

September 19, 2024  
Contract Control No. DOTI-202055954-00  
City Project Master No. 2022-PROJMSTR-0000519

Danica Lee  
Division Director  
Denver Department of Public Health & Environment  
Public Health Investigations  
101 W. Colfax Ave, Suite 800  
Denver, CO 80202  
[Danica.Lee@DenverGov.org](mailto:Danica.Lee@DenverGov.org)

**Re: Request for Variance to Noise Ordinance, East Colfax BRT Project, Colfax Ave, Broadway to I-225**

Dear Ms. Lee,

Kraemer North America, LLC (Kraemer) is requesting a variance to the City and County of Denver Noise Ordinance – DRMC, Chapter 36, Section 36-7 (5). This variance is being requested for work being performed for the City and County of Denver for the East Colfax Bus Rapid Transit Project (Contract Control No. DOTI-202055954-00).

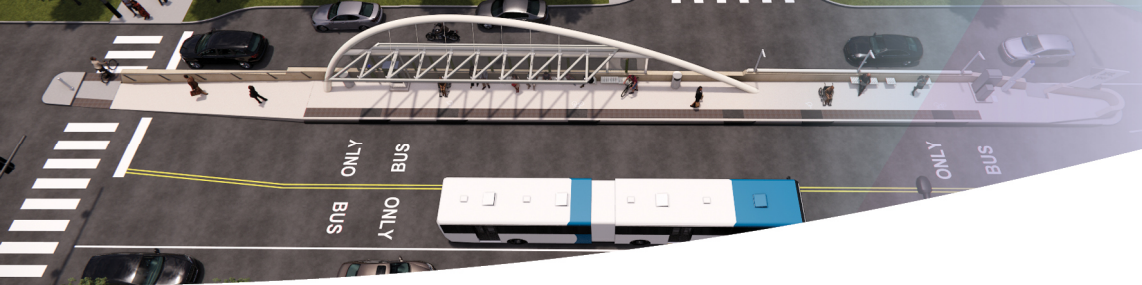
**6(a) Type and Timing of Claim**

The Project is intended to be a corridor-based bus rapid transit system that includes features emulating the service provided by rail fixed guideway. The 9.9-route mile corridor (5.5 miles in Denver) that starts at Broadway and ends at I-225, includes 32 improved stations with upgraded traffic signals to provide transit signal priority where needed through the Denver segment to reduce transit travel time. The project will also improve pedestrian access, retrofit existing storm drainage facilities, relocate existing sanitary sewer infrastructure, improve pedestrian lighting, and provide greenspace areas to the corridor. The Project is in a dense, mixed use development area near downtown Denver extending into Aurora.



Due to the high volumes of traffic, we are not allowed to perform certain elements of construction during the daytime hours. Off peak hours that allow for lane closures for construction work coincide with the noise restrictions. Due to the disruptive nature to traffic patterns for this work to be performed, it's safer on the traveling public for this work to be performed.

Construction on the Project will begin in October 2024 and finish in May of 2028. Night work is scheduled to start late November/early December of 2024 and to continue as needed throughout the duration of the project during the hours of 7:00pm to 5:00am. Work will be performed during off peak



traffic hours to minimize traffic disruptions only when necessary. Since essential construction activities require lane closures on busy roadways, scheduling activities and lane closures for nighttime reduces the burden of the construction project on the public.

The projected nighttime construction work activities include the following:

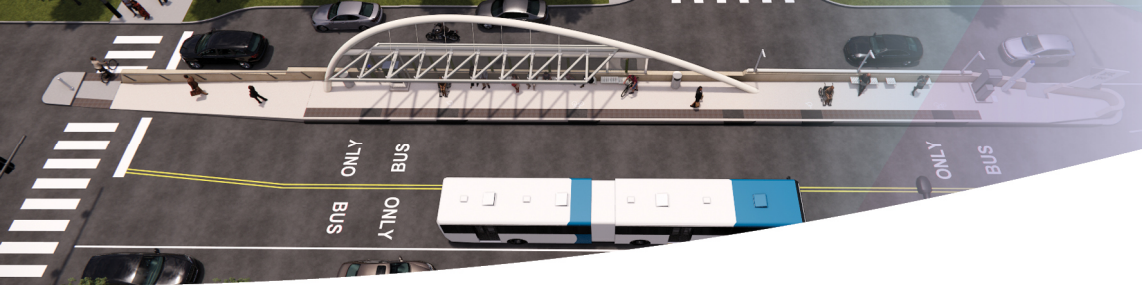
- Bus Station Arch Erection
- Storm Sewer Pipe Installation & Removals
- Sanitary Sewer Bypass

The below tables represent the scheduled work dates for night-time construction activities. These dates are tentative and subject to change.

