



## Legislation Details (With Text)

**File #:** RES PH 18- 89      **Version:** 1

**Type:** Resolution-Public Hearing      **Status:** Passed

**In control:** City Council

**Final action:** 4/4/2018

**Title:** Approving the application for sound level variances for Insituform to allow for sewer lining projects at eight locations from April 5 through December 31, 2018. (Ramsey Street from Summit Avenue to Grand Avenue; Dale Street from Laurel Avenue to Dayton Avenue; Grand Avenue from Fairview Avenue to Wheeler Street; Snelling Avenue from Grand Avenue to Summit Avenue; Summit Avenue from Albert Street to Hamline Avenue; Selby Avenue from Fairview Avenue to Wheeler Street; Cretin Avenue from Randolph Avenue to Palace Avenue; and Brewster Street and Pascal Street 850 feet to the east)

**Sponsors:** Samantha Henningson, Rebecca Noecker, Dai Thao, Chris Tolbert

**Indexes:** Ward - 1, Ward - 2, Ward - 3, Ward - 4

**Code sections:**

**Attachments:** 1. Application.Ramsey from Summit to Grand, 2. Application.Dale from Laurel to Dayton, 3. Application.Summit from Albert to Hamline, 4. Application.Snelling from Grand to Summit, 5. Application.Grand from Fairview to Wheeler, 6. Application.Cretin from Randolph and Palace, 7. Application.Brewster from Pascal 850' E, 8. Notice to Property Owners.Generic Letter, 9. List of Owners.Ramsey from Summit to Grand, 10. List of Owners.Dale bt Laurel and Dayton, 11. List of Owners.Summit bt Albert and Hamline, 12. List of Owenrs.Snelling bt Grand and Summit, 13. List of Owners.Grand bt Fairveiw and Wheeler, 14. List of Owners.Cretin bt Randolph and Palace, 15. List of Owners.Brewster bt Pascal 850' E, 16. Map.Ramsey from Summit to Grand, 17. Map.Dale from Laurel to Dayton, 18. Map.Summit from Albert to Hamline, 19. Map.Snelling from Grand to Summit, 20. Map.Grand from Fairveiw to Wheeler, 21. Map.Cretin from Randolph to Palace, 22. Map.Brewster to Pascal 850' E, 23. ENS, 24. Letter to Applicant, 25. Correspondence rec'd - Goldberg, 26. Correspondence rec'd - JDL Properties, 27. Correspondence rec'd - Bergland, 28. Correspondence rec'd Leach

Date	Ver.	Action By	Action	Result
4/11/2018	1	Mayor's Office	Signed	
4/4/2018	1	City Council	Adopted	Pass

Approving the application for sound level variances for Insituform to allow for sewer lining projects at eight locations from April 5 through December 31, 2018. (Ramsey Street from Summit Avenue to Grand Avenue; Dale Street from Laurel Avenue to Dayton Avenue; Grand Avenue from Fairview Avenue to Wheeler Street; Snelling Avenue from Grand Avenue to Summit Avenue; Summit Avenue from Albert Street to Hamline Avenue; Selby Avenue from Fairview Avenue to Wheeler Street; Cretin Avenue from Randolph Avenue to Palace Avenue; and Brewster Street and Pascal Street 850 feet to the east)

WHEREAS, Chapter 293 of the Saint Paul Legislative Code was enacted to regulate the subject of noise in the City of Saint Paul; and

WHEREAS, §293.09 provides for the granting of variances from the sound level limitations contained in §293.07, upon a finding by the City Council that full compliance with Chapter 293 would constitute an unreasonable hardship on the applicant, other persons or on the community; and

