the northeast side of the building. The photos were taken by Inspector Tim Ahonen and they are a fair and accurate representation of what I observed on 1-28-16.
Finding: Unreasonable quantities of accumulated and stored materials on premises; There is a closet in 40 b heaped with building supplies no space to walk. (See supplemental report dated December 30, 2015 attached)

Remedy: Reduce accumulations of stored materials. Maintain premises free of excessive accumulations. Storage area to be orderly and free of combustible or hazardous materials. Mr. Kwon a big pile of stuff with no order or any room to step through is not acceptable.

Code Section: Interior accumulations and storage

18-96 Highly flammable or explosive matter, such as paints, volatile oils and cleaning fluids, or combustible refuse, such as wastepaper, boxes and rags, shall not be accumulated or stored on residential premises except in reasonable quantities consistent with normal residential use.

8-31-15 Inspection STATUS: Non Complied – Violation not corrected

Conditions observed on 7-24-15 - Photo taken by William Ward

40-42 Colchester Avenue
Conditions observed on 1-28-16 -
Photo taken by William Ward
Conditions observed on 1-28-16 - Photo taken by William Ward
Finding: Path of egress is obstructed or otherwise unsafe rear exit from 40b obstructed by storage in hallways, missing light bulbs, and passes through boiler room exterior door not proper size. (See supplemental report dated December 30, 2015 attached)

Remedy: Remove obstructions and maintain safe path of egress at all times. Building permit required to replace door.

Code Section: Means of egress
18-95 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 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.

8-31-15 Inspection STATUS: Non Complied - Violation not corrected

Conditions observed on 8-31-15 - Photo taken by William Ward
Video taken by William Ward on 8-31-15 showing the exit path through the door marked “Fire Door EXIT”
Conditions observed on 1-28-16
Photo taken by William Ward
Finding: Alarm units in apartment 42 not talking to each other. (See supplemental report dated December 30, 2015 attached)

Remedy: Electrician needed to diagnose and repair problem so that alarms meet code. Each alarm must signal all of the others.

Code Section: Smoke detectors
18-99 AC/DC interconnected smoke detectors shall be installed inside and outside every bedroom and on every level of the dwelling unit.

FINALIZED CITY OF BURLINGTON ELECTRICAL PERMIT REQUIRED.

Status: Complied on 8-31-15

Conditions observed on 7-24-15 –
Photo taken by William Ward
This issue was found in compliance on 8-31-15

Conditions observed on 8-31-2015 - Photo taken by William Ward
Unit/Area: fire alarm system  
(Item 19 of 25)

Finding: Fire alarm system not maintained in proper operating condition - not inspected. (See supplemental report dated December 30, 2015 attached)

Remedy: Inspect required fire alarm system and maintain in proper operating condition at all times.

Code Section: Fire protection systems
18-98 All required fire protection systems and equipment including fire alarms and fire suppression systems shall be maintained in proper operating condition.

8-31-15 Inspection STATUS: This condition is being referred to the Fire Marshal

Conditions observed on 8-31-2015
Photo taken by William Ward
Close up of previous photo of the fire alarm panel

Conditions observed on 8-31-2015
Photo taken by William Ward
Conditions observed on 2-18-16 - Photo taken by William Ward

This item was determined to be in compliance on 1-28-16
E-mail received from Burlington Fire Marshal on 4-15-16

From: Barry Simays
Sent: Friday, April 15, 2016 7:34 AM
To: William Ward
Subject: 40-42 Colchester Ave fire alarm

Bill,

Permit FA 16-036-R-NC for fire alarm system deficiency repairs (from the annual test and inspection) was tested, inspected, and closed yesterday. All noted deficiencies were repaired and the proof of inspection sticker was updated as "corrected" by the technician.

Thank you,

BC Barry Simays, CFI, IAAIL-FIT
Fire Marshal
Burlington Fire Department
132 North Avenue
Burlington, VT 05401
(802) 864-5577
(802) 658-7665 (Fax)
bsimays@burlingtonvt.gov
Unit 40 a, 42  (Item 3 of 25)
Steps to exterior Front Door

Finding: Exterior door not maintained in sound condition and good repair; cracked and loose concrete on stoops, the thresholds were improperly repaired. (See supplemental report dated December 30, 2015 attached)

Remedy: Replace or repair exterior door threshold/step. Maintain in sound condition and good repair to code.

Code Sections: Means of egress/Stairways and porches
18-95 Egress paths shall be safe to use and shall conform to the requirements of the City building code.
18-74 Stairways and porches: Every inside and outside stair, porch, railing and any appurtenance thereto shall be safe to use and capable of supporting the load that normal use may cause to be put thereon and shall be kept in sound condition and good repair. Specifically, all stairs and other exit facilities of every structure shall be maintained in sound condition and good repair by replacing treads and risers that are worn, broken, warped or loose.

Photo taken by William Ward on 7-24-15
Photo taken by William Ward on 7-24-14
Photo taken by William Ward on 1-28-16 with inset close up of the bubble on the level
Requested action from the Public Works Commission

1. Uphold the Code Enforcement decision that the deficiencies ordered to be corrected were valid.

2. Require that the order be complied with and the deficiencies that have not been corrected be corrected to meet code requirements.
2016 217559 000 00 BP Building Permit

Type  BP Building Permit
Sub Type  (R) Multi-Family
Work  Other
Group  Construction Permits

Primary Property

Address  40-42 Colchester Avenue,
Burlington, Vermont, 05401, USA
Parcel ID  045-4-011-000
PropID  6353

Location  4834.00

Tracking Dates and Reference Information

In Date  Jan 29, 2016
Issue/Approve  Jan 29, 2016
Expires  Jan 28, 2019

Ref. No.
Name  40-42 COLCHESTER AVE
By  Neel H. Holt
Final Date
Priority

Description

Replace window well stair system with approved fixed ladder system for egress in compliance with NFPA 101.7.2.9.2 AND ANSI A14.3. Ladders shall not interfere with the operation of the egress windows in any part thereof.

Conditions

Email
GUARDRAIL
& HANDRAIL ON STAIRS
NFPA 101

42 INCH GUARDRAIL
34-38 INCH HANDRAIL
(VERTICLE MEASUREMENTS ABOVE TOE OF TREAD)
STAIRS / GUARDS AND HANDRAILS

One or two handrails are required on all stairs. The handrail must not be less than 34 inches or more than 38 inches above the leading edge of treads.

Handrails shall have a circular cross section with an outside diameter of at least 1-1/4 inches and not greater than 2 inches. (NFPA 101 section 5-2.2.4.5)

A guardrail is required on open side of stairs, landings, or elevated decks having a 30" height above the ground or floor below.

The height of the guardrail must be not less than 42 inches measured from the adjoining walking surface. Intermediate rails or balusters are also required at 4-inch intervals (NFPA 101 Section 5-2.2.4.6)

The maximum riser height for new residential stairs must be 7 3/4 inches and the minimum tread depths, measured nose to nose, must be 10-inches. (NFPA 101 Section 21-2.5.1 Exception # 3)

The maximum riser height for new stairs in apartment buildings must be 7 inches and the minimum tread depths, measured nose to nose, must be 11-inches. (NFPA 101 Section 5-2.2.2.1 (a))

The minimum width of the stairs must be 36- inches, if the occupant load is fewer than 50. Also the minimum headroom must be 6 feet 8 inches. (NFPA 101 Section 5-2.2.2.1)
April 20, 2016

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

RE: 40-42 Colchester Avenue

Dear Mr. Spencer:

Mr. Kwon outlines the salient points he will make during his presentation on April 20, 2016 regarding to the r2-inspection at 40-42 Colchester Avenue, including but not limited to inspection number 295388.

