



CITY OF  
**PORTLAND, OREGON**  
OFFICE OF NEIGHBORHOOD INVOLVEMENT

**AMANDA FRITZ, COMMISSIONER**  
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 Review Board**  
**September 14, 2016**  
**Minutes**

**Present:** Carol Gossett, Kerrie Standlee, Jamie Hurd, Paul van Orden, and Melissa Stewart

**Absent:** Ryan Hyke

**Minutes:** Kathy Couch

**Call to order: 6:00**

Paul asks for a show of hands of the members of the public, on which agenda item brought them to the Noise Review Board hearing. Results as follows:

Garbage noise – 1

JBA ACCO- 6

Broadway Bridge – 2

Burnside Bridge – 0

Hoyt Street Properties Update- 0

**Bureau of Planning and Sustainability**

Kevin Veaudry – Casaus made a short presentation of the types of garbage complaints they receive, along with how they deal with them

Nighttime garbage noise was studied by a task force several years ago, and this led to changes in Code. With regard to Commercial areas, the customer works with the hauler on pick-up times. Kevin says that there's only so much you can do to limit the sound that goes with dumping garbage into the truck. There was work done on the use of back up beepers. Kevin doesn't see this as an ongoing issue. They receive fewer than 5 complaint calls per month, mostly in the summer. When a complaint is received, BPS looks into complaints and gathers information. In an open market for close to 40 haulers in the city, it makes it difficult to know where the noise is coming from. Sometimes it's other things making noise (delivery trucks, etc.) BPS has a person who comes out to investigate. They usually ask the hauler if there is a way to adjust the schedule. Haulers have been very cooperative thus far, and if they can't make the change then it's usually with good reason. In residential areas there is a penalty charged for haulers working outside of allowable hours. Kevin says that they do not want to minimize the effects on people, but it is an urban environment. Portland is mixed use by design and will be

increasing. Kevin feels the current situation works pretty well and feels that change may have unintended consequences. There are other stakeholders like Trimet and BES, BTA etc., and they should be brought into the conversation. Most complaints are from residential locations near commercial locations. In the past, the calls weren't tracked, but a new internal process will be able to track them, and a new database is in the process of being developed. Kerrie asks if they have been seeing more calls coming from the Pearl, and is told that, although there is no data, Kevin doesn't remember getting a call from the Pearl.

The NRB will continue looking into this issue.

### **Public Testimony**

Rob Fullmer- North West District Association, Safety and Livability Board member:

- Would like to provide a counterpoint to the BPS presentation.
- Has heard numerous complaints.
- Without a franchised system, there can be as many as 5 commercial pickups all night, every night. The frequent interruptions are not tolerable.
- If a person calls the city, they are told that it's legal.
- Doesn't want the NRB to come away with the impression that there is no problem.
- The present system is fuel inefficient and feels it's worth looking into.
- Would like to hear about other new ideas.
- Circumscribe the times pickups are allowed, no matter what zone.

Paul says that 2 years ago they were going to look at garbage trucks but got sidetracked by the pile driving issue. NRB is planning on exploring throughout the fall and into the spring.

### **JBA-AACO – Conway Project**

Jim Mahar. He provided more details to the previously submitted construction data. The requested variance is for 130 days in the next 2 years. There is a wide gamut for most of the concrete pour, beginning at 5 am and continuing to 2 or 3 pm. Mahar did the wide spectrum in case they need them. Standlee states that the varianced times would either be an early start from 5am – 7 am, or the later hours 6pm to 8pm, but not both in one day. The work taking place beginning at 5 am is for concrete pours, which would include a pump truck and concrete trucks, and getting equipment prepped. They are staying off of Raleigh St, so staging is on Thurman Street and 21<sup>st</sup> Avenue. Amounts would vary between 100 to 1000s of yards, depending on location and use. To get that much in a day, early starts would be needed. More noise readings will be taken to discover the dBA level. Mike Carrig represented JBA-AACO and recently attended the meeting with the North West District Association. The bulk of the concrete pours should be taking place in the first part of the project. They are pouring a slab on grade and then the podium deck, with 2 levels below grade. The tower will have 14 pours, which would be staged off of 21<sup>st</sup>, in the primary parking lot at the XPO facility. Excavating is anticipated to be done Friday and Saturday. Sewer and power have been rerouted and last item on Savier is street paving.

This project is expected to be completed in July 2018. Paul suggests a period of check in to see how it's going and give the public a chance to weigh in, in case the variance needs to be fine-tuned.

Notification has been hand-delivered to nearby neighbors. Specifically, 112 people in LL Hawkins Bldg, and Savier Street Flats with over 100 residents.

They also have an email that goes to neighboring apartment complexes. They have a jobsite phone that is staffed.

### **Public testimony**

#### Andrew Fowler.

There was notification but from the letter it sounded like 4 months of 17 hours pour.

Feels it's a good compromise to have either early morning or evening.

Good notification is important. Would like something on the door of the building weekly.

Residents of building found out about this hearing via a stack of white paper in the lobby with a Post-it note on top.

