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**Noise Review Board
August 4, 2020
Minutes**

Present: Kerrie Standlee, Ernest Harris, Mary Sipe, Destiny Wright, and Michael Wallace

Minutes: Katherine Couch

Call to order: Kerrie Standlee (no time announced)

This is a special hearing for a request from R&H Construction to work until 9:30 pm Monday through Friday from August 3, 2020 through October 2, 2020 for social distancing purposes. Location is 3450 N Williams, at The Canyons.

Kerrie Standlee asks if any board members have conflict of interests? Mary Sipe shared that she had contact with Kerrie Standlee with questions about the variance request.

Adam Petersen Senior Project Manager with R&H Construction presenting
R&H applied for an extension previously and upon denial, were advised to apply again. Currently they have no after-hours work in their plan and are not sure they will need this variance. They are applying in case of worker congestion in the small areas. There are four work zones in the variance request. So far, they have heard no concerns from the neighbors. Activities covered by the variance include pavers on sand, scissor lifts, stucco, drywall, with tools used being screwdrivers, and steel trowels. They originally requested working until 8:00 pm, but the Noise Control Officer suggested 9:30, with work until 9:00, and cleanup from 9:00 pm – 9:30 pm. They notified all the neighbors within a 500 -foot radius.

Questions from the board members

Mary Sipe

When did they begin the project? (Summer 2019)

Original projected date? (End of August 2020)

Were there any work shutdowns due to the pandemic? (One week early in the pandemic)

Is the project behind schedule? (They were projected to be done by the end of August, but they are now planning to be finished by September)

Is there a financial impact by not completing the project on time? (No)

Destiny Wright – Are there any other permits associated with the project? (No variances, but building permits and lane closure permits are all active)

Ernest Harris– He walked around the work site. His concern is for the neighbors that are very close. How will they be impacted? (They have not had feedback from neighbors, but are open to any modified conditions)

Michael Wallace has no questions

Kerrie Standlee – What is the work being done on the east side of the building? (Cladding and drywall)

Why not focus on the east side during day? (They can do that)

How will materials be carried to zone two? (Pavers will be moved on pallets with a forklift, then they will move the rest of the way by using hand-trucks or carried by hand. The only noise they feel may occur would be someone accidentally dropping a concrete block)

What is the maximum number of evenings needed? (No more than twenty days at most, but a more realistic estimate is between ten and fifteen days)

What is the range of dates requested? (August 17, 2020 until the end of September)

Public Testimony

None

Board Deliberations

Mary Sipe makes a motion to deny the application request. She doesn't feel this request meets the merits the Board looks at when deciding. Additionally, she says the applicant has a history of violating the Code, including an amended variance not made by the noise program. The complaints received by neighbors on this project indicate there is already work being done after hours, Sundays, and Memorial Day. R&H took no steps to appeal the last denial of the previous variance that had a similar request. Michael Wallace seconds the motion. Destiny Wright noticed, in reviewing neighbor opposition to the request, three brought up working after hours. If this is true, why ask for a variance now? Ernest Harris has been looking at the request. The application seems very specific in terms of what the applicant is asking for. His concern is how it will impact the nearest neighbors, particularly the building next door on Ivy and kitty-corner on Cook. He is in favor of granting the variance, but cut down time, scope and put in stringent conditions.

Adam Petersen addresses the complaints regarding late-night work. To his knowledge, R&H is not working outside of allowed construction hours. They have a great many subcontractors, so he will make sure they are all adhering to construction hours. Their tower crane has a camera mounted on top, and they have security working at night. He can use those to verify what, if any, activities are occurring. He would need dates and times. Memorial Day work was a mistake, and he is very sorry. Kerrie Standlee has concerns about the proximity to neighbors who are already impacted during regular workdays. He can't see how to mitigate under these conditions. He was leaning toward denial because of this.

Kerrie Standlee called the vote. Mary Sipe – **Aye**, Destiny Wright- **Aye**, Michael Wallace – **Aye**, Ernest Harris – **Nay**, Kerrie Standlee - **Aye**

Motion carries four to one.

The public portion of the meeting was then closed, and no minutes were taken, and the recording was stopped. This falls under attorney-client privilege.