

## Parsons, Susan

---

**From:** d.leighton.mitchell@gmail.com  
**Sent:** Tuesday, April 25, 2017 2:09 PM  
**To:** Van Orden, Paul  
**Cc:** Commissioner Eudaly; Commissioner Fritz; Commissioner Fish; Wheeler, Mayor; Commissioner Saltzman; Mary Sipe; Couch, Katherine; Archer-Masters, Amy; Austin, David; Anderson, Toni; Parsons, Susan  
**Subject:** Re: Copy of the Memorandum from Noise staff on the Bremik Construction Noise appeal of April 19 2017

Hi Paul,

The PDF came through this time. Thank you.

Your draft response accurately reflects my recollection of the key high points of our discussion with the City Commissioners last week.

We appellants are pleased that no early morning concrete pours will be allowed on Saturdays. Although we appellants had sincerely hoped that the Commissioners would support the maintenance of existing noise ordinances that require that noisy construction elements such as concrete pours begin no earlier than 7:00 a.m., with no exceptions for concrete pours, Mayor Wheeler made it abundantly clear that he sought a compromise between the appellants' wishes and Bremik preferences, as opposed to a decision that clearly favors either party over the other. Your proposal codifies what I view as a reasonable compromise.

Your PDF states that your appeal response does not establish a city-wide precedent. Although I understand that your response is limited to this specific appeal, we truly hope that it will serve as a de facto precedent as your office considers other potential requests for waivers for other early morning concrete pours or other noise-intrusive activities in densely populated residential areas.

In the interest of protecting and affirming livability standards that Pearl residents deserve to enjoy, we reserve the right to appeal future noise waivers in the Pearl if such waivers excessively intrude on these livability standards.

Thank you for keeping us in the loop as this matter moves toward closure.

Sincerely, Dave Mitchell

Message sent from Dave Mitchell's iPad

On Apr 25, 2017, at 1:37 PM, Van Orden, Paul <[Paul.VanOrden@portlandoregon.gov](mailto:Paul.VanOrden@portlandoregon.gov)> wrote:

FYI to all parties:

I am resending again. I just got an email back from Appellant Dave Mitchell that the attachment did not send.

Thanks,

Officer Paul van Orden

**Officer Paul Van Orden**

Noise Control Officer/ Noise Control  
Office of Neighborhood Involvement  
City Hall, 1221 SW 4<sup>th</sup> Ave, Room 110  
Portland, Oregon 97204  
503-823-5829 (office)  
503-823-3050 (fax)  
[Paul.vanOrden@portlandoregon.gov](mailto:Paul.vanOrden@portlandoregon.gov)  
<http://www.portlandonline.com/oni>

**Preferred Pronouns: NONE: gender neutral / Queer**

*<image002.jpg>The City of Portland complies with all non-discrimination Civil Rights laws including Civil Rights Title VI and ADA Title II. To help ensure equal access to City programs, services and activities, the City of Portland will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities and provide language translation for people with limited or no English. Call 503-823-4519, TTY 503-823-6868 or Oregon Relay Service 711 with requests, or visit <http://www.portlandoregon.gov/oehr/66525?a=454403>*

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**From:** Van Orden, Paul

**Sent:** Tuesday, April 25, 2017 1:28 PM

**To:** Commissioner Eudaly <[chloe@portlandoregon.gov](mailto:chloe@portlandoregon.gov)>; Commissioner Fritz <[amanda@portlandoregon.gov](mailto:amanda@portlandoregon.gov)>; Commissioner Fish <[nick@portlandoregon.gov](mailto:nick@portlandoregon.gov)>; Wheeler, Mayor <[MayorWheeler@portlandoregon.gov](mailto:MayorWheeler@portlandoregon.gov)>; Commissioner Saltzman <[dan@portlandoregon.gov](mailto:dan@portlandoregon.gov)>; 'Dave Mitchell' <[d.leighton.mitchell@gmail.com](mailto:d.leighton.mitchell@gmail.com)>; 'Mary Sipe' <[maryesipe@gmail.com](mailto:maryesipe@gmail.com)>

**Cc:** Couch, Katherine <[Katherine.Couch@portlandoregon.gov](mailto:Katherine.Couch@portlandoregon.gov)>; Archer-Masters, Amy <[Amy.Archer@portlandoregon.gov](mailto:Amy.Archer@portlandoregon.gov)>; Austin, David <[David.Austin@portlandoregon.gov](mailto:David.Austin@portlandoregon.gov)>; Anderson, Toni <[Toni.Anderson@portlandoregon.gov](mailto:Toni.Anderson@portlandoregon.gov)>; Parsons, Susan <[Susan.Parsons@portlandoregon.gov](mailto:Susan.Parsons@portlandoregon.gov)>

**Subject:** Copy of the Memorandum from Noise staff on the Bremik Construction Noise appeal of April 19 2017

Members of City Council and variance Appellants,

Attached is a PDF copy of my memorandum intended to capture the initial variance changes from City Council on the variance that the Noise Office administered to Bremik Construction.

Dave Mitchell, the principal appellant, was appealing variance number 3889851-001 with a focus on the early concrete pours covered in the variance from the Office of Neighborhood Involvement.



Please let me know if there are any further clarifications you need from Noise Control before the Council hearing tomorrow. I will be calling both Dave Mitchell and Mary Sipe to confirm receipt of this email and the attachment.

Respectfully,

Officer Paul van Orden

**Officer Paul Van Orden**

Noise Control Officer/ Noise Control  
Office of Neighborhood Involvement  
City Hall, 1221 SW 4<sup>th</sup> Ave, Room 110  
Portland, Oregon 97204  
503-823-5829 (office)  
503-823-3050 (fax)

[Paul.vanOrden@portlandoregon.gov](mailto:Paul.vanOrden@portlandoregon.gov)

<http://www.portlandonline.com/oni>

<image004.jpg>*The City of Portland complies with all non-discrimination Civil Rights laws including Civil Rights Title VI and ADA Title II. To help ensure equal access to City programs, services and activities, the City of Portland will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities and provide language translation for people with limited or no English. Call 503-823-4519, TTY 503-823-6868 or Oregon Relay Service 711 with requests, or visit <http://www.portlandoregon.gov/oehr/66525?a=454403>*

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<PDF Copy of Memorandum On Bremik Noise Appeal from Council April 19 2017.pdf>

**NOISE VARIANCE APPEAL**

**BREMIK CONSTRUCTION IN THE PEARL DISTRICT AREA**

IF YOU WISH TO SPEAK TO CITY COUNCIL, PRINT YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)	ADDRESS AND ZIP CODE (optional)	Email (optional)
0 ✓ Scott Schaefer	1636 E. BURNSIDE ST PDX OR 97214	SSCHAEFER@NWCARPENTERS.ORG
0 ✓ Betsy Reese		betsy.w.reese@gmail.com
0 ✓ Melissa Stewart	NRB	
0 ✓ Desi Wright	2546 NE Multnomah St. Portland, OR 97232	dwright@nwcarpenters.org
0 ✓ Kerrie Standlee	Noise Review Board member	stanhartk@comcast.net
0 ✓ JOSH RIDG	BREMIK CONSTRUCTION / PROJECT SUPER.	JR@BREMIK.COM

My name is Mary Sipe. I am a resident of the Pearl District. I serve on the Pearl District Neighborhood Association's Livability & Safety Committee and Chair the Noise Sub Committee.

For the past several years I have been working with Pearl District neighbors helping them understand the City of Portland's Noise Code, Title 18 and what we do and do not have to endure in terms of excessive noise.

I am here today to support my neighbors in appealing Revised Noise Variance Permit #3889851-001 granting Bremik Construction concrete pours to begin at 4 & 5 am on their project The Canopy Hilton located at NW9th & Glisan.

