



CITY COUNCIL Agenda Item #19-130(c)

Date: April 24, 2019

Consent Discussion

SUBJECT: Noise Ordinance Variance Request from Three Penny Taproom

SUBMITTING DEPARTMENT: City Manager

RECOMMENDED ACTION: Approve recommended waiver of the Noise Control Ordinance to permit Three Penny Taproom to provide live music at their Montbeerlier event on Saturday, May 4th until approximately 9:30 PM.

RELATED COUNCIL GOAL/PRIOR ACTION: Community Prosperity; Inclusive, Welcoming and Engaged Community

EXPENDITURE REQUIRED: None

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: City Council authority to waive prohibitions.

BACKGROUND INFORMATION: City Council approved a street closure request from Three Penny Taproom for their Montbeerlier event taking place on Saturday, May 4th. The event would feature live music until around 9:30 PM. Therefore, Three Penny Taproom is requesting a waiver of the Noise Control Ordinance.

SUPPORTING DOCUMENTS: E-mail correspondence between the City Manager's office and Wes Hamilton of Three Penny Taproom, in which the list of property owners within 250 feet was provided so that notification could be sent, and confirmation that letters were sent to residents; approved Street Closure permit application.

INTERESTED PARTIES: Three Penny Taproom, surrounding businesses and property owners, residents and visitors


CITY MANAGER'S APPROVAL:

A handwritten signature in black ink, appearing to read "W. Hamilton", is written over the City Manager's Approval line.

Jamie Granfield

From: BL-Three Penny Taproom2
Sent: Wednesday, April 17, 2019 12:25 PM
To: Jamie Granfield
Subject: Re: Street Closure Requests

Yes, I meant to let you know- letters were send out in the mail last Friday to all the addresses you provide, addressed to "resident". I used the wording you suggested, and am planning on being at that Council meeting in case there are any questions. If there's anything else I can do ahead of the meeting just let me know- thanks!

Cheers,
Wes Hamilton


Three Penny Taproom (Montpelier)
The Mad Taco (Waitsfield- Montpelier- Essex) Cast Iron Catering

On 4/17/19 9:14 AM, Jamie Granfield wrote:

> Hi Wes!

>

> Just checking in on whether you were able to get the letters out to folks on the list or tenants. City Council is going to make their decision about the Noise Ordinance Variance at their April 24th meeting.

>

> Jamie Granfield

> City of Montpelier - City Manager's Office City Hall - 39 Main Street

> Montpelier, VT 05602 t. 802.223.9502 jgranfield@montpelier-vt.org

>

>

> -----Original Message-----

> From: BL-Three Penny Taproom2

> Sent: Friday, April 12, 2019 11:04 AM

> To: Jamie Granfield <JGranfield@montpelier-vt.org>

> Subject: Re: Street Closure Requests

>

> Thanks!

>

>

>

>

> Cheers,

> Wes Hamilton

> 802-272-6397

>

> Three Penny Taproom (Montpelier)

> The Mad Taco (Waitsfield- Montpelier- Essex) Cast Iron Catering

>

> On 4/12/19 10:27 AM, Jamie Granfield wrote:

>> Resident would be great!

>>

>> Jamie Granfield

>> City of Montpelier - City Manager's Office City Hall - 39 Main Street
>> Montpelier, VT 05602 t. 802.223.9502 jgranfield@montpelier-vt.org

>>

>> -----Original Message-----

>> From: BL-Three Penny Taproom2

>> Sent: Friday, April 12, 2019 10:02 AM

>> To: Jamie Granfield <JGranfield@montpelier-vt.org>

>> Subject: Re: Street Closure Requests

>>

>> Me again!

>>

>> So, as I'm looking at this list, there are towns listed that I'm assuming is where the property owner actually lives but just what look like the Montpelier street addresses of the actual property. For example Joseph Kilmurry, who's actually my Mad Taco landlord, who lives in NC.

>> Or, Jeff Jacobs who's listed as the landlord for 24 Elm St, but I'd assume if I sent a letter addressed to him at that location it's just going to go to his tenant (assuming it gets delivered) and I'd assume never to him. There are a number, really looking at this it seems like possibly most of them, instances where this seems to play out. Do I need the actual addresses of the landlord or should I instead send the letters to the Montpelier property's themselves but maybe instead of addressing it to the landlord just address it to "Resident"?

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>>

>>

>> Cheers,

>> Wes Hamilton

>> 802-272-6397

>>

>> Three Penny Taproom (Montpelier)

>> The Mad Taco (Waitsfield- Montpelier- Essex) Cast Iron Catering

>>

>> On 4/9/19 11:50 AM, Jamie Granfield wrote:

>>> See attached or below.

