



**THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Date: May 8, 2024

Sponsored by Council Members: Middleton, Kosty, Dundon, Hotchkiss, Cavanaugh

Introduced by Committee: Municipal and Public Affairs

RESOLUTION

entitled

**A RESOLUTION AUTHORIZING A NOISE
VARIANCE FOR ABEL'S PUB**

WHEREAS, Abel's Pub (the "Applicant"), located at 65 Rotary Avenue, Binghamton, New York, has applied for a special variance to the City's noise regulations, as outlined in Chapter 292, *Noise*, in accordance with the attached permit application ("Exhibit A"); and

WHEREAS, the Applicant wishes to hold outdoor events on the following dates for the year 2024: May 10, 18, 24, 31; June 8, 14, 22, 28; July 6, 12, 20, 27; August 2, 25; September 7, 13, 21, 27; and October 5, 11, 19, 26, such events to be held at 65 Rotary Avenue; and

WHEREAS, City Council held a public hearing on May 8, 2024.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby:

RESOLVE, that a special variance to the City of Binghamton's noise regulations as set forth in Chapter 292 of the Code of the City of Binghamton, entitled *Noise*, is hereby granted to Abel's Pub for outdoor events on the following dates for the year 2024: May 10, 18, 24, 31; June 8, 14, 22, 28; July 6, 12, 20, 27; August 2, 25; September 7, 13, 21, 27; and October 5, 11, 19, 26, such events to be held at 65 Rotary Avenue, in accordance with the attached Exhibit A; and be it further

RESOLVED that notwithstanding the foregoing, the Council of the City of Binghamton may revoke this variance, after giving written notice to the Applicant and providing an opportunity for the Applicant to be heard, for any violation of the time limits or complaints for noise in excess of the anticipated noise outlined in Exhibit A.

Introductory No. R24-35

Permanent No. R24-35

Sponsored by City Council Members: Middleton, Kosty, Dundon, Hotchkiss, Cavanaugh

A RESOLUTION AUTHORIZING A NOISE VARIANCE FOR ABEL'S PUB

The within Resolution was adopted by the Council of the City of Binghamton.

Date 5/8/24

City Clerk [Signature]

Date Presented to Mayor 5/10/24

Date Approved 5/16/24

Mayor [Signature]

	Ayes	Nays	Abstain	Absent
Councilmember Porter	✓			
Councilmember Middleton	✓			
Councilmember Cavanaugh	✓			
Councilmember Hotchkiss	✓			
Councilmember Mativetsky	✓			
Councilmember Kosty	✓			
Councilmember Dundon	✓			
Total	7	0	0	0

Code of the City of Binghamton

Adopted Defeated

7 Ayes 0 Nays 0 Abstain 0 Absent

I hereby certify the above to be a true copy of the legislation adopted by the Council of the City of Binghamton at a meeting held on 5/8/24. Approved by the Mayor on _____.



Office of the City Clerk

Date Filed:

License No:

City Hall, 38 Hawley Street, Binghamton, NY 13901 607-772-7005

NOISE VARIANCE PERMIT APPLICATION

Variance Information

Name of Event: Abel's Pub Live Music

Date(s)/Time(s) of Event: 7:00-10:00 PM 5/3, 5/10, 5/18, 5/24, 5/31, 6/8, 6/14, 6/22, 6/28, 7/6, 7/12, 7/20, 7/27, 8/2, 8/25, 9/7, 9/13, 9/21, 9/27, 10/5, 10/11, 10/19, 10/26

Location of Event: Abel's Pub, 65 Rotary Avenue, Binghamton, NY 13905

Contact Information

Name of Applicant: Martin F. Stantz and Patricia Marie Stantz

Address: 66 Lincoln Avenue, Binghamton, NY 13905

Phone (Home/Work/Cell): (607) 372-3415

Additional Information

Is Applicant the owner of the property where the event will be located? Yes No
(If the answer to the above question is 'No', the owner of the property must provide written consent.)

Provide a description of the plans, specifications and any other information pertinent to the source of sound and vibration.

Abel's Pub will offer outdoor live music on 5/3, 5/10, 5/18, 5/24, 5/31, 6/8, 6/14, 6/22, 6/28, 7/6, 7/12, 7/20, 7/27, 8/2, 8/25, 9/7, 9/13, 9/21, 9/27, 10/5, 10/11, 10/19, 10/26 from 7:00-10:00 PM. Live music will occur in fully enclosed, outdoor space that is part of the same parcel of land as the bar establishment, located directly behind the bar. Enclosure is equipped with permanent sound system and is reinforced with brand new soundproofing technology, including soundproof tiles built into the structure to reduce noise, and additional efforts to contain sound from traveling outside of the enclosure.

Provide a description of the sound, including estimated sound levels at the source property and across any real property boundaries, along with the date(s) and time(s) during the day that the sound will be generated.

Live music on 5/3, 5/10, 5/18, 5/24, 5/31, 6/8, 6/14, 6/22, 6/28, 7/6, 7/12, 7/20, 7/27, 8/2, 8/25, 9/7, 9/13, 9/21, 9/27, 10/5, 10/11, 10/19, 10/26 from 7:00-10:00 PM, including a variety of local musicians playing music at a reasonable volume. All music will be contained in back area enclosure, with soundproofing tiles and permanent music structure to contain sound from traveling far beyond enclosure. Sound will not cause unreasonable disturbance to neighbors and will end before 10:00 PM each date.

Provide a description of noise control methods that will be used to restrict emissions of the generated sound.

New directional sound system will reduce amplification and ambient noise, as well as improve sound quality within the enclosure to avoid increase in volume. Sound reduction technology, including



Office of the City Clerk

Date Filed:

License No:

City Hall, 38 Hawley Street, Binghamton, NY 13901 607-772-7005

soundproofing tiles and noise mitigation materials. Enclosure is equipped with permanent sound system and is reinforced with brand new soundproofing technology, including soundproof tiles built into the structure to reduce noise, and additional efforts to contain sound from traveling outside of the enclosure.

Provide a description of the time schedule for the installation of noise abatement and control devices, technology and procedures or process modifications that will be followed to restrict the emissions of the sounds and vibrations.

Soundproofing is currently underway (tiles installed, permanent music system installed) and additional efforts will be completed before first date of live music.