

**Community Meeting on Proposed Rooftop Deck at Spirit  
Meeting Notes**

7/18/2018, 7 p.m. @ 118 52<sup>nd</sup> Street

Approximately 14 people in attendance.

**1. Review of community process & ground rules – Dave Breingan,  
Lawrenceville United**

- a. Context: Administrator's Exception granted for setback related to rooftop deck. LU requested an extension of the 21-day protest period in order to have community meeting. Normally don't do a community process for Administrator's Exceptions so this is a first.

**2. Presentation from the project team – Tom Barr & Leigh Yock, Spirit**

Multi functional rooftop garden space; Spirit always wanted to have a garden element – Tom had a green roof in previous establishment in Brooklyn. 5,000 sq ft of insulated roofing to help dampen bass noise levels for our neighbors. 2,000 sq ft of solar panels for on-site renewable power generation (this will be the last part of the project). 1,000 sq ft of green space to grow container gardens. A small apiary, rainwater catchment system.

The water currently goes into the sewer and backs up into the mechanical room, so by rerouting this through plants or into a catching system, it will be a significantly more sustainable environment and lessen stormwater pollution. At some point, with city changes, you will be paying a premium if you're not doing something with your stormwater.

Provide seasonal event space for farm dinners, community meetings or weddings. No bar. Private, smaller events. 50 person patio that doubles as an educational center. Farm tables where you can harvest and have a functional meeting. Weddings are a big part of this because weddings are a big part of Spirit's income. Rehearsal dinners, etc.

Instead of building out of wood, recycled plastic containers will be used. Palate boxes filled with gravel, and soil and will crane them up on to the building after roof has been completed.

Phase 1: Jan 2018-May 2019 - Roof Assembly, Installation, 2 sets of stairs, project planning, structural welds and solar panels

Phase II: Growing Food – TBA 2019 - Planter boxes, hoop houses, garden management, rainwater system, walkways and apiary

Phase III – creating an event space TBA 2019

Patio installation, aesthetics by local artists, tables, chairs and shade tent.

Farm table side is closest to neighbors. Planter boxes also on that side. Educational classes. The fence is 43 inches. The drawings also aren't final. This seating is for private events, not public. Maybe at the most 1-2 days a week, 3 years from now.

### **3. Facilitated Q&A**

Q: Timing of events?

A: Ideally, have the same hours as the patio, but It would be rare anyone would be up there until midnight. Midnight on weekends, 11 on weeknights. Music would only be guitar or violin acoustic or cello or a small iPod dock. No amplified music. Maybe a microphone to pass around for speeches. Facing away from neighbors.

Mary Hartley: the only thing that bothers me about your space is the lack of accessibility. A friend in a wheelchair had to be carried into your bar. Now construction is happening, and when you do construction, you're required to make changes for accessibility. I don't see it in the stairs going up, steps going into the building, completely inaccessible bathrooms.

A: The upstairs is for rentals and private events. There is an accessible bathroom in the bar area. We spent \$20,000 building a ramp in the back. We can put signage on the door to tell people that it exists. It's expensive for us to zone. Chairlift elevators are not commercial quality, so that's not an option.

A: Leigh: We would make more money if we had accessibility in the hall and it is a goal but it is not financially possible at the moment. The roof is a different story. We're doing this to help with the sound. We're spending \$50K or more than we don't need. The function of the roof is we're doing this for the noise.

Jesse Perkins: so roof improvements are part of Phase 1?

A: Yes.

Q: Would you mind going over details?

Tom: This is the assembly. Greg Viza and our architect. Roofer and architect using new rubber roof, fiberboard, and different kinds of insulation material. It's dense, and density is what prevents bass leakage. The poly insulation is foam core. This is a trap in between that will curb bass. This will go across the entire roof.

Dave Breingan: Did the architect give you decibel reduction levels?

A: I can't recall, but it is a significant weight allotment and this is the best we can do without it collapsing. We're going to rip off the parapet and build a new parapet.

Ray: Sound issues last weekend.

A: They were recording an event last weekend with a radio show. It was a one-time thing and he told us there was no microphone being used. We will never have anything else related to that.

Ray: Need to stop with the speakers outside.

A: We don't have speakers outside.

