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Noise Review Board

December 11, 2019

Minutes

Present: Destiny Wright, Michael Wallace, Kerrie Standlee, Paul Van Orden

Absent: Ernest Harris

Minutes: Nicholas Carroll

Call to Order: 6:00 p.m. Kerrie Standlee

Public Testimony:

Ciaran Connelly – Attorney with hotels, speaking on Howard S Wright request for a Noise Variance for Block 216. Received a neighborhood notice from Howard S Wright that a Noise Variance has been approved for work from December 12 – 24

Significant concerns: 1) Not clear that variance has been issued; 2) receiving less than 24 hours notice which impacts hotel guests – flood lights flipped on at 5 a.m.; 3) not clear from notice that there are conditions that board to put on variance from October / November; Lots of concerned members of the public. Concerned that the variance goes on until February. Thought that they had developed good communications with the builder. Wants board to weigh highly any concerns about the project.

PVO: Permit is able to be modified based on community concerns.

Karen Moyer: Trucks lined up at 4:30 a.m. and lights flipped on at 5 a.m.

PVO: confirms that variance has been granted for early morning starts from 5 a.m. to 7 a.m.

Kerrie: The variance did have specific conditions, such as the lights had to be turned in a certain direction.

PVO: Gave Ciaran a copy of the Noise Variance Permit that was issued.

Ciaran: Request a condition of notification of 48 hours to a week to give the hotel a chance to make modifications.

Kerrie: Data may be taken on the outside, not the inside. Requested noise data collected to be submitted to the Noise Office by Friday. Data will be looked at to decide for future conditions.

PVO: Purpose of the board is to serve as checks and balances between the different parties involved.

Ciaran: Requesting options to address issues before the variance is approved.

Karen: Hotel has contract with United Airlines, so noise impacts could cause contract to be terminated due to requirements of pilots being able to sleep. Had to scramble pilots to quieter rooms, which may prove difficult during the busy holiday season.

#### Staff Update

Kerrie: Number of variances planned, break down by number staff sees versus number that the Noise Office does.

PVO: 600 variances; uptick in construction noise (20% increase)

Kerrie: Requests in writing and sent to the board. Want the numbers in order to plan the agendas for the next year.

Michael: Question about noise complaints that come in that are not related to variances

Kerrie: Evaluate effectiveness of the Code, could we get a breakdown of the types of calls that the Noise Office receives? Review of noise cases that had been approved by the board in the past and how effective a variance has been. Example: 2004 report about waste removal pickup noise. Wants to see if there are patterns that need to be looked at. Have the info pulled in the next month or so.

Kenya: Does not think a month is feasible, so need to assess based on employee current work loads. Staffing, funding, and general workload needs to be taken into account.

Kerrie: Its not considered unusual request; function of Noise Office to support the Noise Review Board. Need to hear the priorities of the Noise Office from manager about staff responsibilities.

Michael: What is the nature of the records: paper, excel, etc.?

Kenya: What are the needs of staff, how to increase efficiency going forward? Wants a work session in a different setting so we can set out what the board might need from the Noise Office staff.

Michael: Requesting just Noise Variance Permit data should be simple, since all in one location

Kerrie: Board is here to support the Noise team staff, including testifying to Council about more funding, but needs more data.

Michael: Request to be sent a copy of exported data of TrackITs to look at it.

Kenya: Wants to ensure that confidentiality of complainants before any data is released.

Kerrie: Review of Title 18 Noise Code. Example: By laws about NRB, it says that chairperson is designated and appointed by majority of consensus making, which is a contradiction about all decisions can be made by a majority of a quorum. May need to modify the code / by-laws to be consistent. Another example: under rulemaking, using the old bureau name and needs to be changed to new bureau name.

Requests an updated copy of the Code for all of the NRB members.

Suggests in January meeting, talk about the Title 18 Noise Code and a better idea of the process of the Noise Office as well as the responsibilities for each staff member.

Kenya: Mapping will show livabilities index, layered with language and demographics, zip codes, history. Analyze data for future projection, data will be useful to the NRB.

Kerrie: City to create working group to look into the plan to phase out gas powered leaf blowers being used by City of Portland. Wants NRB to have a seat on the working group.

Michael: Gave public testimony at City Council meeting about phasing out gas powered leaf blower. Asania from Commissioner Fish wants to attend January NRB regarding the leaf blower effort going forward.

NRB agrees that they should have one member with a seat on the working group.

Michael: Makes motion to investigate the possibilities to get on the leaf blower working group.

Destiny: Seconds motion.

All vote Aye.

Review of June 12, 2019 and November 13, 2019 minutes

Kerrie: Have some corrections to make to June 12, 2019 minutes, will give his notes to Nicholas to make corrections and then email back corrected copy to Kerrie.

Policies and Procedures are separate.

Michael: Moves to accept to minutes as amended

Kerrie: Seconds motion.

All vote Aye.

Kerrie: November minutes

Destiny: Correct name "Desiree" to Destiny

Kerrie: Block 216 is the correct block; other editing suggestions. Change "review" to "consider".

Destiny: Moves to approve November meeting minutes as amended.

Kerrie: Seconds motion.

All vote Aye.

Kerrie: Decide on day for next year's meetings.

PVO: Reports that Thursdays or Mondays are better for Ernest

Michael: Wednesdays are not good for him. 2<sup>nd</sup> Thursdays of the Month works for him.

Kerrie: Thursday nights works well for him.

Destiny: 2<sup>nd</sup> Thursday of the month may work for her.

Kenya: Monday nights are BAC meetings, so City Hall conference room is used.

Kerrie: January 9<sup>th</sup>, Thursday, is the next NRB meeting.

Destiny: Motion to adjourn

Michael: Seconds the motion.

Kerrie: Adjourns the meeting at 7:40 p.m.