WHEREAS, Insituform, represented by Patrick Hillan, Field Engineer, who has been designated as the

responsible person on the application, has applied for eight (8) sound level variances for sewer construction work, with use of heavy trucks with internal generators and hydraulic pumps during the sewer lining projects beginning April 5 through December 31, 2018. The project proposes to allow elevated sound levels during two, twelve (12) hour processes, 7:00 p.m. until 7:00 a.m., between April 5<sup>th</sup> and December 31<sup>st</sup>, 2018 at each of the eight sites. The Applicant indicates the site set up to occur from 7:00 a.m. to 5:00 p.m., with use of equipment with back up alarms and hand held power tools. From 7:00 p.m. until 7:00 a.m. of the following day, the only equipment to be used will be critically silenced pumps and truck mounted boiler, not to exceed 70 decibels (dBA) at 50 feet; and

WHEREAS, in order to meet required City of Saint Paul project completion and to minimize disruption to traffic, area businesses, the public, adjoining residents and property owners, the applicant is seeking a variance beginning April 5 through December 31, 2018; and

WHEREAS, if applicant is not granted the variances, Insituform will not be able to operate general construction/demolition equipment and other repair and installation equipment and power tools needed to complete the rehabilitation of deteriorated and corroded damage to the sewer pipes.

WHEREAS, the Department of Safety and Inspections has reviewed the application and has made recommendations regarding conditions for the variance. Now, therefore, be it

RESOLVED, that the Council of the City of Saint Paul hereby grants a sound level variance to Insituform, subject to the following conditions:

1) The variance will be for operating general construction/demolition equipment and other repair and installation equipment for replacement, set up and installation of a cured in place sewer pipe. Rehabilitation of the deteriorated and corroded damage to sewer pipes is required. Work is to take place at eight (8) locations within the City of Saint Paul: Ramsey Street from Summit Avenue to Grand Avenue; Dale Street from Laurel Avenue to Dayton Avenue; Grand Avenue from Fairview Avenue to Wheeler Street; Snelling Avenue from Grand Avenue to Summit Avenue; Summit Avenue from Albert Street to Hamline Avenue; Selby Avenue from Fairview Avenue to Wheeler Street; Cretin Avenue from Randolph Avenue to Palace Avenue; and Brewster Street and Pascal Street 850 feet to the East beginning April 5 through December 31, 2018; and

1) The variance will include overnight work beginning at 7:00 p.m. to 7:00 a.m. for use of equipment with back up alarms and hand held power tools, critically silenced pumps and truck mounted boiler equipment, not to exceed 70 decibels (dBA) at fifty (50) feet. This equipment will be used during the continuous work period at each of the eight construction sites. The project allows elevated sound levels during two, twelve (12) hour processes, 7:00 p.m. until 7:00 a.m., between April 5<sup>th</sup> and December 31<sup>st</sup>, 2018 at each of the eight sites.

2) The applicant shall provide personnel and equipment to ensure compliance with the variance conditions.

3) If the Sound Level Variance is approved, Insituform will notify in writing, all property owners/residents within 400 feet of the proposed work location. Notification shall be a minimum of forty-eight (48) hours prior to the start of the work.

FURTHER RESOLVED, that any violations of the conditions set forth above on any of the dates may result in revocation of the grant of a variance for the subsequent date(s), in addition to any criminal citation which might issue.

Insituform, represented by Patrick Hillan, Field Engineer, has requested an exemption from the sound level limitations in Chapter 293.07 for operating general construction/demolition equipment and other repair and installation equipment for replacement, set up and installation of a cured in place sewer pipe at eight (8) locations. Rehabilitation of the deteriorated and corroded damage to the sewer pipes is required. Locations are: Ramsey Street from Summit Avenue to Grand Avenue; Dale Street from Laurel Avenue to Dayton Avenue;

Grand Avenue from Fairview Avenue to Wheeler Street; Snelling Avenue from Grand Avenue to Summit Avenue; Summit Avenue from Albert Street to Hamline Avenue; Selby Avenue from Fairview Avenue to Wheeler Street; Cretin Avenue from Randolph Avenue to Palace Avenue; and Brewster Street and Pascal Street 850 feet to the East beginning April 5 to December 31, 2018. Chapter 293.09 provides for the granting of variances from the sound level limitations contained in Chapter 293.07.

Was proper notice given? YES - See Attachments