

# Meeting Minutes of the Board of Public Health and Environment



**Date:** 1/11/2024

**Location:** 101 W Colfax Ave Room 816, Denver, CO, 80202

<input checked="" type="checkbox"/> Genene Duran, Chairperson	<input checked="" type="checkbox"/> Cathy Cooney	<input checked="" type="checkbox"/> Kelli Curl
<input checked="" type="checkbox"/> Jessica Brody	<input checked="" type="checkbox"/> Alisha Brown	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Jim Garcia	<input checked="" type="checkbox"/> Chris Wiant	<input type="checkbox"/>

Agenda Item	Description of Agenda Item	Action/Decisions
BPHE Docket #23-47	Petition for variance from Section 8-106 of the Denver Rules and Regulations Governing Food Establishments, and from Sections 1.0.G and 5.0.E of the Denver Rules and Regulations Governing Off-Leash Enclosures. Petitioner: Happy Dog Park and Taproom. Respondent: Public Health Investigations Division & Denver Animal Protection, Denver Department of Public Health and Environment	The Board approves the variance with conditions
<p><b>Summary of Decision</b></p> <p>On November 7, 2023, Layton Judd, on behalf of Happy Dog Park and Taproom (“Petitioner”), filed a petition for variance (“Petition”) with the Board of Public Health and Environment (“Board”) requesting a variance from Section 8-106 of the Denver Rules and Regulations Governing Food Establishments, and from Sections 1.0.G and 5.0.E of the Denver Rules and Regulations Governing Off-Leash Enclosures. The Department of Public Health and Environment (“Department”) responded with support for the Petition subject to certain conditions. The Board hereby finds that Petitioner has met its burden of proof pursuant to section 3.10 of the Rules and Regulations Governing Hearings Before the Board of Public Health and Environment, dated June 21, 2022, and, as such, grants the variance with the following conditions:</p> <ul style="list-style-type: none"> <li>○ Petitioner shall comply with all conditions set forth in the Department’s Recommendation dated January 11, 2024</li> </ul>		

Agenda Item	Description of Agenda Item	Action/Decisions
BPHE Docket #23-50	Petition for variance from Chapter 36 of the Denver Revised Municipal Code governing noise control. Petitioner: Apex Plumbing. Respondent: Public Health Investigations Division, Denver Department of Public Health and Environment	The Board approves the variance with conditions

**Summary of Decision**

On November 16, 2023, Alexa Labozan, on behalf of Apex Plumbing (“Petitioner”), filed a petition for variance (“Petition”) with the Board of Public Health and Environment (“Board”) requesting a variance from Chapter 36 of the Denver Revised Municipal Code governing noise control. The Department of Public Health and Environment (“Department”) responded with support for the Petition subject to certain conditions. The matter was presented to the Board on October 12, 2023. The Board hereby finds that Petitioner has met its burden of proof pursuant to section 3.10 of the Rules and Regulations Governing Hearings Before the Board of Public Health and Environment, dated June 21, 2022, and, as such, grants the variance with the following conditions:

- Petitioner shall comply with all conditions set forth in the Department’s Recommendation dated January 5, 2024

Agenda Item	Description of Agenda Item	Action/Decisions
BPHE Docket #23-51	Petition for variance from Chapter 36 of the Denver Revised Municipal Code governing noise control. Petitioner: PCL Construction Services, Inc. Respondent: Public Health Investigations Division, Denver Department of Public Health and Environment	The Board approves the variance with conditions

**Summary of Decision**

On November 22, 2023, Eric Berglund, on behalf of PCL Construction Services, Inc. (“Petitioner”), filed a petition for variance (“Petition”) with the Board of Public Health and Environment (“Board”) requesting a variance from Chapter 36 of the Denver Revised Municipal Code governing noise control. The Department of Public Health and Environment (“Department”) responded with support for the Petition subject to certain conditions. The matter was presented to the Board on October 12, 2023. The Board hereby finds that Petitioner has met its burden of proof pursuant to section 3.10 of the Rules and Regulations Governing Hearings Before the Board of Public Health and Environment, dated June 21, 2022, and, as such, grants the variance with the following conditions:

- Petitioner shall comply with all conditions set forth in the Department’s Recommendation dated January 5, 2024; and
- During nighttime hours between 5pm and 7am, Petitioner shall not use jackhammers, concrete saws, or demolition saws, which shall be incorporated in the Department’s Recommendation as subsection 5(o)

<b>Agenda Item</b>	<b>Description of Agenda Item</b>	<b>Action/Decisions</b>
Board Officer Elections	The Board's bylaws require elections annually	Election of Chair and Vice-Chair
<b>Summary of Decision</b>  Cathy Cooney was reelected as Chair and Jessica Brody was elected Vice-Chair		