



State of Vermont  
Division of Policy, Planning and  
Intermodal Development  
One National Life Drive  
Montpelier, VT 05633  
[www.aot.state.vt.us](http://www.aot.state.vt.us)

*Agency of Transportation*

[phone] 802-828-5753  
[fax] 802-828-3983  
[ttd] 800-253-0191

September 30, 2016

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

Dear Chapin,

As part of the ongoing dialog between the Vermont Agency of Transportation (VTrans) and the City of Burlington (City) regarding the development of the Champlain Parkway (Parkway) project, the City has expressed an interest in understanding the manner in which future transportation-system needs of the City will be addressed in regards to the Champlain Parkway roadway alignment. It is the understanding of VTrans that no future transportation system upgrades are planned at this time, but recognizing that cities such as Burlington are dynamic and growing entities, there is the need for better understanding of future potential transportation options which may be available to the City.

As we have discussed, the Parkway was conceived, planned for and designed over the span of several decades. Over that period of time the City has evolved, as has the project. What was conceived to be a high speed, limited access highway to deliver people quickly through low density neighborhoods in the South End of the City and into downtown Burlington is now going to serve an increasingly diverse and vibrant area of the City. According to the plan BTV South End website, the South End is home to **6,439 residents** and 472 businesses with 6,383 workers; it serves as a focal location for the arts, enterprise and innovation. Plan BTV South End articulates a vision for the future which is dynamic and evolving; the transportation system needs to address this vision, and needs to be flexible and forward leaning.

It is VTrans' understanding that the City seeks future flexibility along the Parkway corridor to support local planning goals, enhance economic development and strengthen the resiliency and diversity of the transportation system. To achieve this outcome, the City is potentially interested in requesting removal of the limited access designation of the C1 & C2 sections of the Parkway, or portions thereof, to allow greater flexibility in addressing future local interests and needs. To that end VTrans would like to provide guidance with regards to activities which would not impede the continued advancement of the project.

Items the City can advance now along Section C2 with the existing limited access designation in place:

- Design removal of fencing along C2 (location(s) to be determined).
- Allowance of on-road cycling along C2 (including associated markings and signage).

Items the City can advance along C2 after Parkway construction is complete, but with existing limited access designation in place; if funded locally these projects would not be subject to Federal or Transportation Board review:

- Sidewalks.
- Mid-block crossings.
- Transit stops.
- Bulb-outs.
- On-street parking.
- Street trees.

Items the City can advance along C1 & C2 after Parkway construction is complete, with existing limited access designation in place, following Transportation Board approval for break-in-access:

- Break-in-access for a public street to expand the street grid in areas such as the intersections with Pine Street/Queen City Parkway and Briggs Street.
- Break-in-access for a private access if supported by the City of Burlington and its municipal planning documents.

Regarding the process for achieving a break-in-access, or re-designation, of the limited access sections of the Parkway (C1 & C2), Chapter 17 of Title 19 addresses Limited Access Facilities. Under 19 V.S.A. § 1708(b), a break in limited access requires the prior written consent and approval of the Transportation Board, which may allow the break in limited access only if it finds that the public interest will be served. The Board must conduct a public hearing and consider the technical recommendations of VTrans before making its decision.

Under section 1703(a), the State may designate town highways as limited access only with the approval of the select board. It is VTrans' understanding that the City Council has approved the Champlain Parkway, which includes the limited access facilities. Therefore, a break in these limited access facilities would, under the current designation, be governed by section 1708(b), rather than by municipal law.

VTrans understands that prior to Parkway construction, the City will not seek any substantive change(s) to sections C1 or C2 that would have been prevented by the limited access designation, without the prior written support of VTrans. Should the City proceed with a request for break in limited access in the future, the City will be solely responsible for any costs that may be incurred in obtaining a break in limited access, including all permitting and litigation expenses. Depending upon the type of funding used to address future transportation system modifications, planning for projects would likely need to address issues such as project necessity, permitting, design, funding feasibility, as well as public interest and input.

As indicated above, all parties would like to stress the importance of initiating construction of the Champlain Parkway prior to contemplating the future matters addressed in this letter. VTrans has been a partner and supporter of the City over the decades and looks forward to the continued growth and success of endeavors undertaken by the City.

Please feel free to contact me if you have further questions.

Sincerely,



Michele Boomhower, Division Director

Cc: Chris Cole, Secretary  
 Kevin Marshia, Highway Division Director/Chief Engineer  
 Sue Scribner, Municipal Assistance Bureau Director  
 Wayne Davis, Project Manager  
 Matthew Hake, Division Administrator, FHWA  
 Larry Dwyer, Deputy Division Administrator, FHWA