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Noise Review Board

May 12, 2021

Minutes

Present: Mary Sipe-Chair-Elect; Destiny Wright (Desi)- Professional in Construction, Kerrie Standlee- current Chair/acoustic professional, Michael Wallace-Member-at-Large, Paul van Orden-Noise Control Officer.

Guest: Kareen Perkins, Civic Life Livability Manager

Absent: Ernest Harris-Member-at-Large

Minutes: Mary Sipe – Chair-Elect

Mary Sipe, Chair-Elect called the meeting to order at 6:00pm.

Due to technical difficulties, **Board Chair, Kerrie Standlee lost connection with the meeting and** joined the meeting shortly after the meeting was called to order. He introduced Mary Sipe, the upcoming new Board Chair and reviewed logistics of the Zoom meeting to the group. He then handed the meeting back to **Chair-Elect, Mary Sipe** and she continued with the meeting.

April 14, 2021 Minutes

Michael Wallace moved to approve the April 14, 2021 Noise Review Board meeting minutes. Desi Wright seconded the motion.

Votes are as follows: Mary Sipe "Aye", Desi Wright "Aye", Kerrie Standlee "Aye", Michael Wallace "Aye".
The motion passed unanimously, 4-0.

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Public Comments

Pearl District resident, Lois Foster who lives in the Abigail Apartments across from the Andersen construction site on Naito Parkway told the Board that she and other residents were awakened at 4am on Saturday, May 8, 2021 by backup beepers from concrete pump trucks setting up at the site. Ms. Foster was upset that the Board granted a variance to Andersen to begin pouring concrete at 4am on a Saturday morning. She confirmed that she had filed a complaint with the Noise Office. Ms. Foster does not believe that there is any valid reason to allow this type of construction activity at this early hour of the morning.

Noise Variance Request Hearing

- PIR – A request from Dave Sweeney, representing Sportscar Vintage Racing Association (SVRA) and Friends of PIR for date changes for 2020 races that were not held due to COVID -19.
    - Noise Variance #19-114350-000-00NV Rose Cup Races. Change dates of event to July 9-11, 2021. Change "years" from 2019-2020-2021 and extend to 2019-2021-2022.
    - Noise Variance #18-117743-000-00-NV Sports Car Vintage Races. Change dates of event to July 22-25, 2021. Change "years" from 2018-2019-2020 to 2018-2019-2021.

Dave Sweeney, representing Friends of PIR, and Sportscar Vintage Racing Association appeared at the April 14, 2021 Noise Review Board meeting requesting a date change on two races.
May meeting discussion:
Since the request from Mr. Sweeney was provided to the Board after the April agenda was distributed, the Board agreed to listen to allow Mr. Sweeney to present his request at the April meeting, but not make a formal decision until the May meeting at which time it would be on the agenda and could be addressed by any member of the public.
Dave Sweeney, Friends of PIR is the promoter of the Rose Cup Races. He told the board at the April meeting that this year will be the 60th Rose Cup Race at Portland International Raceway. Friends of PIR and the Rose Cup was granted a multiyear variance. The Rose Cup Race ***event was not held in 2020*** *due to COVID restrictions. Friends of PIR* ***is requesting a revision to the Noise Variance to***

grant the *Rose Cup Race that should have been held last year an extension for a July 9 through 11th, 2021 event and that the original approved 2021 year event be allowed to occur in 2022 with the same plan and conditions.*
Sports Car Vintage Racing Association has had an annual, historic race in July. Due to COVID, this race didn't occur in 2020. They would have been in their third year of an approved variance if it had occurred in 2020. They are asking that the variance dates be extended to allow the third-year race to occur July 22 through 25th of 2021 with the same conditions and plan.

Paul van Orden explained that, although more community input was needed, the board members present would indicate which way they will vote when this request returns in May. All board members attending plan to approve the request, since it's only a date change.

Board Chair, Mary Sipe asked if board members had any questions or wanted to discuss the request any further.

There being no questions or request for further discussion, the chair called for a motion.

Desi Wright made a motion to approve the requested change to the variance to allow the Rose Cup Races to occur July 9-11, 2021 and change the variance "years" from 2019-2020-2021 and to 2019-2021-2022 and to change the dates of the Sports Car Vintage Races to July 22-25, 2021 and change the variance "years" from 2018-2019-2020 to 2018-2019-2021.

Michael Wallace seconded the motion.

Votes are as follows: Mary Sipe "Aye", Desi Wright "Aye", Kerrie Standlee "Aye", Michael Wallace "Aye".

The motion passed unanimously, 4-0.

Board discussion related to General Public Comments:

Board Chair-Elect, Mary Sipe explained to guest, Lois Foster that the Board granted a variance to Andersen to begin at 5am, not 4am. Mary went on to explain that this was a very large pour of 2600 cubic yards. She explained that one of the reasons the board granted this early morning pour was because there is a narrow window of 90 minutes to get the concrete delivered to the site.

