



Board of Public Works and Safety

Agenda Item

Cover Sheet

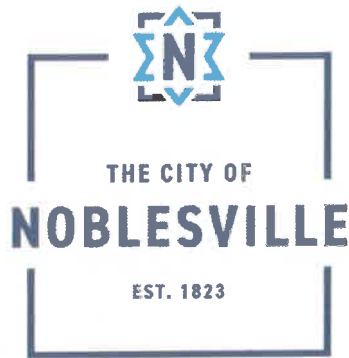
MEETING DATE: April 15, 2025

- ☒ Consent Agenda Item
- ☐ New Item for Discussion
- ☐ Previously Discussed Item
- ☐ Miscellaneous

ITEM #: 3

INITIATED BY: René Gulley

- ☒ Information Attached
- ☐ Verbal
- ☐ No Paperwork at Time of Packets



TO: Noblesville Board of Public Works and Safety

FROM: René Gulley, Operations Manager Street Department

SUBJECT: Board to Consider Annual Matteo's Ristorante Italiano Outside Dining 2025

DATE: April 15, 2025

Attached you will find a request from Joelcir Antunes of Matteo's Ristorante Italiano. As in years past, Mr. Antunes is requesting to use the East Alley for outside dining starting April 28th through October 1st. Matteo's has agreed to accommodate other activities in the alley when given at least two weeks' notice.

The committee recommends the Board of Public Works approve this alley activation.



**NOBLESVILLE STREET DEPARTMENT**

1575 Pleasant Street, Noblesville IN
Phone: 317-776-6348
www.noblesville.in.gov/street
nsd@noblesville.in.gov

For Office Use Only

PERMIT NUMBER ENCR-0275-2025
PERMIT FEE _____ PAID _____

Encroachment Permit Application

- The applicant named below requests permission to encroach on the following public right-of-way, street, sidewalk, alley or other public space at the location described below.
- Applicant shall submit one original application, with plans attached, either in person, mail or email.
- No verbal transmissions will be accepted.

Application Date 3/25/2025

RECEIVED
MAR 26 2025
BY: TC

Work Address 40 N 9th St. Subdivision _____

Name of Permittee / Contractor:

BRASA VIVA LLC dba Matteo's
Contact Name Joel Antonio
Address 40 N 9th St
City Noblesville State IN Zip 46060
Phone 317-289-8326 Fax _____
Email jantonio@matteosonline.com

Name of Sub- Contractor:

Contact Name _____
Address _____
City _____ State _____ Zip _____
Phone _____ Fax _____
Email _____

Location: Street ☐ Alley ☒ Sidewalk ☐ Shoulder/Berm ☐
Type: Cut ☐ Bore ☐ Trench ☐ Other ☐ Explain _____
New Construction ☐ Existing Construction ☐
Water ☐ Gas ☐ Electric ☐ Phone ☐ CATV ☐ Sewer ☐ Irrigation ☐ Trees ☐

Please describe proposed work: Restaurant Use outside dining in
From 4/28/25 to 10/5/25 the East West
From 5:00 pm to 11:00 pm Alley

SIZE OF STREET OR RIGHT-OF-WAY CUT

Traffic Lanes: Length _____ Width _____ Depth within Lanes _____
Sidewalk: Length _____ Width _____ Depth within Sidewalk _____
Type of Surface: Concrete [] Asphalt [] Gravel-Dirt [] Brick [] Other [] Explain _____

TRAFFIC PORTION AFFECTED BY PERMIT

Width: _____ Length: _____ # of Lanes: _____ # of Lanes Closed: _____ # of hours Closed: _____
Vehicles/equipment left on site unattended? Yes _____ No _____ Unattended for: _____ weekdays _____ weekends
Estimated Start Date _____ Estimated Completion Date _____

