



CITY OF

**PORTLAND, OREGON**

OFFICE OF NEIGHBORHOOD INVOLVEMENT

Chloe Eudaly, Commissioner  
Dave Austin, Interim, Bureau Director  
Noise Control Program  
1221 SW 4th Avenue, Room 110  
Portland, Oregon 97204

*Promoting a culture of civic engagement*

Minutes  
Noise Review Board  
April 12, 2017

**Present:** Melisa Sweet, Kerrie Standlee, Ryan Hyke, Paul van Orden

**Absent:** Jamie Hurd

**Minutes:** Katherine Couch

**Call to Order:** 6:00pm by Melissa Stewart

Due to recent resignation of Chair, Kerrie Standlee temporarily runs the meeting. Kerrie Standlee moves to elect Melissa Stewart as Noise Review Board Chair for 2017. Ryan Hyke seconds the motion. Motion passes 3 – 0 (There were 3 Board Members at the meeting, with Jamie Hurd not in attendance.)

Melissa Stewart resumes running the meeting, after accepting the position of Chair.

**Pile Driver Code Changes; Update**

Paul van Orden announces that the tentative date to bring the proposed Code changes on removing the exemption from pile driving before Council is June 21, 2017. More specific information will be shared as we know more. The City Attorney will be consulted to make sure there are no legal barriers.

**Public Testimony**

Mary Sipe, Pearl District resident wanted to share she that she has established relationships with Mayor and City Council due to attendance at City Council meetings. She says that Commissioner Fritz was supportive regarding the proposal for removing the pile driving exemption. She says that she is meeting with Commissioner Eudaly next week. She is confident that the Mayor will be supportive too.

**Request from Dave Sweeney, representing Society of Vintage Racing Enthusiasts (SOVREN), for a 3- year variance for Labor Day Weekend vintage racing at Portland International Raceway**

SOVREN represents members driving old race cars. (1980 and beyond) The cars vary in terms of age, formula, and are grouped by horsepower and classification of the car. There are 7 groups that race 2 times each day. Races are held once in morning, and again once in afternoon. Races begin with the higher horse power cars in a timed race that lasts between 15 to 20 minutes. The first lap is the pace lap so there is no excessive noise during this time. Sunday racing does not begin until 10 am.

They are seeking a 3 -year variance for noise not to exceed 112 dBA at trackside. If that level is exceeded, drivers are black-flagged and not allowed back on the track until they no longer exceed the 112 dBA level.

Paul van Orden says that for full disclosure, he is the Chair of the Land Rover Association and this organization will be displaying their Land Rovers the same weekend, but they will only be parked.

PIR has 2 trackside monitors and 1 monitor in the neighborhood.

Kerrie Standlee asks who will be doing the monitoring. He is told that PIR staff will monitor the trackside meters and SOVREN also has a representative monitoring the sound for the data on the trackside meter. If there's a noise exceedance problem, it's given to the steward who runs the race, who gives it to the flagger.

Michael Minor (acoustic consultant) tells the board that there is an iPad with a direct hookup so anyone can see the monitors live time inside the booth.

Paul spoke to the Kenton Neighborhood Association and they have been supportive of this event for multiple years, and consider it protective to have a multi-year variance so decibels don't have a chance to go up, as with an annual variance.

### **Public Testimony**

None

**Ryan Hyke moves to approve the request for a 3- year variance for Labor Day Weekend vintage racing at Portland International Raceway with the same conditions as the previous variance. (conditions below) Kerrie Standlee seconds the motion. The motion passes 3 - 0**

- A. Noise Variance is given to David Sweeney, representing Society of Vintage Racing Enthusiasts (SOVREN) for a race at the Portland International Raceway for a three year, multiyear variance to hold for one weekend of racing each year, beginning with Labor Day Weekend September 1 – 3, 2017, and ending in 2020.
- B. Measured dBA level is 112 FAST at trackside. Any racing vehicles operating above this level will be black flagged, removed from the race and not allowed to return to the race until the cars have been adjusted to meet the dBA requirement.