>>>

>>> 31	ELM ST	RIBOLINI STEPHEN A TRUSTEE	MONTPELIER	VT	05602		
>>> 20	STATE ST	ROVETTO CARLO	MONTPELIER	VT	05601		
>>> 16	STATE ST	FITZGERALD SCOTT M	BARRE	VT	05641		
>>> 8	STATE ST	MOOT REALTY TRUST	MORGAN	VT	05853-0125		
>>> 2	STATE ST	KELLEY DAVID	CRAFTSBURY COMMON	VT	05827		
>>> 1	SCHOOL ST	DWIRE MATTHEW E	MIDDLESEX	VT	05602		
>>> 41	ELM ST	HOOD PETER, ET AL	MONTPELIER	VT	05601		
>>> 35	ELM ST	HOOD AYER LLC	MONTPELIER	VT	05602		
>>>	124MAIN ST	SATCHEL PROPERTY MGMT LLC	MONTPELIER	VT	05602		
>>> 4	LANGDON ST	INTERSTATE ENTERPRISES LLC	MONTPELIER	VT	05602		
>>>	112MAIN ST	ALVAREZ RAYMOND N ESTATE	MONTPELIER	VT	05602		
>>>	118MAIN ST	N & M REAL ESTATE LLC	BURLINGTON	VT	05401-4433		
>>> 8	LANGDON ST	BREWER ANDREW G	MONTPELIER	VT	05602		
>>>	115MAIN ST	BETHANY CHURCH	MONTPELIER	VT	05602		
>>>	100MAIN ST	MILLER KARL LLC	MONTPELIER	VT	05602		
>>> 7	LANGDON ST	LEEDS J BREWER	BERLIN	VT	05602		
>>> 41	STATE ST	OVERLAKE PARK LLC	MONTPELIER	VT	05602		
>>> 13	STATE ST	RIVER STREET ASSOCIATES - 2235 Airport Rd.	BARRE	VT	05641		
>>> 89	MAIN ST	CITY CENTER MONTPELIER LLC	620 HINESBURG RD - STE 220	SO BURLINGTON	VT	5403	
>>> 23	STATE ST	EVERETT STEPHEN R	MONTPELIER	VT	05602		
>>> 90	MAIN ST	NEDDE/ESSEX LLC	BURLINGTON	VT	05401		
>>> 17	STATE ST	HOOD & AYER LLP	MONTPELIER	VT	05602		
>>> 5	STATE ST	OVERLAKE PARK LLC	MONTPELIER	VT	05602		

>>> 46 STATE ST EVERETT STEPHEN R MONTPELIER VT 05602
>>> 26 STATE ST UNITS 3 & 4 OVERLAKE PARK LLC MONTPELIER VT 05602
>>> 79 MAIN ST HENEY FAMILY LTD MONTPELIER VT 05602
>>> 72 MAIN ST KILMURRY JOSEPH F CHARLOTTE NC 28269
>>> 70 MAIN ST BIG FISH LLC MONTPELIER VT 05602
>>> 73 MAIN ST HENEY FAMILY LTD MONTPELIER VT 05602
>>> 42 COURT ST HOOD PETER, ET AL MONTPELIER VT 05601
>>> 32 ELM ST RUSSELL JOHN D MONTPELIER VT 05602
>>> 87 STATE ST UNITED STATES OF AMERICA MONTPELIER VT 05602
>>> 24 ELM ST JACOBS, JEFFREY ET AL MONTPELIER VT 05602
>>> 38 ELM ST HOOPER CJ & PH FAMILY BONITA SPRINGS FL 34135-4508

>>>
>>> Jamie Granfield
>>> City of Montpelier - City Manager's Office City Hall - 39 Main
>>> Street Montpelier, VT 05602 t. 802.223.9502
>>> jgranfield@montpelier-vt.org

>>>
>>>
>>> [REDACTED]



Special Event / Street Closure Permit Application

1. Event Sponsor

Name: Ed THREE PENNY TAARDOM	Email: INFO@THREEPENNYTAARDOM.COM
Address: 108 MAIN ST. MONTPELIER	
Cell Phone: (802) 223-8277	Other Phone:

2. Event Details

Name of Event: MONTPELIER	
General description of the event (1 to 3 sentences): ANNIVERSARY PARTY	
Date of Event: 5/4/19	Start and End Time of Event: ALL DAY
Street(s) to be Closed - Please attach a sketch of the event layout. LANGDON ST.	
Time Street will close (recommend up to an hour before event): 8 AM	Time Street will reopen (recommend 30 minutes after the event ends): 11 PM
Number of Staff/Volunteers on site for Event: 15	
Number of people expected at event: 300	Number of vendors and/or entertainers who will participate: 4
Name of General liability insurance carrier – Please attach proof of insurance. (General liability insurance for Special Events in the downtown area must be obtained by the Event Sponsor.) WILL BE PROVIDED	