With the construction of the many high-rise buildings in the Pearl District, one of the loudest and most disruptive construction activities is the many concrete pours required for each floor as the building is erected. Not only is the concrete pump loud, but with as many as 8 concrete trucks lined up along the street it sounds like a jet runway. On large projects there are often two pumps running. In addition to the noise residents are also subjected to bright lights on the tower crane that shine into their bedroom windows.

On March 16th David Mitchell copied me on his emails to Paul van Orden and Josh Ring at Bremik Construction regarding being awakened at 5:15 am by an early morning concrete pour at their construction site for which there had been no notification to neighbors.

Josh responded that they had a Noise Variance Permit allowing a 4 am start time and saying that "out of respect" he should have provided notification to neighbors.

I sent an email to Josh Ring pointing out that notification to neighbors is not just a matter of respect but a condition of the Noise Variance Permit.

Paul responded that Bremik did not have a Noise Variance Permit ; explaining that the permit he had issued was for a single pour in October of 2016 and that he would be issuing a citation.

I sent an email to Paul thanking him for his quick response but pointing out that Bremik's Noise Variance Permit was confusing and that as much as I hated to admit it I could see where Bremik might have thought they had a variance covering all pours between October 2016 & October 2017.

Paul responded with several emails stating:

"...there was no confusion in my discussion with the applicant. They asked for one date for a single concrete pour."

"I will explore additional options regarding changes to the variance to protect the community. Those changes might include a revocation of the remaining delivery elements of the current variance."

"I will be reviewing the conditions and looking to see if there are opportunities for changes that better serve the community."

"I am not looking to add more pours before 7 AM at this point."

That was the last we heard from Paul, leaving us with the impression that Bremik's permit was for one pour in October 2016, that they did not have a permit for any additional early morning concrete pours, that a citation would be issued and that no further pours before 7 am would be granted.



Then one week later on March 24<sup>th</sup> neighbors received notification from Bremik Construction stating that they had met with the City Noise Control Officer and had been issued a Revised Noise Variance Permit granting them 6 additional concrete pours; 2 to begin at 4 am and 4 to begin at 5 am!

As you can imagine, we were very surprised by this news and very disappointed that Paul had not followed up with us to advise us of his change of heart.

I fail to see how this revised permit “protects and better serves the community” as Paul indicated he would do in his emails. I can only see how it better serves Bremik Construction.

In the packet of information I have provided to each of you is a map from nextportland.com showing the construction activity in our neighborhood. You will see there are many residential buildings that are surrounded by construction.

Near the bottom right of the map you will see the purple and green dots near NW 9<sup>th</sup> Avenue where this project is located. I included this map to give you some perspective of the amount of construction activity in this densely populated area.

Also included is a list I developed showing the number of units in each building in the Pearl District. I included this list to give you some perspective on the number of residents who are impacted by the noise from adjacent construction sites.

When you look at this permit as a “stand alone”, single event it might not seem very significant. However, if you look at the number of projects currently under construction in this very concentrated area and consider the total number of potential early morning concrete pours occurring on any given day and the number of residents impacted it is very significant.

The packet also includes copies of Noise Variance Permits for early morning concrete pours from several different construction companies on various sites. As you can see these permits are all for 5 am and 6am start times, with the exception of the permits for Bremik Construction. Their permits are all for 4 am start times.

In addition to the permit being appealed, Bremik has been granted two other permits each granting 10 early morning concrete pours to begin at 4 am. If all these other companies can start later why can't Bremik?

I have lived in the Pearl District since 2000. Over the past 17 years I have observed first-hand construction of over 20 high-rise buildings in my neighborhood.

I have observed numerous concrete pours and I have yet to see a situation where a pour beginning on or after 7 am is not completed within the allowable 11-hour window of 7 am – 6 pm.

If more time is needed it is much more tolerable for residents to allow Noise Variance Permits for this type of activity to go later in the day after 6 pm rather than to begin before 7 am.

We ask that this revised Noise Variance Permit be revoked and that Bremik be restricted to conducting all remaining concrete pours to the normal 7 am start time.

If Bremik feels they cannot complete their pours within the 11-hour window between 7 am & 6 pm, we ask that the Noise Variance Permit be revised allowing them to work beyond 6 pm rather than start before 7 am.

At the very least please do not allow anymore 4 am pours, and no more pours before 7 am on Saturdays.

You have been given many reasons to justify early morning concrete pours. These reasons may be valid in some circumstances but not for the majority of concrete pours.

I have had many conversations with project supervisors and construction workers and the main reason they give for early morning concrete pours is their desire to not disrupt traffic and to start work early and go home early.

Let me give you some examples of what I have observed:

In 2015 I observed a concrete pour at the 26-story apartment project across the street from the building where I live. Andersen Construction had a very large pour using two pumps scheduled to begin at 5am that morning. They had a mechanical breakdown and as it turned out they did not begin until after 9 am. In spite of the late start they were able to finish pouring and spreading and everyone was gone by 4 pm that afternoon.

During the construction of the 28-story Cosmopolitan on the other side of the building where I live, Andersen was able to start every concrete pour after 7 am.

Last April, Walsh Construction notified neighbors that they were going to apply for a Noise Variance Permit for concrete pours to begin at 3 am! When I contacted the project supervisor he told me their main concern was disrupting traffic. When I pointed out to him that they would be disrupting sleep for hundreds of neighbors he said he would "go back to the drawing board" and rework the plan. Obviously a 3 am start time was not necessary, just desirable. They were granted a Noise Variance Permit allowing them to begin at 5am.

This is what one resident experienced during their first 5 am pour:

- *"They began pouring at 5:40 am*
- *At 5:44 am they had 7 concrete trucks on site*
- *At 5:48 am they had 8 trucks on site*
- *At 6 am they had 3 trucks lined up in front of the Elizabeth and 5 onsite*
- *At 10:20 they had 10 trucks in the immediate vicinity*
- *It was loud and when I decided to try to go back to sleep, I put in earplugs, headphones and a pillow over my head. I could still hear it quite well.*
- *Nothing really changed with their traffic control throughout the pour. I never noticed any kind of traffic backup."*

I was at the site for Bremik's 4 am concrete pour at NW 9<sup>th</sup> & Glisan on Thursday March 30<sup>th</sup>.

- They began setting up at 4 am and concrete trucks began to arrive at 5 am.
- I returned at noon and the last concrete truck left the site at 12:30 pm.
- When I went back at 2:30 pm it appeared that all of the "spreaders" were gone and there were just a couple of workers left on the upper deck working on the columns.
- Around 3 pm they began locking up the gates.
- When I left around 4:30 pm there were just the workers on the upper deck working on the columns.

I was also at the site for Bremik's 6 am concrete pour at NW 9<sup>th</sup> & Glisan this past Saturday, April 15<sup>th</sup>.

- I arrived at 5:45 am and they were just beginning to unlock the gates and begin set up.
- Set up was completed at about 6:40 am
- The first concrete truck arrived on site and they began pouring at 6:50 am.
- I went back to the site at 1:30 pm. There were no concrete trucks on site and the pump and "spreaders" were gone.
- As you can see from the photo that Dave Mitchell took at 3 pm, pouring and spreading was complete and they were just working on the columns.
- I went back to the site at 4 pm. Everyone was gone and a worker was locking the gate.

Bremik's project at NW 9<sup>th</sup> & Glisan was not the only project pouring concrete Saturday morning.

Andersen Construction has a Noise Variance Permit on their project at NW 13<sup>th</sup> & Johnson granting them 7 pours to begin at 5 am. They were pumping concrete when I walked by the site at 5:30 am Saturday morning. When I walked by again around 1:00 pm, they appeared to be finished.

Andersen Construction also did a concrete pour at NW 11<sup>th</sup> & Pettygrove. I spoke with the concrete workers and they told me they began set up at 7 am and began pouring around 7:30 am. The person I spoke with said that they would be doing all of their pours after 7 am. I walked by again around 4:30 pm and everyone was gone.

