

Alcohol License Review Committee

November 25, 2012

Legistar # 28323, Separated Liquor License Renewal Condition Gretisman Investments LLC

Agenda Item #9

The ALRC recommended that the Council grant Plan B's liquor license with conditions (Legistar # 26417). The Common Council granted the license on June 12, 2012 with the following condition:

“The conditions are that current license conditions remain and the establishment continue dialogue with the Alder, Landlord, and Neighborhood Association to address the noise complaints and report to the ALRC November 2012 meeting regarding progress made.”

#### Progress on noise complaints since June 2012

The meeting minutes for the July 19, 2012 Marquette Neighborhood Association Board meeting reflect the following:

“The Executive Committee made a recommendation on the neighborhood role in the Alcohol Licensing Review Committee requirements for Plan B: formation of a committee of three board members, three representatives of families and representatives of Plan B. The members of the committee besides the families and neighborhood association representatives: Rico Sabatini, Corey Gresen, Chuck Chvala, Marsha Rummel, and Mark Woulf. Plan B is responsible for scheduling meetings. The MNA representatives will report back to the MNA board.”

No meeting was scheduled until September 19, 2012. At that meeting Plan B said the interior of the roof would be sound proofed and drywalled.

A building permit was issued on October 18, 2012 for Plan B to “sound insulate roofing system – remove Luan covering, install mineral wool, install drywall, reinstall Luan.” The estimated cost of this project is \$2,000.

Dialogue other than this one meeting has been limited. Mr. Sabatini forwarded an email chain to a number of participants (copy attached). In this email, Mr. Sabatini says, essentially, that “effort was taken in this situation” and we should have waited for the soundproofing instead of complaining.

#### Soundproofing efforts of Plan B

Mr. Sabatini is critical of us for complaining rather than waiting for the soundproofing. On the other hand, would it have harmed Plan B to adjust the bass levels while awaiting the soundproofing?

We have endured low bass levels, reverberations and sleepless nights for approximately three years. It is disturbing to now find out that the cost of the alleged fix is only \$2,000. We would gladly have contributed to a fund to fix this problem and saved ourselves three years of misery. In fact, we offered to hold fundraisers to differ the cost.

Plan B's soundproofing efforts are not in accordance with their consultant's report of July 19, 2011. Audio Design Specialists offered a two step proposal to reduce the low bass peaks "to insignificance" at Jenifer Street: (1) apply a layer of 1/4" thick MLV (mass loaded vinyl) to the north 2/3 of the roof; and, (2) incorporate a digital processor with particular features into the sound system (generation of extremely narrow but deep notch filters adjusted to align with roof resonant nodes; selective peak limiting of the bass and sub bass bands).

Instead of implementing their consultant's recommendations, Plan B has chosen an alternate path. Will insulating the ceiling with mineral wool work as well as applying a layer of MLV to the roof? What of the recommendation that Plan B incorporate a digital processor? Although I am hopeful that Plan B's current efforts will also reduce low bass peaks to insignificance, I remain concerned.

#### Request for continued ALRC oversight

Plan B's efforts over the past several months to address noise problems are the most substantive taken by Plan B since 2010. (In 2010 Plan B was required by the Plan Commission to limit sound escaping from the side door.) I believe these efforts were made due to the ALRC's directive.

Since Plan B is trying an alternate approach to address the noise issues, I ask the ALRC to recommend continuation of the current condition and have Plan B again report back to the ALRC. Within several months we should, hopefully, know whether the problem is fixed.

Additionally, if Plan B has a report from another consultant recommending the use of mineral wool and its effectiveness at reducing low bass peaks, I would appreciate it if the ALRC would request a copy and add that copy to the record.

Thank you for your attention to our concerns and your continued oversight. We look forward to the day when we can sleep in our beds without the noise and vibration from Plan B's bass levels awakening us. With the ALRC's continued oversight, I believe that day may come.

Sincerely,

Lynn Lee  
Steve Skaggs  
Tracy Gallo  
Steve Gallo  
Judith Guyot  
Dick Guyot