Mootness: We believe the exception to the doctrine of mootness relied upon by the Commission in its April 18, 2016 Findings, Conclusions & Order is incorrect. Specifically, the U.S. Supreme Court case of Friends of the Earth, Inc. v. Laidlaw Env. Services, 528 U.S. 167 (2000) involved an application for declaratory and injunctive relief, as well as civil penalties. The Supreme Court reversed the Fourth Circuit’s finding of mootness, noting among other issues that the doctrine of mootness does control when the activity is “capable of repetition yet evading review.” ld. at 190.

But this analysis does not apply to the case at bar. This is not an appeal of a municipal ticket which alleges certain infractions on a certain date. This is an appeal of an inspector’s order to comply and this is a de novo hearing. The Commission’s ruling is not an affirmation of the inspector’s determination, it is instead the Commission’s own ruling in which the Commission, as the quasi-judicial body, substitutes its order for the inspector’s order. As such, any appeal is of the Commission’s order, not of the underlying letter written by the inspector. See V.R.C.P. 74.

Under these circumstances, it makes little sense for the Commission to order things done which have already been done. That is the essence of mootness and we believe it applies to this case.
The Egress Stairs

Mr. Kwon purchased this property decades ago and converted a commercial building into these residences beginning in 1998. These existing window egresses have been continuously approved by the City for well over a decade. There have been no changes in the windows. These egresses are, and continue to be, safe.

Nonetheless, Mr. Kwon has received a permit to change the existing stairs to ladders.

Each Bedroom Has Two Egress Routes

Each bedroom has both the standard egress (via the door) and an exit through the window and fire egress stairs. There is a third and extra egress for all apartments through the boiler room. We believe that this route is superfluous and could be kept locked but the City’s fire officials have previously encouraged Mr. Kwon to keep it open for the increased safety to the tenants. As such, we do not believe that the “violations” are relevant for this third route.

We look forward to outlining our position in greater detail at the meeting.

Sincerely,

[Signature]

William B. Towle

Enclosures

cc: Client
Bill Ward
Gene Bergman
Item #2 Light Well
Fire Egress Approved for 15 years
**Grantee:** City of Burlington  
**Parcel:** 045-4-011-000  
**Owner:** Vista K Properties LLC  
**Location:** 40-42 Colchester AVE  
**Land Use:** R3  
**COC Exp:** 07/25/2014

**Disclaimer:** This permit summary may not be an accurate reflection of all permits and/or the permit status on the property. A visit to the specific office to review the physical copies of any permits for the property should ALWAYS be undertaken to ensure accuracy of information. The full permit document can be found by contacting the department identified at the head of the document group. This permit summary is drawn from the records of The Departments of Planning & Zoning, Public Works, Code Enforcement and Clerk/Treasurer's Office. The permit status reflects the actions of these departments only. The Assessor's Office conducts an independent review of permit activities for property use and data changes.

**Property Activity Summary Report as of:** 4/20/2016 3:39:35PM  
**Report generated at:** property.burlingtonvt.gov

<table>
<thead>
<tr>
<th>Issue Date</th>
<th>Permit Type / Description</th>
<th>Folder No.</th>
<th>Permit No.</th>
<th>Grantor</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005 Rental Billing</td>
<td>Code Enforcement Billing Folder</td>
<td>114364</td>
<td>04-103856</td>
<td>Vista K Properties LLC</td>
<td>Closed</td>
</tr>
<tr>
<td>03/07/2006</td>
<td>Code Enforcement Billing Folder</td>
<td>126598</td>
<td>05-102681</td>
<td>Vista K Properties LLC</td>
<td>Closed</td>
</tr>
<tr>
<td>2006 Rental Billing</td>
<td>Code Enforcement Billing Folder</td>
<td>138729</td>
<td>06-102796</td>
<td>Vista K Properties LLC</td>
<td>Closed</td>
</tr>
<tr>
<td>2007 Rental Billing</td>
<td>Code Enforcement Billing Folder</td>
<td>152200</td>
<td>07-102453</td>
<td>Vista K Properties LLC</td>
<td>Cancelled</td>
</tr>
<tr>
<td>2008 Rental Billing</td>
<td>Code Enforcement Billing Folder</td>
<td>164827</td>
<td>08-130959</td>
<td>Vista K Properties LLC</td>
<td>Cancelled</td>
</tr>
<tr>
<td>2009 Rental Billing</td>
<td>Code Enforcement Billing Folder</td>
<td>179270</td>
<td>09-102733</td>
<td>Vista K Properties LLC</td>
<td>Cancelled</td>
</tr>
<tr>
<td>2010 Rental Billing</td>
<td>Code Enforcement Billing Folder</td>
<td>193676</td>
<td>10-116965</td>
<td>Vista K Properties LLC</td>
<td>Cancelled</td>
</tr>
<tr>
<td>2012 Rental Billing</td>
<td>Code Enforcement Billing Folder</td>
<td>225087</td>
<td>12-147260</td>
<td>Vista K Properties LLC</td>
<td>Cancelled</td>
</tr>
<tr>
<td>Issue Date</td>
<td>Permit Type / Description</td>
<td>Folder No.</td>
<td>Permit No.</td>
<td>Grantor</td>
<td>Status</td>
</tr>
<tr>
<td>------------</td>
<td>---------------------------</td>
<td>------------</td>
<td>------------</td>
<td>------------------------------</td>
<td>--------------</td>
</tr>
<tr>
<td></td>
<td>Lien placed 9/8/15, recorded 9/18/15, book 1287 page 623</td>
<td></td>
<td></td>
<td></td>
<td>Open</td>
</tr>
<tr>
<td>2016 Rental Billing</td>
<td>Code Enforcement Billing Folder</td>
<td>310746</td>
<td>16-224006</td>
<td>Vista K Properties LLC</td>
<td></td>
</tr>
</tbody>
</table>

**Document Type:** Code Enforcement  
**Contact:** Code Enforcement  
**Address:** 645 Pine Street  
**Phone:** (802)863-0442

Anonymous complaint regarding a claimed illegal basement apartment. Assigned to DCR to investigate, take pictures and issue ticket if appropriate.

- **Lack of Permit - Zoning Violation**
  - Code Complaint Investigation | 135996 | 06-120999 | Vista K Properties LLC       | Closed       |

Additional unit without zoning approval

- **Code Complaint Investigation**
  - 159779 | 07-126648 | Vista K Properties LLC | Closed       |

Trash accumulation at rear of property

- **Code Complaint Investigation**
  - 166732 | 08-135864 | Vista K Properties LLC | Closed       |

Furniture and trash around the dumpster. 6/2/08. New item: Over flowing dumpster. Large heap of trash and waste (including food waste) behind this property and reaching into neighboring property under same owner (Soon Kwon), 34 Colchester Ave. 6/3/08 Violation resolved, trash picked up.