We ask that this revised Noise Variance Permit be revoked and that Bremik be restricted to conducting all remaining concrete pours to the normal 7 am start time.

If Bremik feels they cannot complete their pours within the 11-hour window between 7 am & 6 pm, we ask that the Noise Variance Permit be revised allowing them to work beyond 6 pm rather than start before 7 am.

At the very least please do not allow another 4 am pour, and no more prior to 7 am pours on Saturdays.

Just to remind you...

**Title 18 Policy Statement:**

- It is the intent of the City Council to minimize the exposure of citizens to the potential negative physiological and psychological effects of excessive noise and protect, promote and preserve the public health, safety and welfare.
- It is the intent of the City Council to control the level of noise in a manner that promotes the use, value, and enjoyment of property, conduct of business, sleep and repose and reduces unnecessary and excessive sound in the environment.

Please give meaning to these words.



**Demographics of existing residential buildings in areas adjacent to new construction:  
NW 9<sup>th</sup> Avenue to NW 15<sup>th</sup> Avenue & NW Couch Street to NW Savier Street**

**The Henry Condominiums**

**9<sup>th</sup> & 10<sup>th</sup>, Couch & Davis**

10<sup>th</sup> & Couch

123 Units

15 Story

**The Elizabeth Condominiums**

**9<sup>th</sup> & 10<sup>th</sup>, Flanders & Glisan**

182 Units

16 Story

**937 Condominiums**

**9<sup>th</sup> & 10<sup>th</sup>, Glisan & Hoyt**

114 Units

16 Stories

**Station Place Tower Apartments/Income Restricted**

**9<sup>th</sup> & Lovejoy**

Age 55+

76 Units Income Restricted

100 Units Market Rate

14 stories

**Lovejoy Station Apartments/Income Restricted**

**9<sup>th</sup> & 10<sup>th</sup>, Lovejoy & Kearney**

181 Units

5 Stories

**The Burlington Apartments**

**9<sup>th</sup> & 10<sup>th</sup>, Lovejoy & Kearney**

155 Units

10 Stories

**Pearl Court Apartments/Income Restricted**

**9<sup>th</sup> & 10<sup>th</sup>, Johnson & Kearney**

199 Units

5 Story

**The Lexis Condominiums**

**9<sup>th</sup> & Northrup**

139 Units

5 Stories

**The Pinnacle Condominiums**  
**9<sup>th</sup> & 10<sup>th</sup>, Northrup & Overton**  
176 Units  
14 Stories

**The Encore Condominiums**  
**9<sup>th</sup> & Overton**  
177 Units  
16 Stories

**Tanner Place Condominiums**  
**Johnson & Irving, 10<sup>th</sup> & 11th**  
120 Units  
6 Story

**Riverstone Condominiums**  
**11<sup>th</sup> & 12<sup>th</sup>, Johnson & Kearney**  
123 Units  
6 Story

**Park Place Condominiums**  
**10<sup>th</sup> & 11th, Lovejoy & Kearney**  
131 Units  
13 Stories

**Metropolitan Condominiums**  
**10<sup>th</sup> & 11<sup>th</sup>, Marshall & Lovejoy**  
133 Units  
19 Stories

**The Cosmopolitan Condominiums**  
**10<sup>th</sup> & 11th, Northrup & Overton**  
168 Units  
28 Story

**Kearney Plaza Apartments**  
**11<sup>th</sup> & 12<sup>th</sup>, Kearney & Lovejoy**  
135 Units  
5 Stories

**Streetcar Lofts Condominiums**  
**11<sup>th</sup> & 12<sup>th</sup>, Lovejoy & Marshall**  
139 Units  
7 Stories

**The ASA Apartments**  
**12<sup>th</sup> & 13<sup>th</sup>, Lovejoy & Marshall**  
231 Units  
16 Stories

**Bridgeport Condominiums**  
**12<sup>th</sup> & 13<sup>th</sup>, Marshall & Northrup**  
113 Units  
6 Stories

**The Wyatt Apartments**  
**12<sup>th</sup> & 13<sup>th</sup>, Marshall & Northrup**  
245 Units  
16 Stories

**The Sitka Apartments/Income Restricted**  
**11<sup>th</sup> & 12<sup>th</sup>, Northrup & Overton**  
203 Units Income Restricted  
6 Units Market Rate  
6 Stories

**Block 17 Apartments**  
**11<sup>th</sup> & 12<sup>th</sup>, Overton & Pettygrove**  
273 Units  
16 Stories

**NV Apartments**  
**12<sup>th</sup> & 13<sup>th</sup>, Overton & Pettygrove**  
284 Units  
26 Stories

**The Parker Apartments**  
**12<sup>th</sup> & 13<sup>th</sup>, Pettygrove & Quimby**  
177 Apartments  
6 Story

**The Abigail Apartments/Income Restricted**  
**13<sup>th</sup> & 14<sup>th</sup>, Raleigh & Savier**  
128 Income Restricted Units  
27 Market Rate Units  
6 Stories

**The Ramona Apartments/Income Restricted**  
**14<sup>th</sup> & 15<sup>th</sup>, Quimby & Raleigh**  
142 Units  
5 Stories



- **Total Units** 4400
- **Condominiums** 1838 (42%)
- **Apartments** 2562 (58%)

\* 929 apartments are income restricted 21% of total units, 36% of apartment units

Prepared by: Mary Sipe  
Last updated: 4/10/2017



CITY OF

**PORTLAND, OREGON**

OFFICE OF NEIGHBORHOOD INVOLVEMENT

CHLOE EUDALY, COMMISSIONER

David Austin, Interim Bureau Director

Noise Control Program

1221 SW 4th Avenue, Room 110

Portland, Oregon 97204

*Promoting a culture of civic engagement*

## Noise Variance / Permit- REVISED

**Application #:** 3889851-001

**Applicant:** BREMIK CONSTRUCTION \*DEZMOND EVANS\*  
1026 SE STARK ST  
PORTLAND OR 97214

**Organization:**

**Activity:** CONSTRUCTION – 6 LARGE CONCRETE POURS; EARLY DELIVERY OF LARGE EQUIPMENT

**Event Location:** 485 NW 9TH AVE

**Date(s):** Mar 27, 2017 through Mar 26, 2018 (Concrete pours will occur between March 27, 2017 and August 1, 2017)

**Hours:** Concrete pours -2 pours with set up beginning at 4:00 am, with pour beginning no earlier than 5:00 am  
4 pours with set up beginning at 5:00 am, with pour beginning no earlier than 6:00 am. All pours shall cease by 8:00 pm  
Deliveries - 6:00 am - 8:00 pm

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 from March 27, 2017 through March 26, 2018. The hours of the variances construction shall be from 4:00 a.m. to 8:00 p.m. for 2 of the concrete pours (set up beginning at 4:00 am and pour beginning at 5:00 am, with the remaining 4 pours 5:00 am to 8:00 pm (set up beginning at 5:00 am and pour beginning at 6:00 am. Deliveries shall be allowed between 6:00 am and 8:00 pm.
- B. Concrete pump trucks will be staged on NW 9<sup>th</sup> Avenue, in front of the construction site.
- 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.

