



Legislation Details (With Text)

File #: RES PH 14- 63 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 3/19/2014

Title: Approving the application of Xcel Energy, represented by Conrad Miller, Senior Engineer, for a sound level variance in order to install a new 20 inch steel pipeline on the east and west sides of Interstate 35E along Eleanor Avenue, as part of a pipeline replacement project from April 15, 2014 through June 14, 2014.

Sponsors: Chris Tolbert

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Code sections:

Attachments: 1. Xcel 35E Eleanor SLV Application, 2. Xcel 35E Eleanor ENS, 3. Xcel 35E Eleanor Map, 4. Xcel 35E Eleanor Applicant Letter, 5. Xcel 35E Eleanor DC Noticification, 6. Xcel 35E Eleanor Owner List, 7. Xcel 35E Eleanor Example Letter

Date	Ver.	Action By	Action	Result
3/21/2014	1	Mayor's Office	Signed	
3/19/2014	1	City Council	Adopted As Amended	Pass

Approving the application of Xcel Energy, represented by Conrad Miller, Senior Engineer, for a sound level variance in order to install a new 20 inch steel pipeline on the east and west sides of Interstate 35E along Eleanor Avenue, as part of a pipeline replacement project from April 15, 2014 through June 14, 2014.

Amended March 19, 2014

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, Xcel Energy, represented by Conrad Miller, Senior Engineer, who has been designated as the responsible person on the application, has applied for a variance for construction work related to use various pieces of equipment, including directional drilling equipment to install a new 20 inch steel pipeline under Interstate 35E as part of a pipeline replacement project; and

WHEREAS, in order to reduce the time required to replace the pipe and minimize disruption to traffic on Interstate 35E, area businesses, the public, adjoining residents, and property owners, the applicant is seeking a variance from April 15, 2014 through June 14, 2014 from 7 a.m. to 10 p.m.; and

WHEREAS, if applicant is not granted a variance, Xcel Energy will not be able to operate various pieces of equipment, including directional drilling equipment on the east and west sides of Interstate 35E along Eleanor Avenue needed to complete the installation of a new 20 inch steel pipeline under Interstate 35E as part of a pipeline replacement project; and

WHEREAS, the Department of Safety and Inspections (DSI) 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 variance to Xcel Energy, subject to the following conditions:

1. The variance will be for construction and work using various pieces of equipment, including directional drilling equipment on the east and west sides of Interstate 35E along Eleanor Avenue beginning Tuesday, April 15, 2014, through Saturday, June 14, 2014.
2. Work periods are Monday through ~~Saturday~~ Friday, beginning at 7:00 a.m. and ending at 10:00 7:00 p.m.; and Saturday, beginning at 9:00 a.m. and ending at 6:00 p.m. No work will occur on Sundays.
3. The Contractors working on the project will use best practicable methods for controlling noise such as, but not limited to, noise blankets, shields or portable sound barriers. Construction activities will be scheduled to minimize noise as much as possible in the evening and early morning hours. Equipment should be fitted with manufacturer's approved exhaust mufflers.

FURTHER RESOLVED, that any violations of the conditions set above may result in the cancellation of the variance for any remaining dates and in the denial of future requests for the granting of a sound level variance, in addition to any criminal citation which may be issued.

Xcel Energy, represented by Conrad Miller, Senior Engineer, has requested an exemption from the sound level limitations in Chapter 293.07 for use of various pieces of equipment, including directional drilling equipment to install a new 20 inch steel pipeline under Interstate 35E. Work to take place on the east and west sides of Interstate 35E along Eleanor Avenue. Project dates are April 15, 2014 through June 14, 2014 from 7:00 a.m. to 10:00 p.m. 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