Location	Dates		Nights
	Start	End	
Pennsylvania	12/12/2024	1/9/2025	1
Pennsylvania	6/24/2025	7/8/2025	1
Downing	1/10/2025	1/27/2025	1
Downing	7/11/2025	7/24/2025	1
Franklin/Park	1/28/2025	2/13/2025	1
Franklin/Park	7/29/2025	8/11/2025	1
York/Josephine	3/28/2025	4/14/2025	1
York/Josephine	9/9/2025	9/22/2025	1
Filmore	4/18/2025	5/2/2025	1
Filmore	9/25/2025	10/9/2025	1
Madison	5/8/2025	5/21/2025	1
Madison	10/14/2025	10/30/2025	1
Colorado	9/24/2025	10/8/2025	1
Colorado	10/9/2025	10/24/2025	1
Cherry	10/30/2025	11/14/2025	1
Cherry	9/3/2026	9/17/2026	1
Elm	11/19/2025	12/5/2025	1
Elm	9/22/2026	10/6/2026	1
Hudson	12/11/2025	12/29/2025	1
Hudson	10/9/2026	10/21/2026	1
Krameria	12/30/2025	1/15/2026	1
Krameria	1/16/2026	2/3/2026	1
Monaco	2/5/2026	2/20/2026	1
Monaco	9/9/2026	9/22/2026	1
Quebec	6/12/2026	6/25/2026	1
Quebec	6/26/2026	7/10/2026	1
Syracuse	7/13/2026	7/24/2026	1
Syracuse	7/27/2026	8/7/2026	1
Unita	8/10/2026	8/21/2026	1
Unita	12/9/2026	1/13/2027	1

Location	Dates		Nights
	Start	End	
Grape - Holly	10/3/2025	10/20/2025	5

Location	Dates		Nights
	Start	End	
Clarkson	11/22/2024	11/26/2024	3
Ogden	11/22/2024	11/26/2024	3
Downing	11/27/2024	12/9/2024	2
Downing	6/13/2025	6/23/2025	5
Cook	3/21/2025	4/7/2025	3
Grape	11/21/2025	12/21/2025	5
Grape	8/28/2026	9/11/2026	5
Hudson	11/21/2025	12/21/2025	3
Hudson	8/28/2026	9/11/2026	3
Holly	11/21/2025	12/21/2025	5
Holly	8/28/2026	9/11/2026	5
Kearney	11/24/2025	12/15/2025	3
Krameria	11/24/2025	12/15/2025	3
Leyden	11/24/2025	12/15/2025	3
Locust	11/24/2025	12/15/2025	2
Niagara	10/24/2025	10/28/2025	3
Niagara	9/14/2026	9/16/2026	2
Oneida	11/19/2026	10/30/2026	5
Quebec	5/29/2026	6/2/2006	3



Equipment to perform these operations is listed below:

Table 4: Equipment, Task, and Location		
Task	Locations	Equipment Used
A) Bus Station Arch Erection	Pennsylvania, Downing, Franklin/Park, York/Josephine, Fillmore, Madison, Colorado, Cherry, Elm, Hudson, Krameria, Monaco, Quebec, Syracuse, Uinta	Grove RT880E Rough Terrain Crane
		Xtreme XR1245 Forklift 12K
		Whacker Neuson Light Plant
		Boomlift- Snorkel 660SJ- 65 ft
		Boomlift- Snorkel S85' RT
		Ford F150 XLT
		Kentworth 2020 T880
B) Pipe Installation	Clarkson, Ogden, Downing, Cook, Grape, Hudson, Holly, Kearney, Krameria, Leyden, Locust, Niagara, Oneida, Quebec	CAT Excavator 336
		CAT Compactor walk behind
		CAT 938M WHEEL LOADER
		WATER TANK WAGON-2000 GAL
		Ford F150 XLT
C) Pipe Removal	Clarkson, Ogden, Downing, Cook, Grape, Hudson, Holly, Kearney, Krameria, Leyden, Locust, Niagara, Oneida, Quebec	NPK GH12 HAMMER (CAT336)
		CAT Excavator 336
		Ford F150 XLT
		Core Cut CC6571D Diesel Walk Behind Saw
		CAT 938M WHEEL LOADER
D) Sanitary Sewer Bypass	Grape to Holly	(3) 8x8x12 Diesel trash pumps (sunbelt)

This variance request is not contingent on other regulatory approvals or permits.

