



CITY OF

**PORTLAND, OREGON**

OFFICE OF NEIGHBORHOOD INVOLVEMENT

**CHARLIE HALES, MAYOR**

Amalia Alarcón de Morris, Bureau Director

**Noise Control Program**

1221 SW 4th Avenue, Room 110  
Portland, Oregon 97204

*Promoting a culture of civic engagement*

**NRB 8/12/15  
Minutes**

**Present:** Melissa Stewart, Julie Greb, Carol Gossett (Acting Chair), Kerrie Standlee, and Paul van Orden

**Absent:** David Sweet

**Minutes:** Kathy Couch

**Call to order:** 6:02

**Introductions**

**Approval of June Minutes:** Julie Greb moves to approve, Melissa Stewart seconds  
Motion passes 3 – 0 (Kerrie not yet arrived)

**Review of a noise variance application from Brandon Wilson, representing Bureau of Environmental Services. They are requesting a noise variance for the NW District Sewer Project. The noise variance is for sewer repair work taking place between January 1, 2016 through January 31, 2017 between the hours of 8:00 pm and 5:30 am in the area of NW Vaughn from NW 27<sup>th</sup> Ave to NW 23<sup>rd</sup> Ave and will require 120-150 nights of variance work during that time. The work will consist of trench cutting and open trench repair work to replace aging sewers and is intended to increase sewer system capacity and help prevent sewer backups in basements.**

Joe Annett, Liz Moorehead, and Brandon Wilson from BES came to the meeting regarding the above variance application.

Joe Annett gives an overview of the project and says that the project is to upsize pipes to prevent back-ups. Pipes are between 80 and 116 years old and have reached the end of viability.

This is an amended plan due to feedback from affected concerned residents, they came up with a less invasive timeline reducing the original 9 to 10 months to 4 to 5 months.

The reason for the proposed night work is due to the location in the middle of Vaughn exit off I-405. It is a high traffic volume street in the daytime because of truck and commuter traffic. There is also a portion on NW 23<sup>rd</sup> that is also a high traffic volume street.

Joe went through their very robust outreach to over 3000 addresses. Details are attached to the minutes. The outreach plan also includes maps and an overview of the project. Each location section consists of one week to a week and a half of work, with the exception of NW 23rd. This will take up to 4 weeks.

The work will be done one block at a time, so as to not impact anyone for long.

Conditions they propose are standard with 1 exception- sawcutting takes place in the daytime between 9:00 am – 3:00 pm.

Craig Goodroad – PBOT traffic engineer explains, at the request of Julie Greb, why work has to be done at night.

He elaborates that the location of manholes and type of work that needed to be done, after looking at locations and how much room the project will need, would have to shut the freeway ramp down. If they close the ramp in the daytime, traffic would be diverted through NW Yeon, causing more traffic delays. Night work is the best for safety and traffic issues.

The plan for nighttime work is Sunday through Thursday. They are not planning on Friday or Saturday to ensure businesses have access on their busiest days of the week.

No staging area has been decided yet.

Question from a citizen (not identified) about making Vaughn one way eastbound and moving traffic to Nicolai westbound. Craig says that Vaughn is a major intersection, and the traffic signal is shut down when they're working, so this idea isn't viable.

Another (not identified) citizen asks what the noise descriptors are and how they are measured. Joe says they don't typically measure them. It's something they can do but have not done it in the past. Contractors do try to minimize nighttime noise as best they can, but things such as track hoes etc. are beyond their control as far as noise.

A (not identified) citizen asks about back up beepers and is told they will be off and spotters used.

Melissa Stewart says it would be useful to authorize Paul on the staging location and would like to see this added to the conditions.

Joe says that they are happy to notify the Noise Control office once the staging area has been identified by the contractor.

Melissa asks about the possibility of working 4 days a week, so Sunday would be a day off for residents. Joe explains that Friday and Saturday are big nights for the restaurants so they are trying to avoid working on those nights. 4 day weeks would make the project go longer by another month, as it would mean 32 hour weeks instead of 40 hours people typically work. Craig Goodroad adds that Friday night is by far the busiest night on NW 23rd.

Another (not identified) citizen asks what the total amount of hours of construction per day, considering there is both night work proposed and daytime work as well. Joe says that usually there is either one or the other at the same time, but he couldn't guarantee it. He asks what the residents in attendance would like to see and they indicate that they would like to see the work staggered, so it's either one shift or the other, instead of both.

Paul asks that people say who they are when they speak, so their names may be recorded in the minutes. At that point, 2 people identified themselves:

Julia Bergren, resident of NW Upshur, and Clare Kenny, resident of NW Upshur.

Susan Hjorten from BES says that once night work starts, they have to keep working until they finish that part of the job, so they can't stop midway, but they can specify that only one crew per night work is allowed, so there is only one location at a time impacted.