- **Code Complaint Investigation**
  - 173117 | 08-139247 | Vista K Properties LLC | Closed       |

- **Couch at rear**
  - Code Complaint Investigation | 198521 | 10-122079 | Vista K Properties LLC       | Closed       |

- **Complaint about stinking rug**
  - Code Complaint Investigation | 252722 | 13-172485 | Vista K Properties LLC       | Violation    |

- **Apt 40B - Multiple issues - see comment**
  - Extension requested 8/29/30. Granted: 9/27/13 @ 1:30 pm  
  - 2nd Extension requested 9/16/13. See comment

- **Code Complaint Investigation**
  - 274335 | 14-191399 | Vista K Properties LLC | Closed       |

**Document Type:** Construction Permits  
**Contact:** Department of Public Works  
**Address:** 645 Pine Street  
**Phone:** (802)863-9094

09/01/1982 Building Permit | 15004 | 257 | Soon K. Kwon | Closed |  
Relocate Offices by installing partitions from floor to ceiling within the bldg.
<table>
<thead>
<tr>
<th>Issue Date</th>
<th>Permit Type / Description</th>
<th>Folder No.</th>
<th>Permit No.</th>
<th>Grantor</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>07/10/1991</td>
<td>Electrical Permit, Relocate Wire &amp; Switches For Stairway Installing</td>
<td>2811</td>
<td>154900</td>
<td>Soon K. Kwon</td>
<td>Closed</td>
</tr>
<tr>
<td>07/16/1996</td>
<td>Building Permit, Remodel First Floor Out-Patient Office Suite. There Was An Effort To Make This Office Handi-Cap Accessible But Was Not</td>
<td>25461</td>
<td>29314</td>
<td>Soon K. Kwon</td>
<td>Closed</td>
</tr>
<tr>
<td>07/16/1996</td>
<td>Mechanical Permit, Install Hydronic Boiler And Three Zones With Domestic Hot Water.</td>
<td>34321</td>
<td>29307</td>
<td>Soon K. Kwon</td>
<td>Closed</td>
</tr>
<tr>
<td>07/16/1996</td>
<td>Plumbing Permit, Install New Handicap Bathroom-Waste Vent Waterlines Toilet And Lavatory. Other Area Install Lavatory And Related</td>
<td>13144</td>
<td>29306</td>
<td>Soon K. Kwon</td>
<td>Closed</td>
</tr>
<tr>
<td>07/23/1996</td>
<td>Electrical Permit, Doctor's Office- 2 Treatment Rooms With Hcf Cable Offices Waiting Room Utility Room Bathroom</td>
<td>5397</td>
<td>29347</td>
<td>Soon K. Kwon</td>
<td>Closed</td>
</tr>
<tr>
<td>09/24/1996</td>
<td>Mechanical Permit, Install Gas Piping For Existing Boiler.</td>
<td>34402</td>
<td>29745</td>
<td>Soon K. Kwon</td>
<td>Closed</td>
</tr>
<tr>
<td>12/28/1998</td>
<td>Building Permit, Convert Existing Business Into 2 Residential Units.</td>
<td>27375</td>
<td>34587</td>
<td>Soon K. Kwon</td>
<td>Closed</td>
</tr>
<tr>
<td>09/07/1999</td>
<td>Building Permit, This Permit Is An Addition To Permit #34587 (Both Permits By Campbell Bros) ==N O T E== No Change In Conditions From</td>
<td>27716</td>
<td>900594</td>
<td>Soon K. Kwon</td>
<td>Closed</td>
</tr>
<tr>
<td>06/28/1999</td>
<td>Building Permit, North Wall Window Changes W/Trenching To Provide Access</td>
<td>27769</td>
<td>990721</td>
<td>Soon K. Kwon</td>
<td>Closed</td>
</tr>
<tr>
<td>07/28/1999</td>
<td>Electrical Permit, Existing Service- 2apt And Storage Area-Completely Rewire 2 Apts And Install New Panels In Spaces, Misc. Wiring In</td>
<td>6901</td>
<td>990932</td>
<td>Soon K. Kwon</td>
<td>Closed</td>
</tr>
<tr>
<td>08/17/1999</td>
<td>Plumbing Permit, Under Ground Plumbing For New Units. UG Only. 4 Pvc Material W/ Some 3.</td>
<td>13807</td>
<td>991091</td>
<td>Soon K. Kwon</td>
<td>Closed</td>
</tr>
<tr>
<td>08/27/1999</td>
<td>Plumbing Permit, Install New Plumbing System And Finish For 3 New Living Unit</td>
<td>13815</td>
<td>991138</td>
<td>Soon K. Kwon</td>
<td>Closed</td>
</tr>
<tr>
<td>03/15/2000</td>
<td>Historical Fire Systems, Fire Alarm System For A Mixed Use ==This Work Is Inspected And Approved By The City</td>
<td>37805</td>
<td>2000413</td>
<td>Soon K. Kwon</td>
<td>Closed</td>
</tr>
<tr>
<td>Issue Date</td>
<td>Permit Type / Description</td>
<td>Folder No.</td>
<td>Permit No.</td>
<td>Grantor</td>
<td>Status</td>
</tr>
<tr>
<td>------------</td>
<td>---------------------------</td>
<td>------------</td>
<td>------------</td>
<td>--------------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>04/24/2000</td>
<td>Plumbing Permit</td>
<td>13876</td>
<td>2000614</td>
<td>Soon K. Kwon</td>
<td>Closed</td>
</tr>
<tr>
<td></td>
<td>Install Fixtures Only. Plumbing System Was Done By Other Plumber.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11/03/2000</td>
<td>Building Permit</td>
<td>26051</td>
<td>2001673</td>
<td>Soon K. Kwon</td>
<td>Closed</td>
</tr>
<tr>
<td></td>
<td>Convert East Side Of First Floor Into Four Bedroom Apartment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>04/19/2001</td>
<td>Electrical Permit</td>
<td>7919</td>
<td>2010726</td>
<td>Soon K. Kwon</td>
<td>Closed</td>
</tr>
<tr>
<td></td>
<td>Wiring Conversion From Office Space Into A 4 (Four) Bedroom Apartment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>04/24/2001</td>
<td>Plumbing Permit</td>
<td>14264</td>
<td>2010762</td>
<td>Soon K. Kwon</td>
<td>Closed</td>
</tr>
<tr>
<td></td>
<td>Install New Plumbing System To Serve (2) New Baths In New Living Unit. (Right Side).</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10/25/2005</td>
<td>Building Permit</td>
<td>134555</td>
<td>05-119058</td>
<td>Vista K Properties LLC</td>
<td>Closed</td>
</tr>
<tr>
<td></td>
<td>alteration of windows on lowest level of East side of building to comply with fire and habitability requirements for future conversion of the area into an apartment expansion</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11/20/2005</td>
<td>Building Permit</td>
<td>135362</td>
<td>05-119855</td>
<td>Vista K Properties LLC</td>
<td>Closed</td>
</tr>
<tr>
<td></td>
<td>New 2 bdrm living unit.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>03/21/2006</td>
<td>Electrical Permit</td>
<td>140153</td>
<td>06-104220</td>
<td>Vista K Properties LLC</td>
<td>Closed</td>
</tr>
<tr>
<td></td>
<td>Install new wiring to add 2 bedrooms, 1 bath and living area to an existing apt. (40B) including lights, receps, switches, AFCI&lt; GFCI protection, smoke and CO detection. per NEC 2005. Will be using existing panel and metering equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>05/09/2007</td>
<td>Electrical Permit</td>
<td>155356</td>
<td>07-122226</td>
<td>Vista K Properties LLC</td>
<td>Closed</td>
</tr>
<tr>
<td></td>
<td>Install new wiring to add 1 newly installed ac/dc interconnected smoke and co detector outside of bedroom in lower level apt. per city code of ordinance</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>08/21/2007</td>
<td>Mechanical Permit</td>
<td>156630</td>
<td>07-125500</td>
<td>Vista K Properties LLC</td>
<td>Cancelled</td>
</tr>
<tr>
<td></td>
<td>Install two new RINNAI space heaters to serve new living unit on the first floor front and facing colchester ave. Install per manufactures installation instructions and NFPA 54</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>06/15/2009</td>
<td>Building Permit</td>
<td>183974</td>
<td>09-107434</td>
<td>Vista K Properties LLC</td>
<td>Closed</td>
</tr>
<tr>
<td></td>
<td>interior remodel of existing living unit to accommodating the reassignment of 2 bdrms to one living unit for a total of 6 bdrms per NFPA 101 and IBC. the scope includes relocating the 2nd means of egress and maintain hour separation between units. No change in use of the existing structure and no increase of living space.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>01/05/2010</td>
<td>Fire Alarm Systems</td>
<td>190802</td>
<td>10-114032</td>
<td>Vista K Properties LLC</td>
<td>Closed</td>
</tr>
<tr>
<td></td>
<td>Install new wiring to add  a dialer and module to tie in existing smoke and CO detectors into existing FACP and add one 120 volt CO detector to existing. per order of the City Fire Marshall</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