- C. Representatives from SOVREN will return to the Noise Review Board in early 2018 to review any readings and noise complaints and revise if need be.
- D. The applicant will notify the Noise Control Office of any complaints related to the Event. A mitigation plan will be formulated with the Noise Office.
- E. Noise measurements will be monitored and recorded during the event. The sound level measurements will be supplied to the Noise Control Office within 2 weeks, 14 calendar days, following the event. Readings will also be made available upon request of the Noise Control Office during the event.

**Request from Susan Hjorten, representing Bureau of Environmental Services, for a variance for sewer repair and installation for the Citywide Sewer Repair Project between August 29, 2107 and October 1, 2018**

There are 6 sites listed:

1. NW Nicolai & NE Sherlock Ave
2. NE Multnomah St from NE 17<sup>th</sup> to 19<sup>th</sup> (note: the work on this site will be done during construction hours)
3. SE Stark between SE 10<sup>th</sup> and 12<sup>th</sup> Avenue
4. NW Maywood and NW Mildred
5. Eastbound SW Ross Island Bridge ramp from 99W
6. NE MLK Jr. Blvd from NE Morris to NE Monroe St

These are 6 of the sewers in the worst conditions part of what's considered the "Dirty 30". The remaining 24 sites can be done during regular construction hours.

Open Excavation work, which is more disruptive, will take place on NW Nicolai and NW Sherwood. This location can only have work occurring between the hours of 7:00 pm and 5:00 am, in order to accommodate train operations on adjacent railroad tracks. The work is projected to take up to ten days, and there will be no work occurring on Sundays.)

NE Multnomah between NE 17<sup>th</sup> & NE 19<sup>th</sup> for 21 days.

SE Stark between 10<sup>th</sup> to 12<sup>th</sup> will be using the Pipe Bursting method, which is quicker and less disruptive to the surface of the street. work occurring between the hours of 9:00 pm and 6:00 am for up to seven days. There will be no work occurring on Sundays.

Don Poletski explains that the aim is to work continuously until fully completed. However, the paving will need some dry weather and temperatures of 40 degrees and rising.

CIPP work will occur at these locations and should take up to two days up to per site.

1. NW Maywood and NW Mildred
2. Eastbound SW Ross Island Bridge ramp from 99W
3. NE MLK Jr. Blvd from NE Morris to NE Monroe St

This is the least impactful method in terms of noise impact. They will be using a stationary generator, and will be critically silenced. It is used predominately for a light box, but they do have a barrier if needed.

This work is scheduled for any date during the period of 8/29/17 through 10/1/18, but there may be a need for an extension.

Kerrie Standlee asks for clarification on the timelines. He is told that this is based on different locations and ground conditions.

They have not yet hired a contractor and just finishing up the design. It will go out for open bid around May 12 (in 4 – 6 weeks). Once a contractor is hired, then things will be firmed up. They anticipate beginning by the end of August and would like the permit to be in place before it begins so notification can occur, and conditions are set.

Proposed conditions from Bureau of Environmental Services:

- A. Noise variance shall run from August 29, 2017 through October 1, 2018.
- B. Allowable night work hours as follows:
  - a. NW Nicolai Street and NE Sherlock Avenue from 7:00 p.m. to 5:00 a.m., Monday through Saturday for up to ten nights.
  - b. NE Multnomah Street from NE 17th to 19th from 10:00 p.m. to 6:00 a.m., Monday through Saturday for up to 21 nights.
  - c. SE Stark between SE 10th and 12th avenues from 9:00 p.m. to 6:00 a.m., Monday through Saturday for up to seven nights.
  - d. NW Maywood Drive and NW Mildred Street from 6:00 p.m. to 7:00 a.m., Monday through Saturday for up to two nights.
  - e. Eastbound SW Ross Island Bridge Ramp from 99W from 6:00 p.m. to 7:00 a.m., Monday through Friday for up to two nights.
  - f. NE MLK Jr Blvd from NE Morris to Monroe streets from 10:00 p.m. to 6:00 a.m., Monday through Saturday for up to two nights.
- 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. 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.

- G. Noise office to be notified once staging areas have been chosen for the project.
- H. BES inspector to be on site during all work hours.
- I. 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).
- J. The applicant shall prepare to develop a noise mitigation plan with the Noise Control Office should complaints arise.
- K. 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.
- L. 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.