Liz Moorehead says they would do daytime work for a full year, but night work is only for 4 – 5 months

Chris Hoge shares that he lives next to the bridge next to freeway. He says it is incredibly disruptive with that level of work. He is worried that for 5 months he will never have a break from noise. His preference is day work.

Joe clarifies that the work is moving. They will be working one & half weeks at a location, then it goes down to the next block etc.

Only NW 23<sup>rd</sup> will be 3-4 weeks, due to having to actually put the pipe in

Each block is roughly 2-4 weeks, depending on circumstances. Each home connection gets replaced.

Craig Goodroad says that due to traffic specs, the contractor on Vaughn is limited to 1 block at a time.

Julia Bergren wants clarification on the map as to the work hours. She is told that it is Possibly 7 am – 6 pm, and 8pm – 5:30 am.

She asks if there is a way to silence back up alarms, and is told yes, that is in the conditions. Currently there is no Federal requirement about back up beepers.

Janet Filips wonders if there is any model anywhere for having noise sanctuaries offsite, such as libraries?

Joe says they have never done anything like that, but can check into it.

**Julie Greb moves to grant the noise variance application from Brandon Wilson, representing Bureau of Environmental Services for a noise variance for the NW District Sewer Project. The noise variance is for sewer repair work taking place between January 1, 2016 through January 31, 2017 between the hours of 8:00 pm and 5:30 am in the area of NW Vaughn from NW 27<sup>th</sup> Ave to NW 23<sup>rd</sup> Ave**

- A. Noise variance shall run from January 1, 2016 through January 31, 2017.
- B. Allowable night work hours are 8pm to 5:30 am Sunday through Thursday.
- C. From 6 pm until 9:30 pm the contractor will be required to use “smart alarm” back up beepers instead of a standard reverse alarm for all equipment activity. From 9:30 pm until 6 am the following morning back up alarms will be disconnected and spotters will be used to safely back up vehicles.
- D. The applicant shall work to utilize direct connection to power whenever possible. Use of gasoline or diesel generators or other stationary equipment will be isolated from any residential neighbors with the safe use of a ¾ inch plywood enclosure that does not impact the need of the unit to be properly ventilated.
- E. All saw cutting shall be performed during daytime allowable work hours. All saw cutting shall include portable sound barriers being utilized to decrease the noise level to nearby buildings.

- F. Pipe cutting and adjustments during night work hours will be performed on the north side of NW Vaughn utilizing the numbered streets within the industrial area of the project.
- G. Notice to be mailed and emailed two weeks prior to start of work to a two block radius of the work site. Notice shall include nature of work, anticipated noise sources and a contact phone number for a person on site to explain the work and possibly mitigate the issue.
- H. Noise office to be notified once a staging area has been chosen for the project.
- I. BES inspector to be on site during all work hours.
- J. The applicant will send complaint reports along with a complaint log and details of how the problem was resolved to the City of Portland Noise Control Officer. These logs can be emailed to [noise@portlandoregon.gov](mailto:noise@portlandoregon.gov).
- K. The applicant shall prepare to develop a noise mitigation plan with the Noise Control Office should complaints arise.
- L. The noise variance will be reviewed upon receipt of complaints. If complaints are filed, the Noise Control Officer may modify the variance as needed to resolve community noise disturbances.
- M. The applicant will notify the Noise Control Officer by the next morning if the variance was needed to work outside the permitted construction hours. The applicant will keep a running tally of variance days used. This log shall be made available to the Noise Control Office upon request.
- N. Permitted dBA level to be decided between applicant and Noise Office, with the aid of Kerrie Standlee
- O. Pipe, manhole, storm drains and leads and lateral replacement as described in the specification near the Silver Cloud and Holiday inns is to be completed between October and March during the contract timeline.

**Kerrie Standlee seconds the motion**

**Motion passes as follows:**

**2 - Aye (Carol & Julie)**

**1 - Opposed (Melissa)**

**1 - Abstention - (Kerrie)**

**(David is not present)**

**Review of a noise variance application from Susan Hjorten, representing Bureau of Environmental Services. They are requesting a noise variance for the SE Powell Sewer Project. The noise variance is for sewer repair work taking place over 28 days between December 1, 2015 and July 31, 2017 between the hours of 6:00 pm and 7:00 am in the area of SE Powell at SE 47<sup>th</sup> Ave, SE 49<sup>th</sup> south of Powell Blvd for 150 feet, SE 52<sup>nd</sup> just north of Lafayette St, and SE Foster Rd west of SE Cora St. The work will**

**consist of trench cutting and open trench repair work to replace aging sewers Susan Hjorten , Liz Moorehead, Craig Goodroad and Matt Gough are at the meeting for this variance application**

Matt Gough gives the project overview:

The project consists of 22000 feet of sewer pipe to be replaced. They have reached the end of life at 90 years old

11000 lateral branches will be installed to homes and businesses and 241 manholes will be replaced.