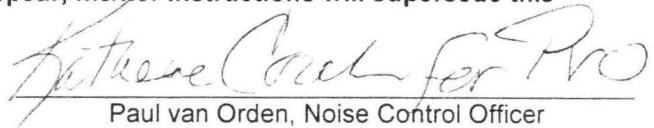
- E. The Applicant will send complaint reports along with a complaint log and details of how the problem was resolved to the City of Portland Noise Control Officer. These logs can be faxed to the Noise Office at (503) 823-7915 with a follow-up call to (503) 823-7350 to verify receipt of fax.
- F. **On Sundays work no shall be permitted.**
- G. Notice shall be given to the neighborhood residents. The notice will include a contact person and phone number for construction noise issues. The initial printed notice for the extension will be hand delivered to all buildings within a 2 block radius of the construction work, and will request the emails of all interested parties. The notice shall include the nature of the work and the anticipated noise sources that neighbors will hear during the period of the varianced work activity. In moving forward, the notices for pour dates shall utilize the e-mail list to keep all interested parties apprised of the varianced activity.
- H. The Applicant shall be prepared to develop a noise mitigation plan with the Noise Control Office should complaints arise.
- I. 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.
- J. The Applicant will notify the Noise Control Officer by the next morning if the variance was needed to work outside the normally permitted construction hours. The Applicant will keep a running tally of varianced days used. This log shall be made available to the Noise Control Office upon request.
- K. Deliveries that start at 6:00 am under this variance shall not include concrete. They are intended to permit larger vehicles to gain access to the area during low volume times. This is not anticipated to be a loud activity.

**To the Applicant:**

1. Carry this document with you during the activity. This is not a permit to make more noise than is minimally necessary for your needs.
2. Violation of the conditions of this variance constitutes grounds for revocation of the variance, and denial of future applications, and may also result in the issuance of citation(s) for violations of City Code.
3. **If a Police or Noise Control Officer should appear, his/her instructions will supersede this variance and take precedence.**

Date:

3/23/17

  
Paul van Orden, Noise Control Officer





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 Variance / Permit

**Application #:** 3889851

**Applicant:** BREMIK CONSTRUCTION \*DEZMOND EVANS\*  
1026 SE STARK ST  
PORTLAND OR 97214

**Organization:**

**Activity:** CONSTRUCTION - CONCRETE POUR OF 1200 YARDS, EARLY DELIVERY - AVERAGE 1-2 A WEEK

**Event Location:** 485 NW 9TH AVE

**Date(s):** Oct 3, 2016 through Oct 2, 2017 (Concrete pour will occur between October 3, 2016 and October 17, 2016)

**Hours:** Concrete pour - 4:00 am - 8:00 pm, Deliveries - 6:00 am - 8:00 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 from October 3, 2016 through October 2, 2017. The hours of the variances shall be from 4:00 a.m. to 8:00 p.m. for the concrete pour, and shall be from 6:00 am – 8:00 pm for the deliveries.
- B. Concrete pump trucks will be staged on NW 9<sup>th</sup> Avenue, in front of the construction site.
- 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) 823-7915 with a follow-up call to (503) 823-7350 to verify receipt of fax.
- F. On Sundays work shall be permitted from 9 a.m. to 7:30 p.m. during the duration of the variance time period.
- G. Notice shall be given to the neighborhood residents. The notice will include a contact person and phone number for construction noise issues. Notices will be delivered to all buildings within a 2 block radius of the construction work. The notice shall include the nature of the work and the anticipated noise sources that neighbors will hear during the period of the variances work activity.

- H. The Applicant shall be prepared to develop a noise mitigation plan with the Noise Control Office should complaints arise.
- I. 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.
- J. The Applicant will notify the Noise Control Officer by the next morning if the variance was needed to work outside the normally permitted construction hours. The Applicant will keep a running tally of variances days used. This log shall be made available to the Noise Control Office upon request.

**To the Applicant:**

- 1. Carry this document with you during the activity. This is not a permit to make more noise than is minimally necessary for your needs.
- 2. Violation of the conditions of this variance constitutes grounds for revocation of the variance, and denial of future applications, and may also result in the issuance of citation(s) for violations of City Code.
- 3. **If a Police or Noise Control Officer should appear, his/her instructions will supersede this variance and take precedence.**

Date:

*[Handwritten signature]* 8, 2016 *[Handwritten signature]*  
Paul van Orden, Noise Control Officer



# City of Portland, Oregon - Office of Neighborhood Involvement

1221 SW 4th Ave, Room 110 | Portland, Oregon 97204 | 503-823-7350 | www.portlandoregon.gov/oni



Send notification

## Noise Variance Application

This is an application for variance from the Portland Noise Ordinance. You should apply for it if your activity will make more noise than the City Code allows. **Please read both sides and fill it out carefully; your application will not be considered unless all information and required site plan is provided and legible.** Use separate pages if necessary. The request may be approved, denied or approved with conditions. Most applications will be reviewed within ten (10) business days; some may require more time. If you need help, you may call the Noise Control Office at 503-806-0385.

RECEIVED  
SEP 07 2017  
NOISE CONTROL OFFICE

**APPLICANT: Complete all sections, and please print legibly.**

Applicant name Dezmond Evans

Contact phone 503-730-2486 Cellular 503-730-2486

Address to mail permit 1026 SE Stark st

City Portland State Oregon Zip Code 97214

Email de@bremik.com

Name of organization or business Bremik Construction

Name and type of activity (concert, construction, etc) Construction

Date(s) of activity 2 weeks 10/3/16 to 10/2/2017 Requested hours, from 4 am/pm to 8 am/pm

Specify location of activity and attach a site plan that identifies streets and identifies residences 431 NW 9th Ave  
Portland Oregon 97214

**For your application to be processed, you must attach a site plan that identifies streets and nearby residences.**

Number of neighbors contacted 5 and what is their reaction? We are in constant contact with 5 of the neighbors that are around the site. They are not happy but seem to accept that these things happen

List all equipment that will make noise Pump truck. Concrete truck. Forklift. Semi trucks Pool-

Pool (Note: one pool at 1200 yards / every deliver average 1-2 weeks 6:00 - )

Are noise measurements available?  Yes  No

Will you be continually present at this activity?  Yes  No, if No, who is to be contacted should the need arise?  
Specify someone who is in charge, and has the authority to make changes, if required. If I am unavailable please Contact Josh Ring @ 503-806-0385

### Information and instructions

Complete this application for variance from the Portland Noise Ordinance if your activity will make more noise than the City Code allows. Your application will not be considered unless all information is provided and legible. **Public notification and feedback is an important consideration in the application review process.** Before initiating public notification, contact the Noise Office at 503-823-7350 regarding notification procedures and requirements. Your request may be approved, denied, or approved with conditions. Most applications will be reviewed within 10 business days; some may require more time. If you need help, you may call the Noise Control Office at 503-823-7350.

**A high impact event:** An event or activity which is attended by at least 250 people and which may reasonably be assumed to cause increases of 15 dBA or more in the background noise level of a residential or commercial use area (an increase of 10 dBA is heard as a doubling of loudness).

**Multi-year variances:** Applications requesting variance for more than 1 year shall include a fee, which is equal to the fee for one year, plus half of that amount for each succeeding year or portion thereof requested.

Continued on page 2

**Review/accelerated review:** Applications deemed significant in terms of noise level or the numbers of persons or property affected will be reviewed by the Noise Review Board. Applications to be reviewed by the Noise Control Officer shall be decided within 10 business days of receipt of the completed application; those to be reviewed by the Noise Review Board shall be decided within 45 business days of receipt of the completed application.

Should the applicant require more rapid review the process may be shortened to not more than 3 business days (for review by the Noise Control Officer), or 7 business days (for review by the Noise Review Board), upon payment of an additional fee and provided the Chair of the Noise Review Board and the Noise Control Officer conclude that such accelerated review is sufficient for evaluation, and is in the City's interest.

**Criteria of review:** All applications will be reviewed considering the following criteria: the physical characteristics, times and duration of the emitted sound, the geography, zone and population density of the affected area, whether the public health, safety, or welfare is affected, whether the sound source predates the receiver(s), and whether com-

pliance with the standard(s) or provision(s) from which the variance is sought would produce hardship without equal or greater benefit to the public.