#### Rob Schector.

Resident of Savier between 22<sup>nd</sup> & 23<sup>rd</sup>.

This is a huge and narrow corridor. Truck traffic is regularly going down one chunk of Savier, which is the most heavily populated St adjacent to the area.

On Thurman, traffic isn't as impacted. Carigg clarifies that currently all the trucks using Savier are the excavating trucks, and this is due to end this week.

#### Joan Laguzzi- Savier Flats.

Main concern was the current dump trucks and is happy to hear that no trucks will be routed down Savier for the concrete work.

As far as preferred method of notification, the building management is not reliable to deliver to residents, and would prefer email.

#### Ben Klash – Savier

Had an idea about alternative routes

Notifications have been terrible. Would like push notifications with apps.

Would like to know the anticipated noise level?

Wants to be on an email list and to know the truck route.

#### Amy Hanley – LL Hawkens

Savier route is a concern.

Afraid of back to back early starts.

Mahar says that they need to have early starts for safety concerns and to allow time for concrete curing. They are trying to do the north and south buildings concurrently if possible. Hanley doesn't feel it's reasonable and doesn't trust that they are telling the truth.

Email notification is the notification method preferred.

#### Amanda Klash – Savier

wants to know who is tracking the number of varianced days.  
doesn't want any work done on early mornings or nights.  
would prefer an app for notifications. Although she wouldn't use it.

Mark Despain – NW Savier

Prefers current time constraints, but hadn't heard the practicality aspects of the limitations.  
Wants them to keep impacts of routes into consideration and include specifics in the condition language.

Wants to understand the larger project.  
Would prefer to be notified by email.  
Wants to narrow down when trucks are allowed to idle.

Rob Fullmer – NWDA Board member

The NWDA Board unanimously opposed this variance originally. They didn't have as much information as they do now.

Contractors came to the meeting last night and gave more information. They feel strongly about good transparency. They would also like an update of master plan and what pours are coming up.

Mark Despain

Playing by the rules of the game is the most important. Project is unusual size and should be taken into consideration for any future projects.

Paul is recommending quarterly check-ins.

**Kerrie Standlee makes a motion to initially approve the variance request for 30 days, with conditions:**

- ***The applicant will return to the October 12, 2016 Noise Review Board meeting to refine neighborhood notification and report more specifically on truck routes, and to finalize the original requested time period.***
- No days may have both morning and evening varianced hours.
- There shall be no more than 3 concrete pours per week.
- **There shall be no work allowed on Sundays**
- A more inclusive and effective neighborhood notification system shall be put into place by the October 12, 2016 Noise Review Board meeting.
- Pumper trucks shall have sound mitigation to ensure decibel levels A weighted (Fast) do not exceed 70 between the hours of 5:00 am and 7:00 am, as measured at any residential use location.
- Concrete pumping will not occur before 5:30 am.
- There shall be a hotline phone set up to receive complaints, with the information from and complaints forwarded daily to the noise office, with the response to the complaint included.

- Concrete pumping to occur off of NW 21<sup>st</sup> Ave. Deliveries are to be routed straight off of Thurman over to 23<sup>rd</sup> Ave, or around to the north and back to the east.
- The contractor shall develop noise mitigation plans in response to any complaints verified by the Noise Control Officer.
- From 5:00 am until 7:00 am, back up alarms will be disconnected and spotters will be used to safely back up vehicles

**Melissa Stewart seconds the motion**

**The motion passes unanimously 4 – 0 (Ryan Hyke not in attendance)**

**Public Testimony**

Dennis Handley NW Portland- speaks in opposition

**Multnomah County Bridges – Broadway Rall Wheel, Tyler Evan Stewart**

Replace 4 Rall Wheels and tracks. they are over 100 years old. Work to take place in the middle of deck span. McCormick Pier and Yards are the closest residences to work. Physical location is in the center over the river. Work extended to February 1, 2018. Traffic control restrictions are driving the need for the noise variance. Much of the work will be setting up signs and moving equipment. Most work to be mainly during the day. Welding, torching, etc., and it won't tend to be high dBA. Coast Guard has giving them 28 days to do the work. Setup signs will cover distances up to 2 blocks away. Days will be in February, June, and a few in February 2018. Materials coming off of barges during the day. Hoisting straight off the road deck. Night time work is a person getting out of a truck to put signs up, which takes 2 or 3 minutes during a 3 or 4 -day period, and then 2 or 3 where they tear it down. Can't take a lane until 9 pm, due to traffic congestion. Lanes will be closed for 10 months. It will be down to one lane at 9 pm. Streetcar is a major factor of the request for the night work. They requested 7 days. Construction equipment: Generators, light meters, bucket truck, pick -up trucks

**Public Testimony**

Heather & Ivan McLellan live at the Yards and intend to stay there. They wouldn't be at the meeting testifying except for the bridge cleaning that recently happened and was extremely loud. Conditions requested are so broad that they would like to reject the variance altogether. Yards are a very diverse population, and the painting project just ended. No notifications were received. The timing of 28 days in July is a concern, as there will be a need for windows and doors open in homes, if it gets hot. They know neighbors are impacted but many don't know how to advocate for themselves. Painting was so loud during the last variance that they couldn't carry on a conversation. They are told by Multnomah County that Installing the traffic control is the only night work. Paul would like to entertain the idea to come back next month and work with the county for notification. Notify the leasing offices of Yards and McCormick Pier. Corner Market is a place where many neighbors shop, and they feel that posting a flyer there and other locations besides relying on an email to notify.

