

GWENN SEEMEL

1550 NW FOURTEENTH AVENUE #620

PORTLAND, OR 97209

503.784.9248

WWW.ONEFACEATATIME.COM

12 January 2015

Noise Review Board
City Hall
1221 SW 4th Avenue
Portland, OR 97204

Dear Noise Review Board,

As Andersen is applying for another variance at Block 17, I'd like to submit for your consideration a summary of some of Andersen's illegal noise producing activity as well as ONI's response over the last ten days.

On Friday 2 January, Patrick Owen of ONI called my partner and me in the evening to tell us that Andersen would be working late due to an emergency. When I emailed ONI about this a few days later, Theresa Marchetti informed me that it would have been unreasonable to ask Andersen to wait until Monday to unstick their auger. When I asked Marchetti why Andersen would have had to wait until Monday since Saturday work is allowed between 7 AM and 6 PM, she did not respond to my question.

On Tuesday 6 January, Andersen worked until 9 PM. Since the neighborhood had had no notification of a variance, we were surprised by Andersen's ordinance violation. When ONI responded about this work a few days later, Marchetti said that it was permitted under variance #3551108, a one-day variance for crane activity that was granted by the Noise Review Board for work originally to be done on 17 December of last year.

When asked to share the variance details, Marchetti provided a packet of random documents: a photocopy of business cards from local apartments, a photocopy of a Andersen's calendar notes dated 5 January and 17 December with handwritten tallies for the number of units in each apartment building, an undated letter explaining that Andersen was granted a variance for December but due to internal problems they rescheduled the work for January, an email about an unrelated concrete pour, and an unsigned and undated one-page photocopy of variance #3551108, which had the stipulation requiring neighborhood notification haphazardly blacked out. Despite the removal of this condition, this packet of documents seems to be trying to tell the story of Andersen notifying the neighborhood on foot, counting units, and collecting business cards, while at the same time failing to mention the scheduled late variance work to its neighborhood notification email list. What's more, when my partner asked the staff in our building's office about the notice for variance #3551108, they said that they had not received any.

On Thursday 8 January, Andersen worked until 8 PM. I emailed Brian Anthony of Andersen the next morning and asked which variance he was using so we could keep track. He replied, "One of 40 that I have." Anthony is the superintendent of the Unico Overton. As of last week that site had two active variances, not forty. Either he was confusing a variance with a variance workday or he was being flippant due to his stated frustrations that noise from Andersen sites nearby was causing his to be "punished."

ONI later confirmed that Andersen did not in fact have a variance for the late work on Thursday but claimed Andersen had a good reason for the outside-of-ordinance noise. Marchetti wrote:

"Equipment needed to be removed in order to open the road for the community. Otherwise, the road would have remained closed, which has its own negative impacts to



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

Noise Variance / Permit

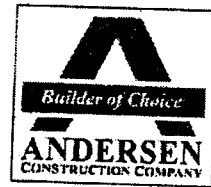
Application #: 3551108
Applicant: ANDERSEN CONSTRUCTION *BRIAN ANTHONY*
6712 N Cutter Circle
Portland, OR 97217
Organization:
Activity: crane erection
Event Location: 1333 NW 12TH AVE
Date(s): ONE DAY BETWEEN JANUARY 5, 2015 AND JANUARY 9, 2015
Hours: 5:00 AM - 10:00 PM

FILE COPY

Application for the above has been reviewed by the Noise Control Officer, City of Portland; and is hereby:

Approved, with the following conditions:

- A. The variance shall run for one day between from January 5, 2015 through January 9, 2015. The hours of the variances construction work shall be from 5:00 a.m. to 10:00 p.m.
- B. This variance has been approved for the purpose of the erection of a construction crane and is not intended to cover other construction activities.
- C. From 6:00 p.m. until 9:30 p.m., the contractor will be required to use 'smart alarm' back up beepers, instead of a standard reversal alarm, for all equipment activity. After 9:30 p.m. and until 7 a.m. 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 a 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 3/4 inch plywood enclosure that does not impact the need of the unit to be properly ventilated.
- E. 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 faxed to the Noise Office at (503) 823-8030 with a follow-up call to (503) 823-7350 to verify receipt of fax.
[REDACTED]
- F. [REDACTED] radius of the construction work. The notice shall include [REDACTED] sources that neighbors [REDACTED] during the period of variances work activity.
- G. The Applicant shall be prepared to develop a noise mitigation plan with the Noise Control Office should complaints arise.