NOTE: Separate permits, testing, and inspections from the City Fire Marshal's Office must be secured and conducted in addition to this permit issued by DPW/ISD.
<table>
<thead>
<tr>
<th>Date</th>
<th>Permit Type / Description</th>
<th>Folder No.</th>
<th>Permit No.</th>
<th>Grantor</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>05/04/2010</td>
<td>Alteration to existing 2nd living space to include adding partition and creating new bedroom. All per 06 IBC &amp; 06 NFPA 101</td>
<td>196659</td>
<td>10-120248</td>
<td>Vista K Properties LLC</td>
<td>Cancelled</td>
</tr>
<tr>
<td>09/07/2010</td>
<td>Electrical Permit</td>
<td>190960</td>
<td>10-120249</td>
<td>Vista K Properties LLC</td>
<td>Closed</td>
</tr>
<tr>
<td>09/24/2010</td>
<td>Install new wiring to relocate devices for wall relocation, per NEC 2008</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12/30/2010</td>
<td>Replace shorted fire alarm wire, relocate boxes and devices for wall relocation.</td>
<td>201117</td>
<td>10-124341</td>
<td>Vista K Properties LLC</td>
<td>Closed</td>
</tr>
<tr>
<td></td>
<td>NOTE: Separate permits, testing, and inspections from the City Fire Marshal's Office must be secured and conducted in addition to this permit issued by DPW/SD.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12/30/2010</td>
<td>Building Permit</td>
<td>205458</td>
<td>10-128607</td>
<td>Vista K Properties LLC</td>
<td>Closed</td>
</tr>
<tr>
<td></td>
<td>Building Permit is not required per Chapter 8 Building Ordinance and as approved by the City of Burlington Building Official.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12/30/2010</td>
<td>Work conducted under parent ZP was done under Building Permit RSN 29051. Approved by the City of Burlington Building Official.</td>
<td></td>
<td></td>
<td></td>
<td>Closed</td>
</tr>
<tr>
<td>12/30/2010</td>
<td>Building Permit</td>
<td>205518</td>
<td>10-128605</td>
<td>Vista K Properties LLC</td>
<td>Closed</td>
</tr>
<tr>
<td>01/13/2012</td>
<td>Remove two doors and replace with siding</td>
<td>208981</td>
<td>11-130116</td>
<td>Vista K Properties LLC</td>
<td>Application Pending</td>
</tr>
<tr>
<td>01/29/2016</td>
<td>Electrical Permit</td>
<td>223279</td>
<td>12-145457</td>
<td>Vista K Properties LLC</td>
<td>Cancelled</td>
</tr>
<tr>
<td>03/18/2016</td>
<td>Fire Alarm Systems</td>
<td>312249</td>
<td>16-225508</td>
<td>Vista K Properties LLC</td>
<td>Closed</td>
</tr>
<tr>
<td></td>
<td>Repair of devices due to Fire Alarm Inspection. Final inspections will be conducted by the City Fire Marshal's Office. NOTE: Separate permits, testing, and inspections from the City Fire Marshal's Office must be secured and conducted in addition to this permit issued by DPW/SD.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Document Type:** Routine Inspections  
**Contact:** Code Enforcement  
**Address:** 845 Pine Street  
**Phone:** (802) 863-0442

Sent routine inspection due ffr. for JPR 6/9/05, due 6/24/05.
<table>
<thead>
<tr>
<th>Issue Date</th>
<th>Permit Type / Description</th>
<th>Folder No.</th>
<th>Permit No.</th>
<th>Grantor</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>02/06/2007</td>
<td>Minimum Housing Inspection</td>
<td>144633</td>
<td>06-108899</td>
<td>Vista K Properties LLC</td>
<td>Closed</td>
</tr>
<tr>
<td>09/06/2000</td>
<td>Zoning Permit - COA Level I</td>
<td>45782</td>
<td>01-120</td>
<td>Soon K. Kwon</td>
<td>Final CO Issued</td>
</tr>
<tr>
<td>10/17/2000</td>
<td>Zoning Permit - COA Level I</td>
<td>45854</td>
<td>01-198</td>
<td>Soon K. Kwon</td>
<td>Final CO Issued</td>
</tr>
<tr>
<td>09/12/2005</td>
<td>Zoning Permit Not Applicable</td>
<td>133323</td>
<td>06-205NA</td>
<td>Vista K Properties LLC</td>
<td>Review Complete</td>
</tr>
<tr>
<td>10/06/2005</td>
<td>Zoning Permit - COA Level I</td>
<td>133868</td>
<td>06-251CA</td>
<td>Vista K Properties LLC</td>
<td>Final CO Issued</td>
</tr>
</tbody>
</table>

Document Type: Zoning Review

| Contact: Planning and Zoning | Address: 149 Main Street | Phone: (802)866-7188 | Permit Indeterminate 3 |

Change of use from commercial into two residential units. Proposal includes removing two windows on the west elevation, infilling with matching materials, and constructing a retaining wall surrounding the mixed use structure.

Renovations to the north side of the existing mixed use structure. No change in coverage as this is existing pavement.

Misc amendments to zp #99-018, Renovations to the existing mixed (Commercial & 2 units) Use building that include window and door alterations.