Mary Sipe

She says that the notification in the Pearl works well by putting flyers under the doors of residences.

The NRB would like more information, such as a dBA breakdown, a more detailed timeline, more effective notification, and map of impacts.

**Melissa Stewart makes a motion for the item to return in October with further and more in-depth information and to table this for now.**

Kerrie Standlee seconds.

**Motion passes unanimously, 4 - 0**

**Mike Pullen with Multnomah County Bridges presents the Burnside Bridge project. HDRI's Steve Jerhoda, Scott Nolan, Cassie Davis**

This request is to extend service life of the 90- year old bridge. County is trying to get another 15 to 20 years of life out of it before a major revamp. Work is on the structure of the bridge. Replace the bridge deck top 2 inches, and expansion joint. Thin coating on sidewalks. Cracks in railing so they are being replaced. Cantilever sides are deteriorating. Painting touch ups. Painting underside. Paint deterioration on lifting slats. Supports in the water rehabilitated and fixed, and mechanical systems.

Cassie Davis met early on with every single impacted stakeholder adjacent to the bridge, whether future stakeholders or current, to get feedback on concerns. They used the information learned to impact work and scheduling. They also presented a bike & pedestrian community tour, and reached out to river users. The project will go to bid in December. In October there will be on-deck work.

**Bridge closures**

Scheduled for after October 2017, Fall/Winter of 2017 and 2018, and early summer of 2019 (up to 6 closures per year)

Piggybacking on 3 -week work period for Trimet. They will be working around the clock.

I-5 and I-84 will be shut down for a series of weekends.

Concrete is spalling and dropping off onto the freeway. They have to girder the entire casement with fiberglass strips.

Sidewalk area is deteriorating. They have to go on the underside of the entire bridge to use the fiberglass strips.

They'll be removing individual balustrades that are cracking.

Captured baseline sound survey with 24 -hour meter at the Union Gospel Mission, Salvation Army Women's Shelter and the Union Arms Apartments on the Eastside, and have been in contact with them.

They are providing standard ODOT mitigation measures.

**Kerrie Standlee makes a motion to table this and have them come up with mitigation to reach no more than 75 dBA near residences at night, and mitigation that the board can adopt as part of our conditions.**

**Melissa Stewart seconds. Motion passes unanimously 4- 0**

**Hoyt Block 20**

Although there is the board can do about what method of placing piles will be used, their concern for children is what they would like to talk about.

Paul talked to PPS and looked at space. Activity time in the park for an hour.

From what Kerrie saw, there wouldn't be much of an impact to the learning area. Biggest challenge is for them to use the outside for recess. Possibly using another site was put out as a solution. Property Hoyt St. owns to the north could be a temporary area. Hoyt is talking to the contractor about possibly a using a curtain system to help mitigate noise.

**Carol Gossett would like to make a resolution to make request to BDS for notification, and to clarify who should make a formal call in the permit side, as well as giving the board more information, and to establish a communication system.**

**Kerrie Standlee would like to take pile driving noise out of exemption status to come to the NRB for a variance to set mitigation conditions.**

Paul thinks we're talking about 2 different things.

**Melissa Stewart makes a motion on resolution from Carol to ask Commissioner Fritz to go to Council to request BDS to roll in pile driving determination and communicate this to NRB.**

**Jamie Hurd seconds.**

**Motion passes unanimously, 4 – 0**

**Kerrie Standlee moves to change the Noise Code Title 18 that pile driving be taken out of exemption and address that pile driving will occur by variance only.**

**Melissa Stewart seconds.**

**Motion passes unanimously, 4 - 0**

**Public testimony**

Mary Sipe – She had suggestions, both were what Kerrie Standlee said.

Jamey Duhamel, Campaign Manager for Chloe Eudaly – read testimony in support of neighborhoods that work for all.

Curt Sorenson – Gives a memo to the Board. It is attached to these minutes.

Steven Kafoury – Pile driving is loud, and auger drilling isn't. He commends the NRB for suggesting a solution, and for trying to win-win with applicants and neighbors.

Adam Havens – Opposed to pile driving.

Jackie Gordon – Opposed to pile driving

Candice Condo - In support of NRB's suggestions

Heidi Steffens – Wants to make sure the board is hearing that all the rest of the residents who are not kindergarteners are also opposed to pile driving.

Mary Sipe –In support of the board

**Approval of August 10, 2016 minutes**

**Kerrie Standlee has 2 corrections – On the 1<sup>st</sup> page –Mike Carrigg says sheet piling (sheet rock)  
Jim Mahar Shoring is used. (side wall).  
Minutes are approved with changes 4- 0**

**Adjourn- 10:10 pm**