NOISE VARIANCE NOTIFICATION CHANGE OF DATE:

Dear Neighbor of The Sitka, The Wyatt, The Parker, The Ramona, and The Freedom Center Apartments:

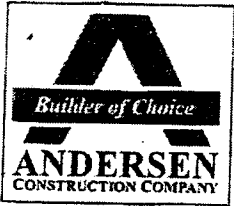
Andersen Construction was granted a noise variance on December 10, 2014 by the Noise Review Board to erect a tower crane during times outside regular construction hours. We received approval to operate on NW 13th Ave. between NW Overton St and NW Pettygrove St. on December 17, 2014, between the hours of 5:00 am and 10:00 pm for this purpose.

Transportation delays from the manufacturer to our supplier has caused us to reschedule this work. We will instead be erecting the tower crane on January 5th, 2015 during those same hours granted in the variance.

Please call the Andersen Community Hotline at 503-384-2546 for all inquiries regarding this variance. Questions will be answered within 24 hours.

For information during the event please call Brian Anthony, Andersen Construction Senior Project Superintendent at 503-969-4686.

You may also contact with Noise Control Office at noise@portlandoregon.gov, 503-823-7350 with any concerns.



ANDERSEN

CONSTRUCTION COMPANY

The Builder of Choice

6712 North Cutter Circle
 Portland, OR 97217
 503.283.6712
 Fax 503.283.3607
 www.andersen-const.com

PROJECT: Unico Overton 1/5/15 DATE: 12/17/14 **2012**
 WITH: NOISE APP Notification

MEETING TELEPHONE OTHER PROJECT # _____

SITKA 209 UNITS

RAMONA 138 UNITS

WYATT 244 UNITS

PARKER 177 UNITS

FREEDOM CENTER 150 UNITS

918 UNITS/NOTICES

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**THE PARKER
APARTMENT
HOMES**

RICKY WILMOTH
Leasing Professional

theparker@riverstoneres.com
P 503.973.5555

1447 NW 12th Avenue
Portland, OR 97209
TheParkerApartments.com



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Freedom Center

Matt Jacobs
Business Manager

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Portland, OR 97209
office 503.841.6447
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PINNACLE



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JDeFrancesco@allresco.com

TheWyatt.com

Couch, Kathy

From: Brian Anthony <banthony@andersen-const.com>
Sent: Friday, January 09, 2015 6:43 AM
To: Alaina Martin; Bob Ball; Brian Anthony; gwenn@gwennseemel.com; Irene Ridgway; Joe Vaughan; Julie Currier; Maura Jess; patrice939@gmail.com; Penelope Welsh (pennyloafer@gmail.com); Skyler Schiewe; Steve Yoon; storyworks@vanadia.com; Tracy Bohnstedt; Amanda Schulz (aschulz@allresco.com); barb@thesitka.com; courtney@thesitka.com; Crystal Haight (crystal@theramona.com); freedomcenter@pinnaclefamily.com; jen@thesitka.com; Couch, Kathy; van Orden, Paul; The Wyatt; theparker@riverstoneres.com
Subject: UOA- SAT JAN 10 CONCRETE POUR
Attachments: UOA- 2015.01.10 Concrete Pour Routes.pdf; UOA- 2015.01.08 Recovery Form Plan.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning,

Attached is the time line and logistics plan for tomorrow's largest placement of concrete. This is pour one of two of the 30" thick mat slab. There will be many mixer trucks required to get the concrete down by 1:00 pm. Finishers will be complete by 5:00 pm.

Foundation Pier Drilling is complete and we have hoisted all their equipment out of the excavation and off site.

As for the tower crane raising delay, a critical tower section transition pieced was missing and when it finally arrived on site from across the Country, and we inspected it, we found it was unable to be used. We removed the crane parts from NW 13th Ave to open the road until the issue is resolved and we can again attempt to raise the tower crane. Until then we will continue to use mobile cranes with Pettygrove being closed. I have also attached a plan of what this looks like for the next couple weeks.

Thanks

Brian Anthony
Senior Project Superintendent

ANDERSEN CONSTRUCTION
OFFICE 503.283.6712
CELL 503.969.4686