Replace window in-fill materials with siding to match the existing mixed use (Commercial & 2 residential units) On the western elevation. No change in footprint or use.

Change in use from office to one residential unit, For a total of three units. Add one window on south elevation and replace one window on the north elevation.

Repair the non-functional rainwater drainage system.

Enlarge two existing windows to 5 ft x 4 ft. to meet egress requirements.
<table>
<thead>
<tr>
<th>Issue Date</th>
<th>Permit Type / Description</th>
<th>Folder No.</th>
<th>Permit No.</th>
<th>Grantor</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>01/12/2006</td>
<td>Zoning Permit - COA Level I</td>
<td>135961</td>
<td>05-436CA</td>
<td>Vista K Properties LLC</td>
<td>Final CO Issued</td>
</tr>
<tr>
<td>05/20/2009</td>
<td>Zoning Permit - COA Level I</td>
<td>182866</td>
<td>09-819CA</td>
<td>Vista K Properties LLC</td>
<td>Permit Indeterminate 3</td>
</tr>
<tr>
<td>07/29/2010</td>
<td>Zoning Permit - COA Level I</td>
<td>199946</td>
<td>11-0059CA</td>
<td>Vista K Properties LLC</td>
<td>Permit Indeterminate 3</td>
</tr>
<tr>
<td>02/15/2011</td>
<td>Zoning Permit Not Applicable</td>
<td>206980</td>
<td>11-0611NA</td>
<td>Vista K Properties LLC</td>
<td>Review Complete</td>
</tr>
</tbody>
</table>

**Key to Permit Status**
Below is a list of common permit states and what they may mean for you:

- Application - An application has been made that has not been processed yet
- C of O Requested - A zoning Certificate of Occupancy has been requested but has not been finalized yet. Contact the Code Enforcement Office to enquire.
- Closed - No further action required.
- Closed with Final - The permit has had its final inspection, is complete and no further action is required.
- CO Noncompliant - A zoning Certificate of Occupancy has been requested but cannot be completed due to issues. Contact the Code Enforcement Office to enquire.
- Final CO Issued - The permit has a Final Zoning Certificate of Occupancy (CO) and is complete.
- Issued - The permit has been issued by the City but has not had its final inspection. This will be required.
- Permit Expired - The permit was never undertaken and the permit has expired
- Permit Indeterminate 1 - The permit is more than 1 year old, still valid and has not had its final zoning inspection. You will need to request the Final Zoning Certificate of Occupancy (CO).
- Permit Indeterminate 3 - The permit is more than 2 years old, is outside the allowed construction period and has not had its final zoning inspection. You will need to request the Final Zoning Certificate of Occupancy (CO). There may be additional After the Fact fees.
- Permit Relinquished - The permit was never undertaken and was relinquished by the owner while it was still valid
- Released - The permit has been picked up from the Planning and Zoning office but has not had its final zoning inspection. You will need to request the Final Zoning Certificate of Occupancy (CO).
- Review Complete - The permit has been reviewed and no further action is required
- Superseded - This permit has been replaced by a subsequent permit, and no further action is required

<< End of Report >>
Item #3 Exterior Step
Item # 6: Stairway
Item # 7 Stairwell
Item #8: Locked Storage Closet
Mr. William Ward, Director  
City of Burlington Code Enforcement Office  
645A Pine St. P.O. Box 849  
Burlington, VT 05402-0848

August 18, 2015

Re: Routine Inspection Report dated 8/12/2015 at 40-42 Colchester Ave

Dear Director William Ward:

This is my response to the routine inspection report dated 8/12/2015 referenced above.

I reviewed the routine inspection report of August 12, 2015 which I picked up on 8/17/2015 at the South Burlington Post Office as soon as I returned from my pre-planned trip.

**You proceeded with the scheduled inspection on August 12, 2015 at 12:00AM without my presence, the property owner, despite the fact that I had requested an extension of the scheduled routine inspection for about two weeks due to my planned trip overseas that I planned about 1 year ahead.** I had also informed, in writing, my tenants as well as the Code Enforcement Office about my absence timely and appropriately as the Code Enforcement Office procedural rules require that “Please contact me at 802-863-0442, at least 24 hours in advance, sooner if possible, if this needs to be rescheduled for any reason.” (Emphasis added).

This kind of mishap took place at least twice during last two years. As you are well aware of, the first episode was when I had a heart attack resulting in having two stents implanted in the emergency room and receiving an extensive cardiac rehabilitation physical therapy. The second episode was that about three months ago I had a heart problem when my heart beat rate climbed to about three times of normal rate and my blood pressure was extremely high, causing severe chest pain and dizziness, so that the receiving nurse at the emergency room was unable to measure my heart beat rate and my blood pressure. After stabilizing my heart condition, the attending cardiologist doctor prescribed medication that stabilized my heart condition. Later on, I discovered that my primary cardiologist had prescribed the same medication before but he dropped it probably because he was confident that my heart condition was stable enough. Both cases were extremely acute.

In either case, you never responded to my request for the extensions of the routine inspection dates. I do not have to emphasize that the routine inspections are not emergency cases. There is no life and death issue here. Therefore such routine inspections can be carried out on any reasonable dates.

I have other numerous episodes, but I would like to skip them at this point.

I would like to remind you that, as I stated before, you never responses to my written request for the routine inspection date extensions for good reasons such as critical health issues and pre-planned trips. I would also like to inform you that, as an example, the City
of Winooski is doing its city affairs in a very civilized manner by asking the property owners to pick a mutually agreeable dates for routine inspections.

Before you came to the Burlington Code Enforcement Office, the Code Enforcement Office used to set the inspection dates based upon the mutually agreeable dates. Not any more. Further, the Public Works Department of the City of Burlington has been setting mutually agreeable inspection dates ever since I have been working with them for over 32 years.

Ever since you came to the City of Burlington Code Enforcement Office, I feel that the working relationship became very strenuous to the point that something has to be done very soon. **I feel strongly that the exercising fairness and reasonableness of the services and roles of the City of Burlington Code Enforcement Office are in question. I wish I could work much more comfortably under the umbrella of the City of Burlington.** I do work comfortably with the Public Works Department. Also I would like to say that I have never received any serious notice of the code violation or any other law violation in 32 years of ownership of properties in Burlington.

When Mr. Eugene Bergman was acting director of the Burlington Code Enforcement Office, I had a chance to chat with him about the direction of the City of Burlington Code Enforcement Office. Once he pondered whether the enforcement of the City Code should be carried out with the spirit of “safety” and “health”. I admired him, and am still believe that Mr. Bergman was on the right track.

I, as a tax paying citizen, I am copying this letter to the mayor since I understand that the Burlington Code Enforcement Office reports directly to the mayor.

I am also copying this letter to the Office of the City Council since I am well aware of the fact that at least one city council member is very much interested in this matter and looking into this.

As a matter of fairness and openness, I am also copying this letter to the Free Press reporter with whom you made an initial contact as I understand, and he eventually contacted me. And I naturally informed my attorney.

In sum, I feel strongly that we need a new director with reasonable common sense and the mind set of exercising fairness to the owners of properties in Burlington as well as who can work with the property owners fairly and reasonably.

