**Minutes of the Board of Public Health & Environment**

**Date:** August 13, 2020  
**Location:** Virtual

| ☒ Jim Rada, Chair | ☒ Catherine Cooney | ☒ Jim Garcia |
| ☒ Celia Vanderloop | ☒ Genene Duran, Vice Chair | ☒ Chris J. Wiant |
| ☐ Cole Zanetti | **Absent** | ☒ Alisha Brown |
| ☒ Jennifer Jaskolka |

### Agenda Item

**Petition for Variance to Chapter 36 of the Denver Revised Municipal Code Governing Noise; Docket No. BPHE 20-28**

**Description of Agenda Item**

The Petitioner seeks a variance from noise restrictions related to nighttime construction activity.

- **Petitioner:** Kiewit Infrastructure Company
- **Respondent:** Public Health Investigations Division, Department of Public Health and Environment

**Action/Decisions**

The board approves the petition for variance with conditions:

- Petitioner shall comply with all conditions outlined in the Department’s Findings and Recommendations, dated July 30, 2020, except for the duration condition;
- The conditions outlined in the Department’s Findings and Recommendations, dated July 30, 2020, shall replace the prior conditions imposed by this board that were in the Department’s Findings and Recommendations, dated July 26, 2019; and
- The duration of the variance shall extend until no later than September 6, 2021.

### Summary of Decision

The board finds that the petitioner has met its burden of proof pursuant to section 3.10 of the Rules and Regulations Governing Hearings Before the Board of Environmental Health, dated March 14, 2014 and approves the petition with the following conditions:

- Petitioner shall comply with all conditions outlined in the Department’s Findings and Recommendations, dated July 30, 2020, except for the duration condition;
- The conditions outlined in the Department’s Findings and Recommendations, dated July 30, 2020, shall replace the prior conditions imposed by this board that were in the Department’s Findings and Recommendations, dated July 26, 2019; and
- The duration of the variance shall extend until no later than September 6, 2021.

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<td>Adoption of policy recommendation document</td>
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<td>The board approves adopting the policy recommendation document</td>
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