Materials are attached to these minutes

Most work will take place during daytime hours for a total period of 1 ½ years, with the exceptions of 4 areas at night shown on the map

28 nights total, with 5 nights on 52<sup>nd</sup> and 4 on Powell Blvd.

Night work is proposed due to high traffic volumes along with ODOT restrictions, and business access restrictions. The affected roads are heavily used connectors between Powell & Foster.

Matt worked with Mayflower Moving on their preferred hours. They wouldn't be able to operate if the work was performed during daytime hours, when they are open for business. Outreach began in mid 2014 (attached)

No one showed up to any community meetings, and they received no calls or emails.

Julie proposes granting a noise variance application from Susan Hjorten, representing Bureau of Environmental Services for the SE Powell Sewer Project. The noise variance is for sewer repair work taking place over 28 days between December 1, 2015 and July 31, 2017 between the hours of 6:00 pm and 7:00 am in the area of SE Powell from SE 47<sup>th</sup> to SE 52<sup>nd</sup> and SE Foster between SE Boise & SE Cora

- A. From 6:00p.m. until 10:00 p.m., the applicant will be required to use "smart alarm" back up beepers instead of a standard reverse alarm for all equipment activity.
- B. From 10:00 p.m. until 7:00a.m., the applicant is required to disconnect the backup alarms and spotters will be used to safely back up vehicles.
- C. Saw cutting shall be performed during daytime allowable work hours. If saw cutting is required during night work it shall be done prior to midnight. Saw cutting taking place between 10:00 p.m. and midnight shall include portable sound barriers being utilized to decrease the noise level to nearby buildings.
- D. The applicant is required to use direct connection to power whenever possible. Use of bypass pumps, gasoline or diesel generators or other stationary equipment will be placed away from residential neighbors when possible, and at all times isolated from any residential neighbors with the safe use of 3/4 inch plywood enclosure that does not impact the need of the unit to be properly ventilated.
- E. Notice to be mailed and emailed two weeks prior to start of work to a two block radius of the work site. Notice shall include nature of work, anticipated noise sources and a contact phone number for a person on site to explain the work and possibly mitigate the issue.
- F. Noise office to be notified once a staging area has been chosen for the project.
- G. BES inspector to be on site during all work hours.

- H. The applicant will send complaint reports along with a complaint log and details of how the problem was resolved to the City of Portland Noise Control Officer. These logs can be emailed to [noise@portlandoregon.gov](mailto:noise@portlandoregon.gov).
- I. The applicant shall prepare to develop a noise mitigation plan with the Noise Control Office should complaints arise.
- J. The noise variance will be reviewed upon receipt of complaints. If complaints are filed, the Noise Control Officer may modify the variance as needed to resolve community noise disturbances.
- K. The applicant will notify the Noise Control Officer by the next morning if the variance was needed to work outside the permitted construction hours. The applicant will keep a running tally of variance days used. This log shall be made available to the Noise Control Office upon request.
- L. Permitted dBA level to be decided between applicant and Noise office in consultation with Kerrie.

**Kerrie Standlee seconds the motion.**

**The motion passes 4 – 0.**

**Updates from the Noise Officer on City Council pile driving hearing from July 29, 2015.**

The Noise office oversight moved from the Mayor to Commissioner Fritz since the council discussion began.

She had specific issues that she wanted addressed and moved a number of elements off the recommendations before that council meeting.

Council was supportive of imposing limitations to pile driving (no Saturdays, hours from 8 am to 6 pm, and mailed notifications)

Commissioner Fritz wanted more time to work with Planning Bureau staff on how we were defining the EX zoning issues. She thought there might be places to tighten up the language from Central Eastside.

The zoning will likely change in the Comprehensive Plan to CM classification (commercial), and we were ahead of the curve.

Commissioner Fritz also wants to put together a task force to address the things she took off the plate, explore over the next several months, make suggestions and then come back to the table.

The Task Force will probably include 6 members (3 construction industry and 3 citizens at large) with the Noise Control office at the table and someone from Commissioner Fritz's office to facilitate. They will meet for a few months between September & November. The selection process is just getting started.

Paul feels she wants more specificity with construction variances, with specific limitations and decibel levels. The short-term task force will look at all construction permits, not just pile driving.

Although it wasn't on the table at the hearing, she wants the task force to look at noise variances and the appeals process and how the public is notified like land use decisions.

There appears to be confusion coming from incorrect perceptions as to notifications. Paul's

biggest concern is staffing overload with the current workload, so he finds it hard to imagine taking more on without more robust staffing.

**Carol Gossett adjourns the meeting at 7:22 pm**