* * *

Following is my item-by-item response to the routine inspection report dated August 12, 2015. Clearly this report is a copy of the previous inspection report of July 7, 2015 and added some more. Does this mean that you find more violations every time you inspect? Does this mean that the first inspection was not complete? This has happened every time I went through the routine inspections in the past.
I found that some light gloves are missing. I will have my maintenance person to take care of these, if any.

The light well for Unit 40A in the kitchen area was neither intended nor designed as an emergency egress; it was intended and designed for bringing in light only into the kitchen area. The emergency egress is the pair of large windows in the living room in the same area about two feet away. Please review the original zoning and building permits as well as the subsequent inspection reports. Also note that the Burlington fire department has inspected the structure numerous times during the past 20 years or so, long before the Burlington Code Enforcement Office was created.

The exterior doors are solid and all functional. The steps are solid stones/concrete mixed with small stones and there are no "cracks". The previous Code Enforcement inspectors approved it. The door is not falling apart, therefore I do not see unfitness to use the doors. As you know, I had the building inspected thoroughly by the HouseCheck inspection service that is providing such service primarily for potential real estate buyers. Their report has no mention about the need for replacement of the doors.

When I hired two inspection service companies, DARDNO and HouseCheck, they inspected the large window area in 40B, and found no signs of leak. In fact my tenants in Unit 40B informed me that there has not been any leak recently. Last month I hired a new painting contractor to have the entire building painted and I provided them with 10 tubes of chalking and asked them to fill every crack above the windows and paint them, and they did. I inspected it also. Apparently you did not inspect the windows from outside carefully. Today I inspected it again and the entire area above the windows outside have been sealed completely and painted. They look very good to me.

Water leak in two bedrooms in Unit 40B. This is a very old story. Did you actually see the water leak at the time of inspection? Ever since my previous tenants (who have not paid rents for 9 months and this case is now in court) "complained", I hired CARDINO consultants and HouseCheck Inspection Services, and received two clean bills of health. I sent you copies of both reports. Also when my Professional Carpet Steam Cleaners (US Steamers) came to steam clean the carpets, I specifically asked him to inspect the condition of the carpets very carefully, and they did and they found no sign of moisture or mold at all. Therefore, I have to say that your findings of "water leak in two bedrooms
in Unit 40B” are totally false. Please send me your proof since the burden of proof is again on your side. If not, this case will be at court.

40B  (Item 6 of 25)

“Egress stairways without handrails in Unit 40B” is another “old story”. Please see my response for (Item 2 of 25 above). I would like to remind you that we have an agreement to have a four way discussion with the building inspector and the Burlington fire chief on this issue. Please arrange for one. Also, please see the appropriate zoning and building permits as well as the inspection reports I had gone through about 20 years ago.

40B  (Item 7 of 25)

Not clear. Where is the location? And what is the problem? I am unable to find a “hole” anywhere.

40B  (Item 8 of 25)

As I explained numerous times in the past, **this storage room is not part of the rental space. This room is always kept locked. Tenants do not have access to it. I am the only one who has the key for it. This room has been like this for years.**

40B  (Item 9 of 25)

About 30 some years ago, I made an agreement with the then building inspector and Burlington fire department that I maintain this extra egress passage way as an additional fire egress way. I am not required to have this to meet the code requirement. **If the Code Enforcement Office considers this as a normal egress way, I am more than happy to close it for good. I will simply post a sign “NOT AN EXIT”.**

40A  (Item 10 of 25)

As you tested and verified, the wire is “dead” and the light fixture is “non-functional”. I will “cap” it whenever my licensed electrician becomes available. He said that he does not need a permit for this.

42    (Item 11 of 25)

The large beams in the kitchen area in the Unit 42 have been there for over 20 years. We left them there, as is, as decorative beams after discussing it with then building inspector. **If the Code Enforcement Office does not like this “naturally exposed beams”, I will have these painted in the same antique white color to match with the rest around them. Please let me know.**
(Item 12 of 25)

Not clear. Please be more specific so that my contractor can understand it. If you talk about the leak I had due to the dishwasher several years ago in the Unit 42, the problem has been solved years ago and currently there is no leak. You may confirm this with the current tenants in Unit 42 as well as the current tenants in Unit 40B downstairs.

(Item 13 of 25)

In your previous report dated July 7, 2015, this particular item drew my attention, and I hired a professional service person to test all three smoke alarm systems, he tested all three, and they found that all three smoke alarm systems are functioning properly. It is clear that you failed to verify them. Please, re-test them.

(Item 14 of 25)

I did not find anything missing, even though I found some broken ones. I will take care of these minor details as soon as possible. Is really the missing thermostat “cover” a serious “health/safety” issue?

(Item 15 of 25)

This building was built in mid 1960’s. I am finding it difficult to find parts for them. What do you expect? Are the left overs of the “accumulated dirt, lint, hair, corrosion, dirt”, whatever else are part of the requirements of Minimum Housing? What is happening to the two key “safety” and “health” issues for Minimum Housing?

(Item 16 of 25)

Because of lack of detailed description of the “white paint stains”, I suppose that this “stains” is on the front carpet in the back bedroom past the 3rd bathroom in the back of Unit 42. My former tenant who stayed in this bedroom wished to paint his room with reddish paint in unique geometric design under the condition that the walls and ceiling would be re-painted in original antique white upon vacating his bedroom. Since he left some white paint stains on the carpet, I am holding the cost for removing the stains from his security deposit money. This case is still un-resolved. Maybe I can use your “citation” for justifying my reasoning for holding the repair cost. I gave my tenant three options; (1) pay for it, (2) hire someone who is willing to do it and pay for it, or (3) do it by himself, and receive his money back.

(Item 17 of 25)

All dryer vents are solid metal tubes with the exception of the new one in Unit 42, where Lowe’s used a flexible tube, if I recall correctly, upon delivering a new dryer last year. Yesterday my plumber installed a solid metal tube as required by the City Plumbing
Code. We have an annual dryer vent cleaning schedule, done at the end of each lease period.

Exterior (Unpainted plywood)  (Item 18 of 25)

As far as I remember, my painting contractor painted the shed and the phone box with the matching color with the house. Yesterday I confirmed that my painter did his job properly. Incidentally, the phone/cable box belongs to the phone/cable companies. I maintain it as a matter of courtesy. I had explained it to you in my July 7, 2015 report.

Fire Alarm System  (Item 19 of 25)

According to my fire alarm contractor’s records, the fire alarm control box has been tested, inspected, put a valid inspection sticker and reported it to Burlington Fire Department last year October. According to the same records, all smoke alarm systems have been also tested at the same time and this should be good until October 2015. Please read the inspection sticker carefully.

I have given this same explanation in my previous response dated August 6, 2015 to the previous inspection report of July 7, 2015.

Heater Units  (Item 20 of 25)

I will ask my contractor, VT Gas Systems, to inspect all three heaters again and to issue new inspection stickers. Incidentally, as far as I remember the inspection stickers are good until the end of August 2015 since they go by the month.

Light Wells  (Item 21 of 25)

My contractor, CARDINO, has been unable to find paint “chips”, and I asked my recently hired EMP certified painting contractor to clean the residue paint chips using EMP certified special (CAPAVACUUM?) vacuum cleaner to clean the entire area. I inspected the entire area yesterday. I will figure out how I can record it in the compliance statement to close this case.