**Appeals:** A variance decision may be appealed to the City Council by the applicant, his legal representative, or by any person who has submitted oral or written testimony on the application. Notice of intent to appeal shall be submitted in writing to the City Auditor's Office within 10 days of the effective date of the decision. The notice shall identify the decision that is being appealed, and shall include the appellant's name, address and signature, phone number, relationship to the variance decision action and a clear reason(s) for the appeal. Upon receipt of such appeal, the Auditor shall place the matter upon the Calendar of the City Council.

**Variance review/revocation:** All variances are subject to review upon complaint. Violation of the terms of the variance shall be grounds for the revocation of the variance. The Noise Control Officer or any Police Officer of the City of Portland may summarily revoke or alter the condition of any noise variance.

Applicant name Dezmond Evans

**Additional information** \_\_\_\_\_  
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The Portland City Code requires that a fee be paid for the review of all variance applications.

**Payment must be received before the application can be reviewed. Faxed and emailed applications are not accepted.**

**REVIEW FEES - 10 or more business days prior to date of event**

- Motor vehicle racing event** \$2,613 for the first year
  - Additional year plus \$850 per additional year of request
- High noise impact event** \$366
- Construction up to one (1) week** \$510
  - More than one (1) week \$510 for the first week, plus \$170 for each additional week up to a total maximum of \$850 per 12 month period
- All other applications** \$83
- Noise Review Board variances** \$2,613
  - Additional year plus \$850 per additional year of request

**ACCELERATED REVIEW FEES - Less than 10 business days prior to date of event\***

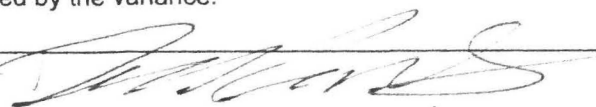
- Motor vehicle racing event** \$5,227 for the first year, plus \$1,701 per additional year of request
  - Accelerated review
- High noise impact event** \$733
  - Accelerated review
- Construction up to one (1) week** \$681
  - Accelerated review, up to one (1) week
  - Accelerated review, more than one (1) week \$681 for the first week, plus \$339 for each additional week up to a total maximum of \$1,701 per 12 month period
- All other applications** \$166
- Noise Review Board variances** \$5,227 plus \$1,701 per additional year of request
  - Accelerated review

\*Variance applications submitted less than four business days prior the date of the noise variance event, shall be charged a review fee equal to one and a half times the accelerated review fees listed above.

**ADDITIONAL FEES AFTER INITIAL APPROVAL**

- Scope of Work Revision**
  - All Other Applications \$41
  - High Noise Impact Events \$80
  - Construction, Motor Vehicle Racing \$166
  - Noise Review Board Variances \$414
- Date Change Only**
  - All Other Applications, High Noise Impact Events \$41
  - Construction, Motor Vehicle Racing \$83
  - Noise Review Board Variances \$166

By signing below, I indicate that all of the information submitted is correct and that I will abide by all of the conditions, if any, imposed by the variance.

Signature 

Date 9/6/16

**Please submit completed application and required site plan with payment to:**

City of Portland, Office of Neighborhood Involvement, **Noise Control**  
1221 SW 4th Avenue, Room 110, Portland, Oregon 97204



Sketch of site plan, identify streets and distances to residences

A large, empty rectangular box with a thin black border, intended for a hand-drawn site plan. The box is currently blank, showing only the white background of the page.

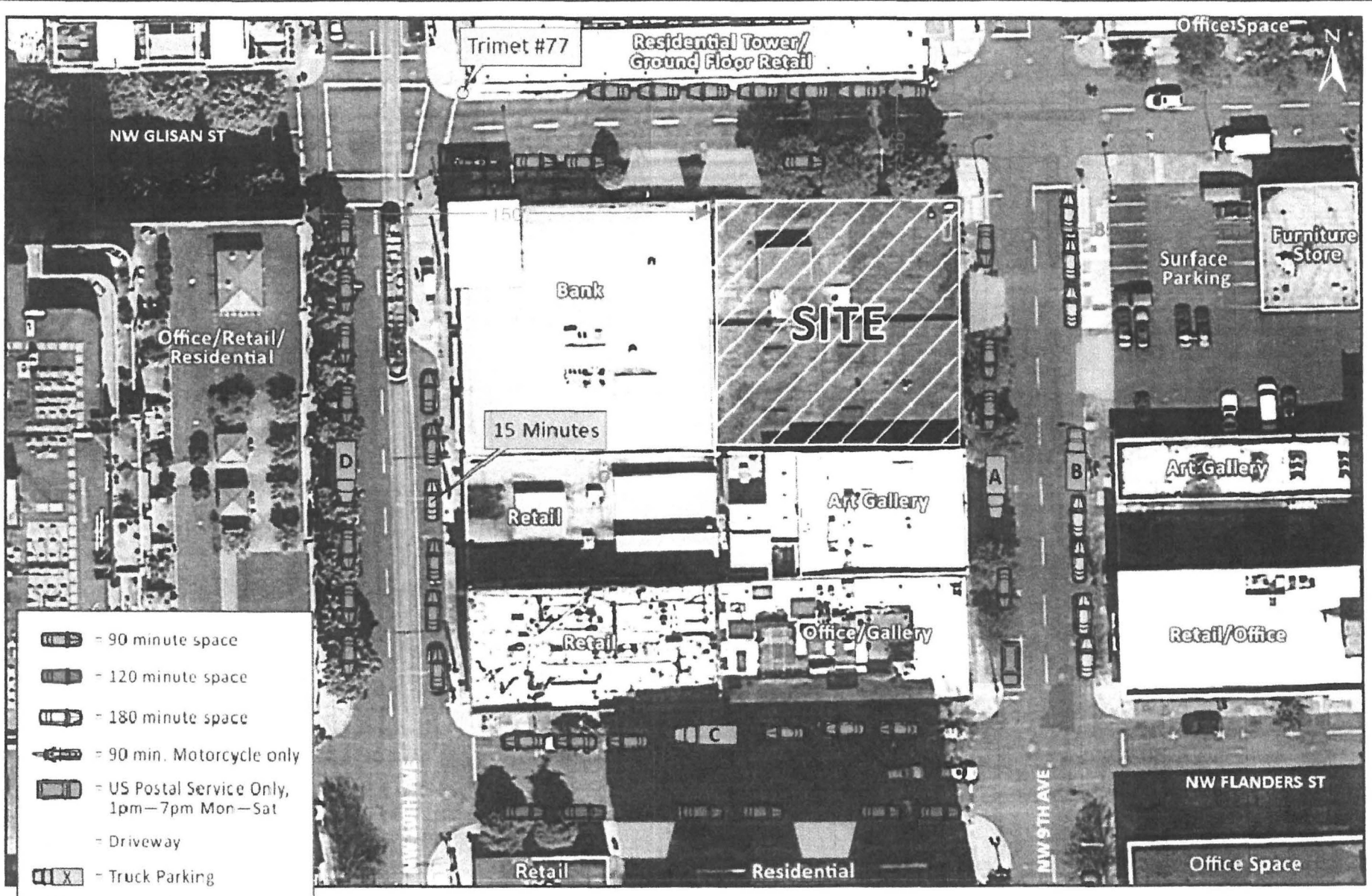


- 90 minute space
- 120 minute space
- 180 minute space
- 90 min. Motorcycle only
- US Postal Service Only, 1pm-7pm Mon-Sat
- Driveway
- Truck Parking

- A = 30 minute truck loading, 1pm-7pm Mon-Sat (~34 feet)
- B = 30 minute truck loading, all hours (~22 feet)
- C = 30 minute truck loading, all hours (~40 feet)
- D = 30 minute truck loading, 7am-11am Mon-Fri (~40 feet)