Kerrie Standlee asked the guest some questions about what she experienced at 4am Saturday morning. He also reiterated that the variance the board approved was for a 5am start, not 4am.

Desi Wright also explained the circumstances that the board considered when granting the variance.

Paul Van Orden advised the Board that he confirmed that Andersen did install a webcam as instructed and that he will obtain video of the activities Saturday morning to confirm the actual time they began.

The board expressed concern that it appeared that Andersen had violated the conditions of the variance and agreed to look at the video of the activities and determine what action to take. Action could include a warning, citation and/or a revision or rescinding the variance for future dates.

Board Business

Paul:

- **Update on status of appointing a new Acoustical Professional Board member**

Paul Van Orden advised the Board that interviews were conducted with three applicants to fill the Professional in Acoustics position that will be vacant when Kerrie Standlee's term ends June 30, 2021. Paul announced that Michael Raley, an Acoustic Engineer has been selected to fill the position. Mr. Raley has an extensive background in acoustics, sound measurement and is also a musician.

- **Noise Office Report**

Past Month Noise Complaints & Discuss metrics for use of Noise Complaint reports

Paul discussed the March 2021 complaint numbers and presented a breakdown of location and source of complaints. The board reviewed the February complaint data that board member Kerrie Standlee had sorted to allow for a quick indication of the number of different types of sources creating complaints. Paul Van Orden had taken the February data and made a pie chart showing the number of complaints broken down by area of the City and the Board members agreed that the pie chart is helpful. Board members stated that it might be helpful to have pie charts with not just geographic location but also by type of noise. There was

discussion about how the board can use this data to help identify areas in Title 18 that do not address noise issues that are being experience across the city.
Board Chair, Mary Sipe suggested that a subgroup could be created to work on analysis of the complaint data. It was agreed that Paul Van Orden would set up a time to discuss the data with Mary Sipe and any other board members who would like to be involved.

- **Upcoming Noise Variance Applications for concerts/events at Zidell Yards**

Paul shared with the Board that the Zidell Yards venue has already held a couple of concerts and that there are plans for more concerts this summer. Paul explained that the events prior to 6 30 2021 will be reviewed by him as the Noise Control Officer. However, the larger events such as the Blues Festival over the July 4th weekend have begun advertising for their events. There are some concerns about the impact these events will have on OHSU medical and dental students and the OHSU Ronald McDonald House. The board agreed that it would be a good idea for a site visit so the board has a clear understanding of the layout for these events and the area impacted.

Kareen Perkins, Livability Supervisor told the Board that she and Paul had met with event promoters from PIR. She expressed her appreciation to Paul on how he interacted with the promotors in trying to find collaborative and data driven solutions to the issues at PIR.

- **Noise Office move to BDS**

Paul reported that there is nothing to update and is not aware of activity around this proposal.

Kareen Perkins
Civic Life Budget Request/Variance Fee Schedule Increase
Kareen advised the Board that a 5% increase to the Noise Variance Fee Schedule had been proposed. The increase must be submitted to the City Council as an Ordinance which will occur in the coming month.

Mary:

- **NRB 2021 Work Plan**
- **June Special Work Session**
- **Draft list of priorities**

Mary advised the Board that the Special Work Session the Board approved will be scheduled for Wednesday, June 23, 2021 from 6pm to 8pm. Mary has drafted a list of items/issues that the Board has discussed over the years but has never had the opportunity to address. She will be sending out the draft and asked Board members to review the draft and be prepared to discuss this at the Special Work Session.

She thanked the Board for their willingness to participate on subcommittees and to have Special Work Sessions to develop the board's long overdue work plan and create an implementation plan to address these many issues, as there is no guarantee that there will be time to work on them during the regular monthly scheduled Noise Review Board meetings when variance request hearings may occur.

Mary/Desi/Paul:

- **Early Morning Concrete pour guidance sub-committee update**
- **Check list for which variance applications can be reviewed and granted or denied by Noise Control Officer**
- **Check list of conditions for NRB to use when reviewing early morning concrete pour variance applications**
- **Upcoming Noise Variance from Walsh Construction for Early Morning Concrete Pours**
- **Mary's report on Andersen Construction's early morning concrete pour Saturday May 8, 2021.**

Mary advised Board members that she, Desi and Paul have been working to draft the Early Morning Concrete Pour Guidelines. She asked Board members to please take time to review the draft of guidelines and checklist that she sent out and please share their thoughts so the subgroup can get this finalized and implemented.
Mary advised the Board that a Noise Variance Application has been submitted by Walsh Construction at the Holden Pearl Senior Housing project at NW 13th & Quimby. The same residents impacted by the Andersen project at Naito Parkway will be impacted by this project. The variance will be reviewed by the Board at the June 9th meeting.

Kerrie Standlee moved to adjourn the meeting

Michael Wallace seconded the motion

The meeting was adjourned at 8:02pm.