3. Community Support

Is this a reoccurring event in Montpelier? <p style="text-align: center;">Yes</p>	If no, do you have experience elsewhere with such events? Please explain.
How does this event benefit the public (as outlined in the Street Closure Policy)? <p style="text-align: center;">Free to Public</p>	

4. Public Safety and Public Health

Please describe any discussions or arrangements that the Event Sponsor has made with public safety or public works professionals in Montpelier. <p style="text-align: center;">WILL COORDINATE WITH POLICE & PWS TO ENSURE A SAFE EVENT.</p>
What arrangements have been made for food, water, and toilet facilities (if applicable)? <p style="text-align: center;">PORTABLE TOILETS WE HAVE FREE WATER AND ARE SELLING FOOD</p>
What arrangements have been made to assure that litter will be cleaned up and disposed of and that trash and recycling containers will be provided? <p style="text-align: center;">THIS IS OUR 10TH YR. WE HAVE CLEANED PERFECTLY EVERY YEAR</p>
If additional law enforcement officials will be hired for your event, please list: <p style="text-align: center;">WE HAVE A SECURITY FORCE OF 5</p>
Please note any other unique aspects of this event:
Will noise levels or hours exceed the city's noise ordinance? If so, will this event require a request for variance from the noise ordinance? <p style="text-align: center;">WE ARE ASKING FOR A VARIANCE</p>

Special Event / Street Closure Permit Application

5. Accessibility

As this event will take place on public property, I, as the Event Sponsor, attest that this event and all related programming and facilities meet the Americans with Disabilities Act accessibility requirements. These requirements are available at the City's website.

 _____ Signature	 _____ Printed Name	 _____ Date
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6. Signature

I, the undersigned, certify that the information provided above is valid and I will abide by any additional provisions note by Officials below. I acknowledge that I have read and understand the Montpelier Street Closure policy and that I am responsible for compliance with all requirements contained in that policy. I also agree to be onsite for the duration of the above mentioned street closure.

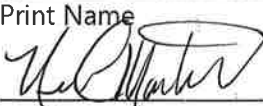


 _____ Signature	 _____ Printed Name	 _____ Date
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Notice Documentation

Name of Event: <u>MONTPELIER</u>	
Date of Event: <u>5/21/19</u>	Start and End Time of Event: <u>3 PM - 11 PM</u>
Street(s) to be Closed: <u>LANGDON ST.</u>	
Time Street will close (recommend up to an hour before event): <u>8 AM</u>	Time Street will reopen (recommend 30 minutes after the event ends):
Date of City Council Meeting to consider permit request: <u>3/10/19</u>	
Describe Efforts made to notify residents and businesses along the street to be closed. Notification must include both the date/time of the proposed event and the date/time of the City Council meeting where the street closure will be considered.	

FOR OFFICIAL USE ONLY

The following parties have reviewed and approved:

POLICE	
Reviewed by: <u>NEIL MARTEL</u> Print Name  Signature <u>3/28/19</u> Date	<input type="checkbox"/> Reviewed – recommend approval with no conditions <input checked="" type="checkbox"/> Reviewed – recommend approval with conditions: - CONTACT Neighboring BUSINESSES TO ADVISE - SHOW KENCE TO ESTABLISH PERIMETER IF MEDICAL SERVED w/ SUFFICIENT "STAFF" FOR SAFETY PURPOSES. - SAME CONDITIONS AS PREVIOUS EVENTS <input type="checkbox"/> Reviewed – do not recommend approval
PUBLIC WORKS	
Reviewed by: <u>Tom McArdle</u> Print Name  Signature <u>4/1/19</u> Date	<input type="checkbox"/> Reviewed – recommend approval with no conditions <input checked="" type="checkbox"/> Reviewed – recommend approval with conditions: USE proper MUTCD COMPLIANT BARRICADES FOR closure. <input type="checkbox"/> Reviewed – do not recommend approval
FIRE DEPARTMENT	
Reviewed by: <u>Robert Gowans</u> Print Name  Signature <u>3.28.19</u> Date	<input type="checkbox"/> Reviewed – recommend approval with no conditions <input checked="" type="checkbox"/> Reviewed – recommend approval with conditions: maintain Emergency Vehicle Access <input type="checkbox"/> Reviewed – do not recommend approval