**Existing Parking** Figure 1

R:\projects\19142\_BPG\_Historic\dwgs\figs\19142\_existing\_parking.dwg



H:\projects\15142\_BPG\_Hotel\dwgs\figs\15142\_existing\_parking.dwg

- A = 30 minute truck loading, 10m-7pm Mon-Sat (~34 feet)
- B = 30 minute truck loading, all hours (~22 feet)
- C = 30 minute truck loading, all hours (~40 feet)
- D = 30 minute truck loading, 7am-11am Mon-Fri (~40 feet)

Existing Parking

Figure 1



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 Variance / Permit

**Application #:** 3946687

**Applicant:** **Bremik Construction \*Earl Newton\***  
1026 SE STARK  
PORTLAND OR 97214

**Organization:**

**Activity:** CONSTRUCTION - CONCRETE POURS (6 TO 10)

**Event Location:** 474 NW 23RD AVE

**Date(s):** Jan 15, 2017 through Nov 17, 2017

**Hours:** 4:00 am - 8:00 pm

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 be for 6 – 10 concrete pours between the dates of January 15, 2017 and November 17, 2017. The hours of the variances construction shall be from 4:00 a.m. to 8:00 p.m.
- B. 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.
- C. 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.
- D. 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) 823-7915 with a follow-up call to (503) 823-7350 to verify receipt of fax.
- E. On Sundays work shall be permitted from 9 a.m. to 7:30 p.m. during the duration of the variance time period.
- F. Notice shall be given to the neighborhood residents. The notice will include a contact person and phone number for construction noise issues. Notices will be delivered to all buildings within a 2 block radius of the construction work. The notice shall include the nature of the work and the anticipated noise sources that neighbors will hear during the period of the variances work activity. Residents must be re-notified within a week of concrete pours, as dates get firmed up.
- G. The Applicant shall be prepared to develop a noise mitigation plan with the Noise Control Office should complaints arise.



H. 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.

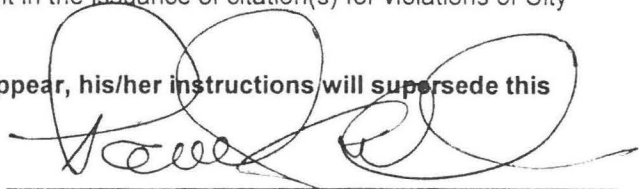
I. The Applicant will notify the Noise Control Officer by the next morning if the variance was needed to work outside the normally permitted construction hours. The Applicant will keep a running tally of varianced days used. This log shall be made available to the Noise Control Office upon request.

**To the Applicant:**

1. Carry this document with you during the activity. This is not a permit to make more noise than is minimally necessary for your needs.
2. Violation of the conditions of this variance constitutes grounds for revocation of the variance, and denial of future applications, and may also result in the issuance of citation(s) for violations of City Code.
3. **If a Police or Noise Control Officer should appear, his/her instructions will supersede this variance and take precedence.**

Date:

*June 5, 2017*



Paul van Orden, Noise Control Officer





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 Variance / Permit

**Application #:** 3948644

**Applicant:** BREMIK CONSTRUCTION \*GRANT LANG  
1026 SE STARK  
PORTLAND OR 97214

FILE COPY

**Organization:**

**Activity:** CONSTRUCTION - TRUCK UNLOADING AND UP TO 10 CONCRETE  
POURS

**Event Location:** 1885 NW QUIMBY ST

**Date(s):** Jan 6, 2017 through Sep 6, 2017 for up to 10 concrete pours, and unloading  
of trucks

**Hours:** 4:00 am - 8:00 pm for concrete pours and 6:00 am for deliveries

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 from January 6, 2017 through September 6, 2017. The hours of the variances construction shall be from 4:00 a.m. to 8:00 p.m. for up to 10 concrete pours, and 6:00 am start time for truck deliveries

B. 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.

C. 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.

D. 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) 823-7915 with a follow-up call to (503) 823-7350 to verify receipt of fax.

E. ~~On Sundays no work shall be permitted.~~

F. Notice shall be given to the neighborhood residents. The notice will include a contact person and phone number for construction noise issues. Notices will be delivered to all buildings within a 2 block radius of the construction work. The notice shall include the nature of the work and the anticipated noise sources that neighbors will hear during the period of the variances work activity. As dates for concrete pours are firmed up, neighbors will be re-notified within 5 days.

G. The Applicant shall be prepared to develop a noise mitigation plan with the Noise Control Office should complaints arise.

H. 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.

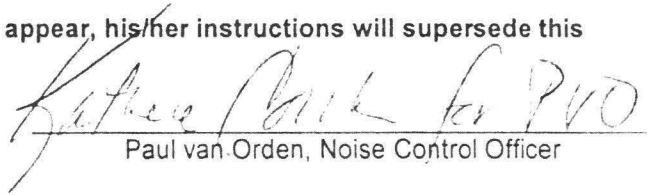
I. The Applicant will notify the Noise Control Officer by the next morning if the variance was needed to work outside the normally permitted construction hours. The Applicant will keep a running tally of varianced days used. This log shall be made available to the Noise Control Office upon request.

**To the Applicant:**

1. Carry this document with you during the activity. This is not a permit to make more noise than is minimally necessary for your needs.
2. Violation of the conditions of this variance constitutes grounds for revocation of the variance, and denial of future applications, and may also result in the issuance of citation(s) for violations of City Code.
3. **If a Police or Noise Control Officer should appear, his/her instructions will supersede this variance and take precedence.**

Date:

1/6/17

  
Paul van Orden, Noise Control Officer



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 Variance / Permit-REVISED

FILE COPY

**Application #:** 3892192-002

**Applicant:** Andersen Construction \*Julie Moore\*  
1328 NW Kearney St  
Portland, OR 97209

**Organization:**

**Activity:** CONSTRUCTION - CONCRETE POURS

**Event Location:** 850 NW 13TH AVE

**Date(s):** 7 days between Feb 15, 2017 through Apr 30, 2017

**Hours:** 5:00 am - 7:00 am

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 7 days between February 15, 2017 and April 30, 2017. The hours of the variances construction shall be from 5:00 a.m. to 7:00 a.m.
- B. 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.
- C. 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.
- D. 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) 823-7915 with a follow-up call to (503) 823-7350 to verify receipt of fax.
- E. On Sundays work shall be permitted from 9 a.m. to 7:30 p.m. during the duration of the variance time period.
- F. Notice shall be given to the neighborhood residents. The notice will include a contact person and phone number for construction noise issues. Notices will be delivered to all buildings within a 2 block radius of the construction work. The notice shall include the nature of the work and the anticipated noise sources that neighbors will hear during the period of the variances work activity.
- G. The Applicant shall be prepared to develop a noise mitigation plan with the Noise Control Office should complaints arise.
- H. 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.

I. The Applicant will notify the Noise Control Officer by the next morning if the variance was needed to work outside the normally permitted construction hours. The Applicant will keep a running tally of variances days used. This log shall be made available to the Noise Control Office upon request.

**To the Applicant:**

1. Carry this document with you during the activity. This is not a permit to make more noise than is minimally necessary for your needs.
2. Violation of the conditions of this variance constitutes grounds for revocation of the variance, and denial of future applications, and may also result in the issuance of citation(s) for violations of City Code.
3. If a Police or Noise Control Officer should appear, his/her instructions will supersede this variance and take precedence.

Date:

2/7/17

  
Paul van Orden, Noise Control Officer





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 - REVISED

**Application #:** 3558622- 001

**Applicant:** ANDERSEN CONSTRUCTION \*CANDICE SUND\*  
6712 N CUTTER CIRCLE  
PORTLAND OR 97217

**Organization:**

**Activity:** CONSTRUCTION – 4 CONCRETE POURS AND CRANE  
DEMobilIZATION

**Event Location:** 1315 NW 11TH AVE (BLOCK 17)

**Date(s):** Jan 28, 2015 through May 31, 2015

**Hours:** 5:00 am - 9:00 pm for pours only  
6:00 am – 9:00 pm for crane erection\*

\*Delivery of crane parts or actual cranes and equipment to the site may occur between 5:00 am and 6:00 am

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 seven days between January 28, 2015 through May 31, 2015. The hours of the variances construction shall be from 5:00 a.m. to 9:00 p.m. for concrete pours only. The hours for crane erection shall be from 6:00 am – 9:00 pm. Delivery of crane parts or actual cranes and equipment to the site may occur between 5:00 am and 6:00 am.