Dave: The primary issue is the bass, right? Or is it outside patio noise?

A: It's the bass noise. That's the biggest thing.

Dave: To recap, last summer, Spirit soundproofed the upstairs hall. We had a community meeting to review those changes and my understanding from what neighbors said during that meeting is that the soundproofing had made a lot of improvements but the bass was still an issue. Since it is lower frequency, it gets through the roof. They've designed the roof assembly to attempt to correct that.

Q: Having a band is one thing, but people cranking up the music is too loud. Sometimes it is mostly a DJ. The bass is the primary issue. I leave when music shows are in the hall.

Q: Will alcohol be served on roof?

A: it will be extension of premises. Pour wine, cocktail hour, cooler full of beer. Not open to public. 1-2 times a week, 3 years from now.

Q: Capacity for the roof?

A: 50 people seated. Our current patio is 40 seated.

Q: Is occupancy greater for standing?

A: To be determined. Large as possible to make revenue.

Tom: This building isn't equipped for a typical green roof but it's the decking that makes it soundproof.

Q: where's the apiary?

A: the top right corner (closest to 51<sup>st</sup>). We've talked to Burgh Bees and it would help pollinate all the planters and the neighborhood. I did it before at my previous job and relates to water. Not crucial to our plans so if it was a nuisance we would eliminate it.

Dave Breingan: LU received a complaint about the business garden and lack of service to the garden.

A: We don't generate any revenue for it. It's not our property; we wanted to buy it from the City but that option was taken away after we closed on the building. We put a lot of money into and cut the lawn, etc. I pay someone \$13 an hour to maintain it constantly. It's a paper street.

Christine Larcovic: The boxes don't look to be kept.

A: If anyone wanted to add another planter box, we would totally let it happen.

Christine Larcovic: We're going to talk about this and actually seeing if we can get that space for a real community garden.

Q: what did acoustical engineer say?

A: we're doing the best we can for our resources.

Q: 43 inch surrounding?

A: plastic and palate boxes. The fence will actually be planter boxes.

Dave: It will be similar to what is happening at Walter's Barbeque on 45<sup>th</sup> with planter boxes being used as the fencing practically.

#### 4. Closed Door Discussion

Dave: There is no public hearing for this – it's an Administrator's Exception and it's already been granted; you can file a protest which is \$400 which triggers a zoning board hearing which will be heard through the zoning code and interpret whether or not the zoning administrator made an error. The Nuisance Bar Task Force is ongoing and monitor bars that have been in violation. The police said that they had gotten some calls; the last time we had community meetings, the task force had monitored them. The police were satisfied with their improvements, so they're no longer being monitored by the Nuisance Bar Task Force to our knowledge.

Q: Certainly there's an ordinance for disturbing the peace. Isn't there something wrong with that?

- Dave: Just to stay on the subject for tonight, this administrator's exception is for the part of the deck that they are planning to try to solve the bass issue. Some people are upset by the event space. The roof could solve the bass issue, and the professionals I've talked to think this will help significantly. I can't promise it will solve it, but all the research I've done seems to suggest that this will probably mitigate some of the problems that you're pointing out related to the bass. The question I need to know: is this worth it to you for the event space?
- Resident: I think that it might be okay. I'm OK with that. We don't know what's going to happen down the line, but if this is true, it should be satisfactory.

Q: What if the roof does not mitigate the sound though?

- The mutual understanding from the closed door meeting we had in the winter, as I understood it, is giving them some slack to get their funds together and figure out a plan. If this doesn't do it, you have recourse through LCE, through the police. The LCE is pretty restrictive in terms of how they interpret noise and that is always an option to you.
- If that roof doesn't work, then it's the end of the line. The bass is really going to have to come down. Tomorrow there's a report coming out for a study that the city participating in about recommendations about sound management. This will really help everyone solve those problems better.

One night, I called the police. The police sat down the couch. He said the noise is too much for the neighborhood. I'll go tell them to quiet down. He left, he talked with them. They said they would turn it down, but they didn't turn it down.

Allison: Because they're an alcohol licensed business, their sound is regulated by the state. There aren't enough enforcement officers. The recommendations coming out are better about sound management.

Dave explained how residents can file an appeal.

Adjourn at 8 p.m.