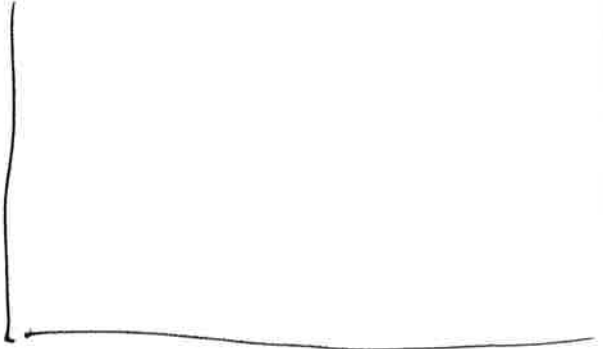
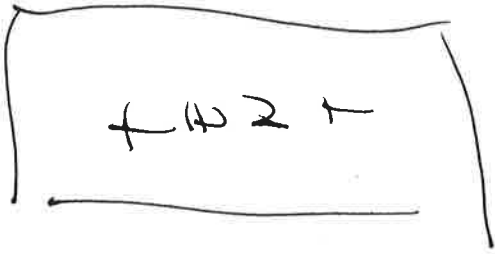


Special Event / Street Closure Permit Application

MONTPELIER ALIVE	
Reviewed by: <u>Dan Groberg</u> Print Name <u>Dan Groberg / SG</u> Signature <u>4/3/19</u> Date	<input checked="" type="checkbox"/> Reviewed – recommend approval with no conditions <input checked="" type="checkbox"/> Reviewed – recommend approval with conditions: <input type="checkbox"/> Reviewed – do not recommend approval
OTHER	
Reviewed by: Print Name Signature Date	<input type="checkbox"/> Reviewed – recommend approval with no conditions <input type="checkbox"/> Reviewed – recommend approval with conditions: <input type="checkbox"/> Reviewed – do not recommend approval

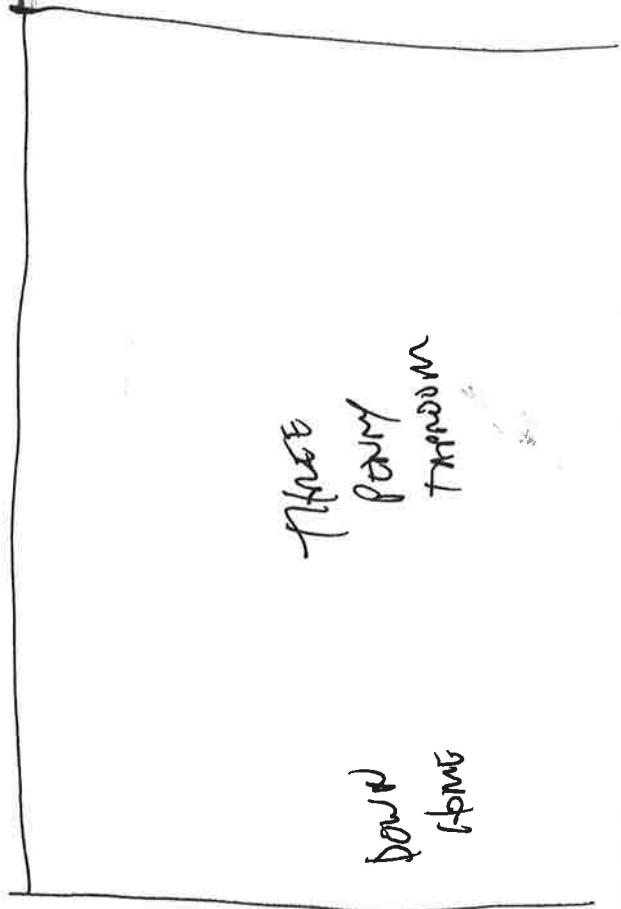
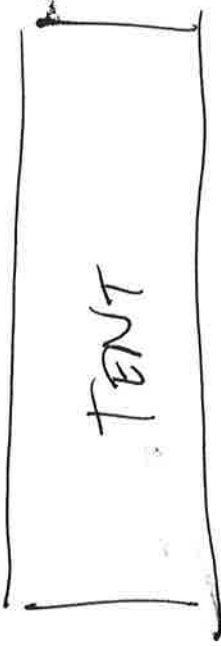
This permit request was reviewed at the April 10, 2019 City Council meeting.
 (MONTH/DAY/YEAR)

This permit request was: APPROVED DENIED



HARD PLATES

THREE PONY TRAPDOOR
MONTBENNING CELEBRATION
5/4/19
3-10 PM
ONION RIVER
OUTDOORS



THREE
PONY
TRAPDOOR

BOARD
BOARD



LATHBON ST.