B. The variance will be used for 4 concrete pours during the months of January 2015 and February 2015, and tower crane demobilization for 3 days during the month of May 2015.

C. Concrete pours, to the extent that weather permits, shall take place Tuesday through Friday only, with the understanding that concrete pours can't be done in the rain.

D. On Sundays, no work shall be permitted during the duration of the variance time period.

E. The applicant shall post a copy of the permit at the site for viewing by the public or a responding police officer. It shall be a minimum of 16 inches by 24 inches, with the permit reproduced in its actual size of 8.5 inches by 11 inches for each page. The top shall have a bold title "Noise Variance Permit".

F. Notification of the variance shall be given to the front desk at The Sitka, Wyatt, Parker, Ramona and Freedom Center Apartments, with a reminder 3 or 4 days in advance of each concrete pour and before crane demobilization occurs. Notice will include a contact person and phone number for construction noise issues.

G. 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

H 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

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 faxed to the Noise Office at (503) 823-7915 with a follow-up call to (503) 823-7350 to verify receipt of fax

J The Applicant shall be prepared 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 normally permitted construction hours. The Applicant will keep a running tally of variances days used. This log shall be made available to the Noise Control Office upon request

**To the Applicant:**

- 1 Carry this document with you during the activity. This is not a permit to make more noise than is minimally necessary for your needs
- 2 Violation of the conditions of this variance constitutes grounds for revocation of the variance and denial of future applications and may also result in the issuance of citation(s) for violations of City Code
3. **If a Police or Noise Control Officer should appear, his/her instructions will supersede this variance and take precedence.**

Date:

\_\_\_\_\_  
Paul van Orden, Noise Control Officer



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 #:** 3501908

**Applicant:** BRIAN ANTHONY  
6712 N Cutter Circle  
Portland, OR 97217

**Organization:** ANDERSEN CONSTRUCTION

**Activity:** CRANE, FORKLIFTS, TOWER CRANE ERECTING & DISMANTLE,  
CONCRETE SUPPLY, PLACING & FINISHING

**Event Location:** 1261 NW Overton Street Portland

**Date(s):** September 17, 2014 through September 16, 2015

**Hours:** 5:00 AM – 7:00 PM, as specified for individual operations

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 from September 17, 2014 through September 16, 2015.
- B. The hours of the variances construction work shall be from 5:00 AM - 7:00 PM, Monday through Saturday, as described for individual operation as listed below.
- C. 30 Early morning concrete pours shall be permitted under this variance to operate from 5 AM to 7 PM. 14 additional morning pours shall begin at 6 AM and finish by 7 PM. Set up for the pours shall not commence earlier than the respective start time outlined. No more than two concrete trucks will be at the site off-loading concrete, with two additional delivery trucks there in waiting. Any additional concrete trucks will be staged off site at locations that are approved for staging by the Noise Office.
- D. On Sundays work shall be permitted from 9:00 AM to 5 PM during the duration of the variance time period and specifically just for the erection of cranes, the jumping of cranes, or the delivery of large sized materials that are difficult to move to the site during normal work hours. These additional activities shall constitute 10 additional mornings of work during the variance time frame.
- E. The Noise Control Office shall be the final arbiter, in consultation with professional associates at the Portland Bureau of Transportation in the determination of whether or not a particular item may be delivered outside the normal construction hours. Before delivering material to the site, the applicant need to check in with the Noise Control Officer that the specific delivery necessitates the use of this variance.
- F. A construction hotline phone number shall be set up that updates the neighbors on a weekly basis of the upcoming concrete pours and other variances activity as permitted under this noise variance.

*Continued on page 2*

- G. Back up alarms shall not be used during the duration of the variances by any vehicles associated with the project, including concrete delivery vehicles. The applicant shall use spotters to safely back vehicles during these variance time frames. The contractor shall plan accordingly to maintain safety and a quieter environment for the community.
- H. Use of jackhammers and or pile drivers shall not be permitted outside the normally allowed construction hours of the City of Portland. This permit does not allow the use of these loud pieces of equipment during the night or early morning hours.
- I. 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 ¾ inch plywood enclosure that does not impact the need of the unit to be properly ventilated.
- J. 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 the Noise Office at: [noise@portlandoregon.gov](mailto:noise@portlandoregon.gov). The email will be followed up with a call to (503) 823-7350 to verify receipt of emailed log.
- K. Notice shall be given to the neighborhood residents. The notice will include a contact person and phone number for construction noise issues. Notices will be delivered to all buildings within a 2 block radius of the construction work. The notice shall include the nature of the work and the anticipated noise sources that neighbors will hear during the period of variance work activity.
- L. A 24-hour noise phone information hotline will be set up that describes any upcoming construction activities under the noise variance and the way to reach the applicant during off hours of work. This hotline information number will be supplied to neighbors within the notification letter to the community as outlined above.
- M. The Applicant shall be prepared to develop a noise mitigation plan with the Noise Control Office should complaints arise that constitute a need for changes to the permit to better address noise impacts.
- N. 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 excessive community noise disturbances. The Noise Control Officer shall be the arbiter of the delineation of whether or not a complaint requires modifications to a given noise variance.
- O. The Applicant will notify the Noise Control Officer by the next morning if the variance was needed to work outside the normally 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.

**To the Applicant:**

1. Carry this document with you during the activity. This is not a permit to make more noise than is minimally necessary for your needs.
2. Violation of the conditions of this variance constitutes grounds for revocation of the variance, and denial of future applications, and may also result in the issuance of citation(s) for violations of City Code.
3. **If a Police or Noise Control Officer should appear, his/her instructions will supersede this variance and take precedence.**

Date: Approved and signed  
Tuesday September 16, 2014

---

Paul van Orden, Noise Control Officer





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 Variance / Permit- REVISED**

**Application #:** 3501908- 002

**Applicant:** BRIAN ANTHONY  
6712 N Cutter Circle  
Portland, OR 97217

**FILE COPY**

**Organization:** **ANDERSEN CONSTRUCTION**

**Activity:** CRANE, FORKLIFTS, TOWER CRANE ERECTING & DISMANTLE,  
CONCRETE SUPPLY, PLACING & FINISHING

**Event Location:** 1261 NW Overton Street Portland

**Date(s):** September 17, 2014 through December 5, 2015

**Hours:** 5:00 AM – 7:00 PM, as specified for individual operations

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 from September 17, 2014 through December 5, 2015.
- B. The hours of the variances construction work shall be from 5:00 AM - 7:00 PM, Monday through Saturday, as described for individual operation as listed below.
- C. 30 Early morning concrete pours shall be permitted under this variance to operate from 5 AM to 7 PM. 14 additional morning pours shall begin at 6 AM and finish by 7 PM. Set up for the pours shall not commence earlier than the respective start time outlined. No more than two concrete trucks will be at the site off-loading concrete, with two additional delivery trucks there in waiting. Any additional concrete trucks will be staged off site at locations that are approved for staging by the Noise Office.
- D. The Noise Control Office shall be the final arbiter, in consultation with professional associates at the Portland Bureau of Transportation in the determination of whether or not a particular item may be delivered outside the normal construction hours. Before delivering material to the site, the applicant need to check in with the Noise Control Officer that the specific delivery necessitates the use of this variance.
- E. A construction hotline phone number shall be set up that updates the neighbors on a weekly basis of the upcoming concrete pours and other variances activity as permitted under this noise variance.
- F. Back up alarms shall not be used during the duration of the variances times by any vehicles associated with the project, including concrete delivery vehicles. The applicant shall use spotters to safely back vehicles during these variances time frame. The contractor shall plan accordingly to maintain safety and a quieter environment for the community.