**6(b) Date of Payment**

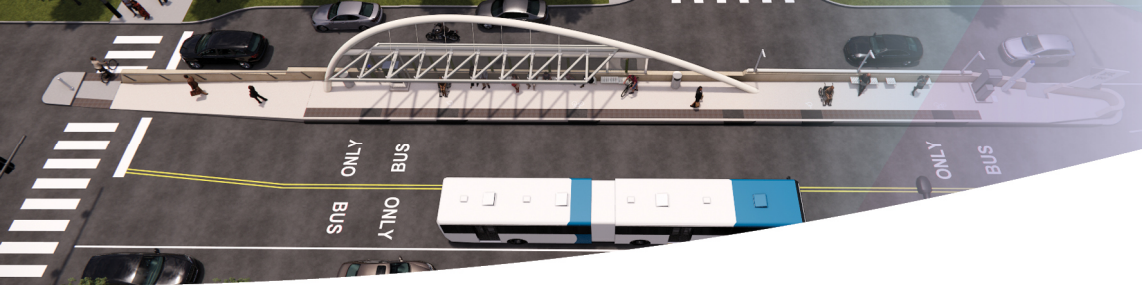
Kraemer NA provided payment on September 19, 2024.

**6(c) Objections to Managers Determinations**

The manager has not made a determination at this time.

**6(d)(1) Hardship if Variance is Not Granted**

The necessary closures needed to perform these activities are not being permitted during the day. Some activities may require a full closure of the roadway and would be problematic and present huge impacts



to local traffic. The sanitary sewer bypass operation needs pumping to occur 24/7 to maintain sanitary sewer operations in that area to work properly.

**6(d)(2) No Adverse Affects to Public Health**

Please see Appendix A for Noise Impact Study prepared by Cascade Environmental.

**6(d)(3) Maintain Harmony with the Spirit and Purpose of the Ordinance**

The scope of work that needs to be performed under this ordinance has been heavily scrutinized to limit the amount of noise that the operations produce.

The communication team will ensure all residents, businesses and community centers within the buffer zone receive information and opportunities to voice questions and concerns. The communication team will visit each entity individually and provide a printed fact sheet (also available in digital form) that includes a list of and explanation for construction activities. Additionally, the project’s hotline message will be updated to reflect these activities and provide an opportunity for people with concerns or questions about this work to leave messages.

Should additional public entities have strong concerns and information needs regarding the project and its impacts, the communication team will be ready to support with the following public-information tactics: individual emails to stakeholders (residents and businesses) both in the buffer zone and in the surrounding area; additional information added to the weekly e-blast; organized strategic public outreach (e.g., virtual town hall, Chats on Colfax), if necessary.

Noise monitoring will be conducted to confirm the findings of the Noise Impact study, respond to complaints, and verify compliance with the conditions set forth by the Board of Environmental Health.

**6(e) Project Location and Haul Routes**

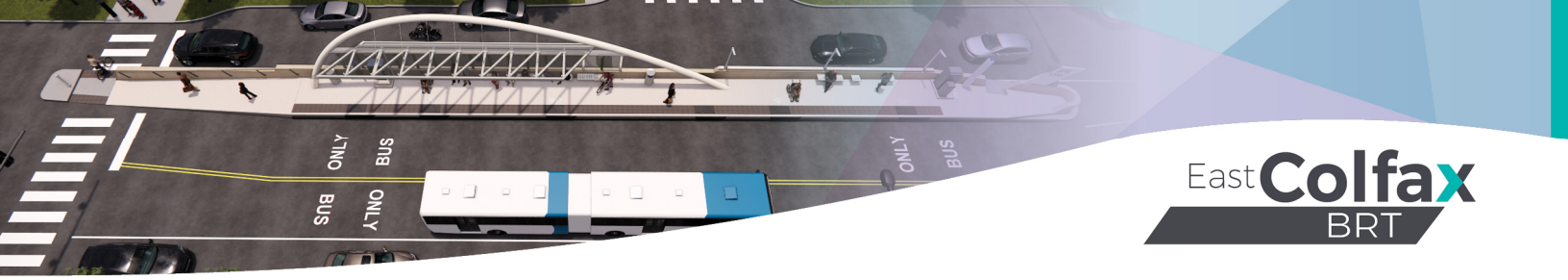
All equipment will be brought onto Colfax using major arterial roadways and will not be allowed on residential streets during night work.

**6(f) Petitioner Information**

Kraemer North American, LLC  
900 W. Castleton Rd, Suite 220  
Castle Rock, CO 80109  
303.688.7500

Contractor Project Manager: Jamiee Ganzhorn  
PM Contact Details: 303.419.7574  
Project Field Office: 1391 Speer Blvd, Suite 500, Denver, CO 80204





**6(g) Petitioners Signature**

If you have any questions or comments, or if you need additional information, please feel free to contact me at 303.419.7574.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jamiee Ganzhorn'.

Jamiee Ganzhorn  
Project Manager  
Kraemer North America