Sewage Drain  (Item 22 of 25)

This is another “old issue” in Unit 40B. As late as two weeks ago, I visited Unit 40B to repair the toilet water tank valve problem. Afterwards, I chatted with several of my current tenants about the general condition of Unit 40B. They all voiced that there have not been any leaks or sewer back up except the water drips from the shower head in the bathroom near the kitchen. I tightened the shower control knob as best as I could.

Please be reminded that not so long ago, I hired HouseCheck Inspection Service and they came up with a clean report particularly the issues on the leak in the bedrooms and sewer
back up in the bathroom near the kitchen. Also, I mailed you a copy of his inspection report.

Sheetrock Interior    (Item 23 of 25)

Are these serious “health and safety” issues? I have patched and painted the entire interior with some of my tenants help last year.

Please be more specific in terms of locations and nature of your concerns so that I can take care of these minor issues in the future.

Skylights        (Item 24 of 25)

I will look for the right replacement parts. If not, I will board them up. I will contact my carpenter.

Behind Building   (Item 25 of 25)

Based upon my experience of managing the building, I have more than adequate capacity of the trash dumpster. My best estimate is that more than 90% of the time the dumpster is not full. Out of the full dumpster, more than 90% of the time, the cause has been careless dumping of recycle able card board boxes.

The only time I have some problem with over-loaded trash dumpster is when the tenant changeovers take place, in which time I ask the trash trucking company for extra-pickup service within 24 hours.

*       *       *

I have owned and managed my buildings for over 32 years. During those years, the City scenes have been changing every year. More “street people” are looking for anything worth something. I have developed habit of gathering cans, bottles, metals and other “valuables” for them. I leave them next to the dumpster for several days. Most of the time, the “valuables” disappear in several hours.

By reading the 2nd routine inspection report dated August 12, 2015, I am convinced that you have not read my first response of August 6, 2015. In particular, I am speaking of the Item #19 as an example. Please read my reports carefully and treat them appropriately.
Note:

There is still a small leak in the ceiling in front of Unit 40B storage room door downstairs. I will look into this further. Even after having a decent shower glass door unit is installed by ACME Glass, apparently there is still a potentially small crack in the shower base unit upstairs. I will take care of this problem even though there are three bathrooms in Unit 42 upstairs.

Sincerely,

[Signature]

Soon Kwon
P.O. Box 9492
South Burlington, VT  05407-9492

cc:  1) The City of Burlington, Mayor’s Office
     2) The City of Burlington, Office of the City Councils
     3) The Burlington Free Press reporter(name withheld)
     4) Mr. Will Towle, Esq, Ward and Babb

(40-42 routine insp – 1st-8-18-2015/letters to code enforcement-----)
## FY'17 Key Initiatives -- Burlington DPW