CONTINUED ON BACK

TERMS AND CONDITIONS FOR ENCROACHMENT PERMIT

1. It is understood that any permit by virtue of this request is revocable at the discretion of the City of Noblesville and that the same shall be voided if the terms and conditions below are not fulfilled by the applicant. The applicant hereby agrees to observe all requirements of the Encroachment Standards Ordinance, the submitted drawings, Noblesville Standards, and all other applicable local/country/state/ federal laws and regulations.
2. The undersigned shall notify the Designated Department a minimum of 48 hours prior to the time that work is to be performed. The undersigned will furnish placards identifying equipment, flashers, barricades and/or other warning devices at the construction site. When two-way traffic is confined to one lane, flagging personnel shall be required. Permittee must follow Chapter XVII of Title 29, Code of Federal Regulation, Part 1926 known as Safety & Health Regulation for Construction.
3. In cases where the work authorized by the permit will cause major interference with traffic flow on streets, Permittee shall provide a uniformed traffic officer when requested by the Designated Department to provide traffic control at the construction site. Work shall not be performed on any major arterials, streets and thoroughfares during rush hours or peak hours of vehicular traffic flow, unless in case of emergencies.
4. The Permittee shall not create a hazardous or unsafe situation at construction sites, which would cause injury or damage to vehicular and pedestrian traffic. The Permittee shall not leave unattended open cuts unprotected overnight or during weekend periods. Permission to use temporary steel plates or any authorized substitutes shall be requested at open cuts or construction sites. The Designated Department shall be notified of these steel plates or substitutes by the Permittee.
5. All construction equipment and/or vehicles left unattended for any length of time shall be parked in locations as to not create hazardous and unsafe situations to vehicular and pedestrian flow. The construction equipment and/or vehicles shall be parked in such a manner as to not restrict sight distance to vehicular traffic.
All construction equipment and/or vehicles are prohibited from driving on named trails, neighborhood perimeter trails, and sidewalks.
6. The Permittee shall hold harmless and indemnify the City of Noblesville from, for and against any claim of any person in tort, contract or otherwise arising out of the act or omissions of the Permittee, their agents, representatives, servants, contractors and the latter's subcontractors, whenever such acts or omissions or any rights or performance or exercise thereof of the Permittee arise under this permit from alteration, modernization, replacement, operation, maintenance, change or removal of any part or portion of the public right-of-way, or facility thereof. All existing utilities must be identified and located prior to all boring operations. Permittee shall be responsible for consequential damages to residents and businesses who are damaged during outages caused by these untimely accidents experienced by poorly coordinated utility borings and construction activities in the City right-of-way.
7. The Permittee shall stipulate the type of materials and method of repair utilized to close any open cuts, subject to the Director or his/her representative's approval.
8. The Permittee shall begin work within 45 working days from the date of application approval, and work must be completed within 60 working days of the application approval. Any construction and/or work not completed by this date shall be grounds to nullify and void this permit. Re-application would then be necessary.
9. The Permittee shall be required upon completion of construction and/or work to notify the Director or his/her representative for inspection and verification. The construction and/or work shall be inspected prior to being accepted by the City of Noblesville as being complete. The Director or his/her representative shall perform the inspection.
10. Upon the completion of all open street cuts, permanent patches shall be in place no later than 20 working days from the temporary patch inspection date. Any construction work or repair measures utilized to close any open cuts made under this permit that are found to be unsatisfactory shall be corrected within 10 working days by the Permittee. The Permittee shall be responsible to maintain and repair any and all open cuts granted by this permit for a period of one year upon final acceptance, unless the City of Noblesville and/or other utilities, contractors or subcontractors or other parties remove, damage, modernize, replace, change any part or portion of the public right-of-way or facility or thereof granted under this permit.

Signature of Applicant _____

Title _____

Printed Name _____

Date _____

Company Name _____

Phone Number _____

For Office Use Only:

Traffic Control Personnel: YES NO Uniform Police: YES NO Number of Personnel Necessary: _____

Steel Plates or other authorized substitute to be used? YES NO (If yes, refer to #4 above)

Comments: _____

Director/ or representative _____

Date Approved _____