**Kerrie Standlee moves to approve Request from Susan Hjorten, representing Bureau of Environmental Services, for a variance for sewer repair and installation for the Citywide Sewer Repair Project between August 29, 2017 and October 1, 2018, with conditions to be refined by April 26, 2017. (These conditions are to be refined by Kerrie Standlee and Paul van Orden.) Ryan Hyke seconds the motion. The motion passes 3 – 0**

**Public Testimony**

None

**Request from Matt Freitag, representing Oregon Department of Transportation, for a variance for sign replacement in various locations on I-84 and I-5 for 145 non-consecutive nights between September 1, 2017 and July 30, 2018.**

The work will occur on 2 main corridors; Kruse Way to Terwilliger Blvd on I-5 to west of exit 162 and 9 sites on I-84

On I-84, the work at a majority of the sites involves general replacement of signs and only require 1 – 3 nights of work. 3 sites will last longer, due to more extensive work being done. Between both highways, there will be 40 locations, but 34 have no ground disturbing activities. 6 of the locations have foundation work to be drilled, using shafts and micropile. ODOT distributed a very detailed report, showing the location of each of the 40 sites, the site type, number of nights at each site, including existing and projected dBA levels. Notification consisted of mailing 5000 households within 2 blocks surrounding the project area. They also have a hotline and website with up-to-date information.

**Ryan Hyke moved to approve this variance with conditions below, with two caveats:**

1. **Site #36 be monitored for the two nights that work will occur**
2. **If any site that is scheduled for work for multiple nights garners any complaints, the Applicant shall work with the Noise Control Officer to help mitigate the noise further.**

**Kerrie Standlee seconds the motion.**

**Motion passes 3 – 0**

Further conditions are as follows:

ODOT has established a set of standard construction-related noise mitigation measures that are typically included in all contract specifications. (Oregon Standard Specification for Construction, *Specification 00290.32 Noise Control*, ODOT 2015. All construction activities must comply with Oregon Revised Statute, Chapter 467 (ORS 467), and the Administrative Rules Chapter 340, Division 35 Department of Environmental Quality. (OAR 340-035), in addition to any other noise control ordinance or regulation. In addition, the following construction noise mitigation measures from the Oregon Standard Specification are required to be included in all ODOT contract specifications:

- A. No construction will be performed within 1,000 feet of an occupied dwelling on Sundays, legal holidays, or between the hours of 10:00 p.m. and 6:00a.m. on other days without the approval of the ODOT construction project manager.
- B. Equipment will use sound control devices no less effective than those provided on the original equipment. Equipment with un-muffled exhausts is prohibited.
- C. Equipment will comply with pertinent equipment noise standards of the EPA.
- D. Do not drive pilings or perform blasting operations within 3000 feet of an occupied building on Sundays, legal holidays, or between the hours of 6:00 pm and 8:00 am
- E. Mitigate the noise from rock crushing or screening operations performed within 3000 feet of all occupied dwellings by placing material stockpiles between the operation and the affected dwellings, or by other means approved by ODOT construction project manager.
- F. Locate stationary construction equipment will be located as far from nearby noise sensitive properties as feasible.
- G. Shut off Idling equipment

If a specific noise impact complaint occurs during the construction of the Project, one or more of the following noise mitigation measures may be required, at no additional cost to the Agency, as directed by the ODOT construction manager:

1. Rescheduled construction operations to avoid periods of noise annoyance identified by the complaint.
2. Notify nearby residents will be whenever extremely noisy work will be occurring.
3. Install temporary or portable acoustic barriers will be around stationary construction noise sources.
4. Operate electric-powered equipment using line voltage power or solar power.

In addition to the mitigation measures listed above, per requirements from the City of Portland Noise Review Board and the City of Portland Noise Control Officer, there will be a 24-hour telephone response line (Hot Line) available. The Project Manager shall investigate complaints and develop information necessary to address complaints within 24 hours or before the next scheduled night work.

#### **Public Testimony**

None

#### **Annual Fee Increase**

**Kerrie Standlee moves to approve the 5% proposed fee increase. Ryan Hyke seconds the motion. The motion passes 3- 0**

#### **Public Testimony**

None

#### **Minutes**

**Kerrie Standlee moves to approve March 8, 2017 minutes as written. Ryan Hyke seconds. Motion passes 3 - 0**

**Adjournment 7:47 by Melissa Stewart**