<table>
<thead>
<tr>
<th>DIVISION</th>
<th>KEY INITIATIVE</th>
<th>Operational Excellence</th>
<th>Exemplary Cost, Serv.</th>
<th>Culture of Innovation</th>
<th>EXPECTED OUTCOMES &amp; NOTES</th>
<th>COMMISSION ROLE</th>
<th>METRICS</th>
</tr>
</thead>
<tbody>
<tr>
<td>DPW-wide, CIO</td>
<td>Conduct Project Management pilot across City government with support of a PM consultant.</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>Completion of pilot. Determination of next investment to strengthen City's PM capabilities and systems across City.</td>
<td>Updated policies.</td>
<td></td>
</tr>
<tr>
<td>DPW-wide</td>
<td>Complete asset management plan to advance City's capabilities and begin implementation of a CMMS (computerized maintenance management system) with geo-referenced in-field data collection functionality</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>Create asset mgmt plan mainly for the Water Resources that also includes a city-wide needs assessment. Procure CMMS tool in FY'17.</td>
<td>Provide feedback on draft plan</td>
<td></td>
</tr>
<tr>
<td>DPW-wide</td>
<td>Continue to close capital funding gaps across asset classes (Water, WW, Stormwater, Fleet, Streets, Sidewalks, Signals, Facilities) by developing and implementing strategies with stakeholders</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>The city-wide capital plan shows optimal funding targets. Adequate capital funding levels will replace assets on schedule, increase service reliability and reduce costly emergency repairs. Advance strategies to close the funding gap between the capital plan and actual annual expenditures.</td>
<td>Evaluate and recommend funding sources</td>
<td></td>
</tr>
<tr>
<td>DPW-wide</td>
<td>Manage finances within policy and budgetary parameters</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>Budget targets are met and there are no major audit findings.</td>
<td>Financials meet or exceed budgeted targets across all funds. Fund balances % of goal</td>
<td></td>
</tr>
<tr>
<td>DPW-wide</td>
<td>Strengthen operational policies and procedures</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>All DPW operational policies located in central folder. Smooth internal operations with clear policies and procedures. Clear expectations about engaging other divisions and departments.</td>
<td>At least 10 new written policies / procedures approved by Director or Assistant Directors</td>
<td></td>
</tr>
<tr>
<td>DPW-wide</td>
<td>Have 90% of staff take advantage of a professional development opportunity during FY'17</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>Further increase productivity of workforce, staff morale and internal promotions. Expectation is that every employee will take advantage of at least one prof. development opportunity each year.</td>
<td>% of staff that took advantage of professional development opportunity over last year</td>
<td></td>
</tr>
<tr>
<td>DPW-wide</td>
<td>Refine key performance indicators (KPIs) and summarize results in annual report.</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>Staff managing to metrics and a public that is aware of our successes. Initial KPIs developed at end of FY'15. Small professional services contract to develop annual report.</td>
<td>Existence and use of KPIs</td>
<td></td>
</tr>
<tr>
<td>DPW-wide</td>
<td>Increase commitment to the City's diversity and equity goals</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>DPW staff, Commission, and engaged community members reflect the diversity of our city. Staff continues to serve on City's Core Team for diversity and equity issues.</td>
<td>Utilize metrics developed by City's Diversity &amp; Equity Core Team</td>
<td></td>
</tr>
<tr>
<td>DPW-wide</td>
<td>Strengthen safety program</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>Safety Manual completed in FY'16 and printed in FY'17. Actively participate in citywide risk management effort. DPW Safety Team meets at least every other month. Host voluntary Project Worksafe Audit.</td>
<td>Number of workdays lost to work-related injuries</td>
<td></td>
</tr>
<tr>
<td>CEDO, CIO, DPW-wide</td>
<td>Participate in city-wide public engagement and communications plan</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>Assist City in developing Civic Engagement Plan (incl. social media) to achieve a more informed and engaged community. May wait until FY'18, dependant on other dept's.</td>
<td>Recommend Commission-related communication improvements</td>
<td></td>
</tr>
<tr>
<td>DPW-wide</td>
<td>Begin to measure department-wide customer service</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>More responsive department. Goal is to begin customer service surveys in FY'17.</td>
<td>Response time for a subset of Request For Service categories</td>
<td></td>
</tr>
<tr>
<td>IT, P&amp;Z, Assessor, DPW</td>
<td>With CIO, develop document retention policy and document management system that enables DPW to efficiently store and retrieve plans, permits, documents</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>Greater protection of city records. Reduced staff time spent filling and searching.</td>
<td>Electronic document management system for plans, permits</td>
<td></td>
</tr>
<tr>
<td>Initiative</td>
<td>Status</td>
<td>Description and Goals</td>
<td>Milestones</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------------------------------------------------------------------------</td>
<td>--------</td>
<td>---------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expand preventative maintenance program of pavement, sidewalk, guardrails, railings, fences and other infrastructure that has not been traditionally funded</td>
<td>✔</td>
<td>Better maintenance of all infrastructure within the ROW. Reference costs in the city-wide capital plan.</td>
<td>Activities are budgeted for and completed</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contract out development of standards, guidelines that will efficiently direct future investments. May initially focus on downtown for TIF streetscape investments.</td>
<td>✔</td>
<td>Recommend adoption of standards to Council</td>
<td>Adoption of standards</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Complete division re-organization and support teams through transition to best position Division to respond to current and future needs</td>
<td>✔ ✔</td>
<td>High performing department effectively delivers projects and services. Be an employer of choice. Revised job descriptions and org charts go to Board of Finance and Council for approval.</td>
<td>Re-organization accomplished.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Increase technical staff capacity in Technical Services and Water Resources</td>
<td>✔ ✔</td>
<td>Teams have resources to tackle additional capital projects (incl downtown TIF) identified in the City's capital plan.</td>
<td>Staffing needs met with appropriate staff resources. Additional metric forward could include report on projects completed.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Substantially complete Phase II of major capital repairs in garages</td>
<td>✔ ✔</td>
<td>Assessment-recommended capital repairs underway to extend lifespan of aging municipal garages. Complete $6M+ investments by end of FY'17.</td>
<td>Short term capital repairs completed</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Implement comprehensive upgrade to garage operations including an enhanced PARCS system</td>
<td>✔ ✔</td>
<td>New PARCS system allows for greater automation of garages, transition of attendants to ambassadors, new validation program, and new lease options for customers.</td>
<td>Review and approve new lease and rate changes. Increased net income from the garages.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Implement downtown parking improvements -- Phase II policy and funding recommendations from Downtown Parking Study</td>
<td>✔ ✔</td>
<td>Improve the customer experience while also enhancing the sustainability of our parking system. Replace / upgrade PARCS system. Charter change for broader transportation uses of Traffic Fund.</td>
<td>Review and approve changes. Phase II policy and rate changes implemented</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assist completion of permit reform report and begin implementation</td>
<td>✔ ✔ ✔</td>
<td>Led by CIO. Inspection Services will be actively engaged.</td>
<td>Plan substantially complete</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Explore City-wide fleet model for managing City's vehicles</td>
<td>✔ ✔</td>
<td>Launch pilot to share DPW and Parks administrative fleet. Consultant reviews existing structure and makes recommendations for future to Administration &amp; Council. May also include review of City's facility maintenance structure and BSD fleet.</td>
<td>Study of fleet (and facility?) structure underway in FY'16</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Improve cost allocations between DPW and other departments (ie. have Water credited for fire protection service, and payment for parking enforcement, transfer crossing guard program to schools)</td>
<td>✔ ✔</td>
<td>More appropriate cost allocations between departments / funds. Would enable Traffic and Water divisions to better revinvest in their systems.</td>
<td>FY'17 budget has fairer allocation of costs</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revise Chapter 26 Ordinance and Stormwater manual -- will likely be a targeted strategy under Integrated Plan</td>
<td>✔ ✔</td>
<td>Be transparent, fair and flexible with development, without missing op's for capture and mitigation; Incentivize management on private properties. Adoption of stormwater standards, with alternative compliance mechanisms; creation of Stormwater Manual.</td>
<td>Manual updated</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Develop capital plans for stormwater and wastewater infrastructure -- including a comprehensive assessment of existing assets and future biosolids handling/processing needs</td>
<td>✔ ✔</td>
<td>This will allow project, rate planning and coordination of work for collection system with capital street program. Procure consultant to determine how best to deal with sludge (in partnership with CSWD).</td>
<td>Review as part of City capital plan. Capital plans complete for Wastewater and Stormwater.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>#</td>
<td>Resources</td>
<td>Initiative Description</td>
<td>Initial</td>
<td>Mid</td>
<td>Final</td>
<td>Details</td>
<td></td>
</tr>
<tr>
<td>----</td>
<td>----------</td>
<td>------------------------</td>
<td>---------</td>
<td>----</td>
<td>-------</td>
<td>---------</td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>Water</td>
<td>Integrated Water Quality Management Plan development</td>
<td>✔️</td>
<td>✔️</td>
<td>✔️</td>
<td>Advance planning necessary to develop an Integrated Water Quality Management Plan which outlines how the City will meet its various Clean Water Act regulatory obligations and its local water quality priorities. Continue conversations with VTDEC related to near term permitting needs.</td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>Water</td>
<td>Project and establish sustainable rate structure for Water, Wastewater and Stormwater</td>
<td>✔️</td>
<td>✔️</td>
<td>✔️</td>
<td>Develop a multi-year rate structure that will balance future budgets while accomplishing the division's goals.</td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>Water</td>
<td>Comply with TMDL (Total Maximum Daily Load) regulations -- continue chemical trial at Main &amp; North WW for compliance in advance of new permits to comply with TMDL regulations for phosphorous reduction</td>
<td>✔️</td>
<td>✔️</td>
<td>✔️</td>
<td>Obtain reasonable Main WW discharge permit in early FY'17. Continue optimization efforts to help us reach compliance.</td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>Water (tentative)</td>
<td>Improve compliance with Stormwater sections of Chapter 26 ordinance through increased site inspections of construction sites and post-construction practices.</td>
<td>✔️</td>
<td>✔️</td>
<td>✔️</td>
<td>Through a possible increase of staff resources, increase compliance inspections for construction erosion prevention and sediment control practices and post-construction practices. Complete development of formal process of recording maintenance and access agreements for post-construction stormwater practices. Ensure that public projects are also compliant with Chapter 26. Increase # of contractor trainings. This will key to our &quot;taking credit&quot; for our local stormwater program in a number of regulatory venues.</td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>Water (tentative)</td>
<td>Achieve delegated authority for local administration of Wastewater, Water Supply permits and possibly State Stormwater permits (if State drops threshold to 0.5 acre)</td>
<td>✔️</td>
<td>✔️</td>
<td>✔️</td>
<td>This will result in improved customer service if Burlington is able to serve as more of a &quot;one stop shop&quot; for permits that otherwise are administered by a State office. Additionally, much of the work/review is already performed by city staff - this would provide a mechanism for collecting revenue (application fees) to support that review. It may also provide a mechanism for the re-establishment of connection fees/impact fees and would provide for staff resources to do technical inspection of connections to our sewer collection system (which is not currently occurring). This would require an additional staff person, but this function might be able to be combined with Chapter 26 improvement efforts (see Metric #31).</td>
<td></td>
</tr>
</tbody>
</table>

Review creation of "program" and request for delegation to the State.

Ability to issue Water and Wastewater permits directly to property owners.