



**NOISE TASK FORCE  
AGENDA**

*Thursday, October 29, 2015*

*3:30 – 5:30 pm*

*Pettygrove Room, Portland City Hall*

*1221 SW 4<sup>th</sup> Avenue, Portland, OR 97204*

<b>Schedule</b>	<b>Topic</b>	<b>Lead/Presenter</b>	<b>Notes/Outcomes</b>
3:30 p.m.	Introductions, minutes and update on feedback from Noise Review Board, DRAC and City Staff	Claire Adamsick, Commissioner Fritz's office; Sandy Bacharach and Theresa Logan, Resolutions Northwest	Resolutions Northwest will be working with the Task Force to reach recommendations on 10/29 and 11/5
3:45 p.m.	EX Zones Recommendation: comments and approval	Task Force members	Language sent in advance to Task Force
3:55 p.m.	Pile Driving Discussion	City Staff and Task Force members	See discussion outline below
4:50 p.m.	Public comment	Members of the public present	
5:05 p.m.	Continued discussion and Pile Driving recommendations	Task Force members	Draft recommendations for Commissioner Fritz
5:25 p.m.	Next steps/Wrap-up	Sandy Bacharach and Theresa Logan	Final meeting on 11/5 will address variance review, notification and appeals
5:30 p.m.	Adjourn		Resolutions NW will distribute evaluations

**PILE DRIVING – TASK FORCE CONSIDERATIONS FROM COMMISSIONER FRITZ**

**Proposal**

Restrict the use of Pile Driving in construction in Portland due to the high impact on

human health because of the jarring noise involved in the impact hammer style of pile driving, constituting a noise disturbance as defined in Title 18.

### **Current landscape**

Pile driving is an exempted form of equipment for purposes of the noise code, because it cannot meet the standards for allowable noise levels in Portland but is a necessary method for construction, as are the other exempted forms of construction activity.

Pile driving is restricted in the following ways, for the purposes of the noise code (Amended July 2015).

- 1) May happen only within the hours of 8am to 6pm
- 2) May not happen on Saturday
- 3) May not happen on Sunday

Conditions currently required for the use of Pile Driving (July 2015)

- 1) Thirty days prior to the beginning of a project, the property owner must mail notice to all residents within 500 feet of the construction site detailing start date, end date, and contact for the project.

### **Commissioner Fritz's Proposed Course of Action:**

- 1. Eliminate pile driving from the list of exempt equipment in the Noise Code, and replace it with the Continuous Flight Auger (CFA). Any equipment that exceeds the decibel level of the auger method would require a noise variance.**

#### ***Questions for the Task Force:***

- Is the auger method a reasonable baseline?
  - Should the noise office be responsible for setting the maximum decibel level for augering?
  - What is a reasonable level of monitoring (spot-checking) by City staff to see that the activity is in compliance with maximum decibel level standards?
- 2. If auger method is not used, require applicants to demonstrate that there is no alternative to impact pile driving on a project – starting with the permit process.**

#### ***Questions for the Task Force:***

- Would Bureau of Development Services conduct an initial review, transferring the application to the Noise Office to trigger the variance

process?

- What are methods of demonstrating that there are no reasonable alternatives to impact pile driving to complete a project? Expert testimony?
- What lead time would the construction/development industry need to apply for a noise variance before the first day they need to utilize pile driving?

**3. Noise Review Board should be the body to review noise variance applications for impact pile driving.**

***Questions for the Task Force:***

- What is the appropriate criteria to be applied when evaluating a variance application for impact pile driving?
- How much time should be allowed for review of pile driving variances?
- Should longer-duration projects require additional mitigation strategies, periodic updates or greater public outreach?
- Should variance applications for pile driving allow time for public comment?

**4. Adjust fee schedule to allow for additional staff support of variance processing and on-site monitoring.**

***Questions for the Task Force:***

- Should variance application fees be increased to cover costs, or should approved variances require an “impact fee” that would be applied on a per-day basis (i.e. fees only incurred on days where impact pile driving is used)
- What are primary community and industry needs around staff consultation and compliance enforcement?