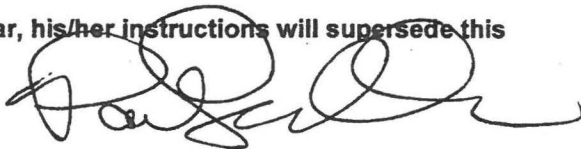
- G. Use of jackhammers and or pile drivers shall not be permitted outside the normally allowed construction hours of the City of Portland. This permit does not allow the use of these loud pieces of equipment during the night or early morning hours.
- H. The Applicant shall work to utilize a direct connection 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 ¾ inch plywood enclosure that does not impact the need of the unit to be properly ventilated.
- 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 email to the Noise Office at: [noise@portlandoregon.gov](mailto:noise@portlandoregon.gov). The email will be followed up with call to (503) 823-7350 to verify receipt of emailed log.
- J. Notice shall be given to the neighborhood residents. The notice will include a contact person and phone number for construction noise issues. Notices will be delivered to all buildings within a 2 block radius of the construction work. The notice shall include the nature of the work and the anticipated noise sources that neighbors will hear during the period of varianced work activity.
- K. A 24- hour noise phone information hotline will be set up that describes any upcoming construction activities under the noise variance and the way to reach the applicant during off hours of work. This hotline information number will be supplied to neighbors within the notification letter to the community as outlined above.
- L. The Applicant shall be prepared to develop a noise mitigation plan with the Noise Control Office should complaints arise that constitute a need for changes to the permit to better address noise impacts.
- M. 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 excessive community noise disturbances. The Noise Control Officer shall be the arbitor of the delineation of whether or not a complaint requires modifications to a given noise variance.
- N. The Applicant will notify the Noise Control Officer by the next morning if the variance was needed to work outside the normally permitted construction hours. The Applicant will keep a running tally of varianced days used. This log shall be made available to the Noise Control Office upon request.

**To the Applicant:**

1. Carry this document with you during the activity. This is not a permit to make more noise than is minimally necessary for your needs.
2. Violation of the conditions of this variance constitutes grounds for revocation of the variance, and denial of future applications, and may also result in the issuance of citation(s) for violations of City Code.
3. If a Police or Noise Control Officer should appear, his/her instructions will supersede this variance and take precedence.

Date: Approved and signed  
Tuesday September 16, 2014

*Original Approval Date*  
*[Signature]*  
*2015*



Paul van Orden, Noise Control Officer





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*

**FINDINGS AND DECISION OF  
THE NOISE CONTROL OFFICER**

APPLICANT: HOWARD S. WRIGHT \*TODD SMITH\*  
1455 NW IRVING ST., SUITE 400  
PORTLAND OR 97209

VARIANCE NUMBER: 16-213587

REQUEST: Up to 30 concrete pours, between August 16, 2016 to August 15, 2017,  
at 525-535 NW 11<sup>th</sup> Ave.

DECIDED: August 15, 2016

**DECISION: APPROVED, WITH CONDITIONS**

**BACKGROUND:**

Title 18 establishes sound levels based on the zones of both the source and receivers of noise. Events that produce noise above permitted levels may be considered for variance from the code. The Noise Review Board is charged by code to review and act upon some of these applications. The review must consider the physical characteristics; times & duration of the emitted sound; the geography, zone and population density of the affected area; whether the public health, safety or welfare is impacted; whether the sound source predates the receiver(s); and whether compliance with the standard would produce hardship without equal or greater benefit to the public. The code does not preclude review of other factors, nor does it specify the weight to be given to each criterion.

**REQUEST: Todd Smith, representing Howard S. Wright Construction, requesting permission for a series of early concrete pours on a project at 525-535 NW 11<sup>th</sup> Avenue. The general request is for up to 30 pours during a years in duration from August 16, 2016 to August 15, 2017.**

**FINDINGS:**

- A. The public's health, welfare and safety are not affected by the anticipated noise levels, except possible temporary interference with sleep at later hours and for closer-in properties.
- B. The sound source does not predate receivers.

- C. The project has limiting factors related to traffic impacts and access to neighboring properties. Since this project is a quarter block site with buildings to the South and West, as well as the Portland Street Car to the East, the only access for deliveries is on Hoyt Street. This include all concrete pours. All concrete pours on the project will require either a single lane closure or a full street closure on Hoyt Street between 11<sup>th</sup> and 12<sup>th</sup> Ave. As a result normal day only work would impact or restrict access to the neighboring residential buildings directly to the North of the project. Starting the concrete pour set up at 5:00 am will offer more time early in the morning to complete the pours. The early pour will help to open Hoyt Street earlier, providing a safer and less restricted roadway for our neighbors and the general public.
- D. The issue of concrete pours having challenges with concrete suppliers saying they will not be able to adhere to the requirement for the use of human spotters instead of loud back-up alarms has been a potential issue on some recent projects. The applicant has clarified this matter with their supply chain through Ross Island Concrete. The applicant reports that Ross Island said they are prepared to meet OSHA safety standards via the method of human spotters on this project and will be able to safely and temporarily disable the back-up alarms.

VARIANCE APPROVED BY THE NOISE CONTROL OFFICER WITH THE FOLLOWING CONDITIONS:

- Noise variance shall run from August 16, 2016 through August 15, 2017. The initial permit copy shall cover the first five major pours from August 16<sup>th</sup> 2016 to the end of November 2016. A second permit document will be drafted with a determination of noise permit conditions for the remaining concrete pours requested. It will not be a separate permit, but rather a clarification of permit conditions and limitations for the second portion of the permit.
- The applicant shall be permitted set up time for pumper trucks and machinery starting at 5 A.M. with the formal pour starting at 5:30 A.M. at this location. The permit is only to cover work between 5 A.M. and 7 A.M., Mondays through Saturdays.
- Sound levels shall not exceed an hourly Leq of 74 dBA, as measured at the closest neighboring residential uses.
- The permit will be re-evaluated at the end of November 2016 to determine the conditions and limitations of the remaining time on the permit based on the applicant's performance and the review of complaints and / or noise data.
- The applicant shall hire an Oregon State Licensed Acoustical Engineer to complete a sound level measurement report for the second-concrete pour. The report shall include the following: Two hours of ambient measurements before the work begins from 3 A.M. to 5 A.M. ; A measurement of the second by second Lmax measurements from 5 A.M. to 7 A.M., as measured at the interface of the closest residential noise receiver.; The Acoustical Engineer shall also complete 15 minute Leq sound level measurements during the entire measured period from 3 A.M. to 7 A.M.

- For days where the operations potentially run into an unforeseen delay and the operation is running overtime, the project shall promptly call the Noise Control Office and notify noise staff at 503-823-7350.
- From 5 A.M. until 7 A.M. the back-up alarms will be disconnected and spotters will be used to safely back up vehicles.
- 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 ¾ inch plywood enclosure that does not impact the need of the unit to be properly ventilated.
- Saw cutting and jack hammering shall only be performed during daytime allowable work hours.
- For the remaining pours after the August 16<sup>th</sup> pour, the applicant will maintain a web site or a Facebook page that will be shared with neighbors. It will be used to offer updates on more exact dates for the upcoming pours. An email should also be sent off at least five days prior to any planned pours to let interest parties know the pour dates. Email Notice shall include the 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.
- The Noise Control Officer will be notified of the staging approach for the concrete trucks waiting to arrive at any concrete pumpers. Signoff from the Noise Control Office shall occur before any concrete operations occur outside the permitted construction hours for the City.
- 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.
- The applicant shall prepare to develop a noise mitigation plan with the Noise Control Office should complaints arise.
- 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.
- The applicant will notify the Noise Control Office via email 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.

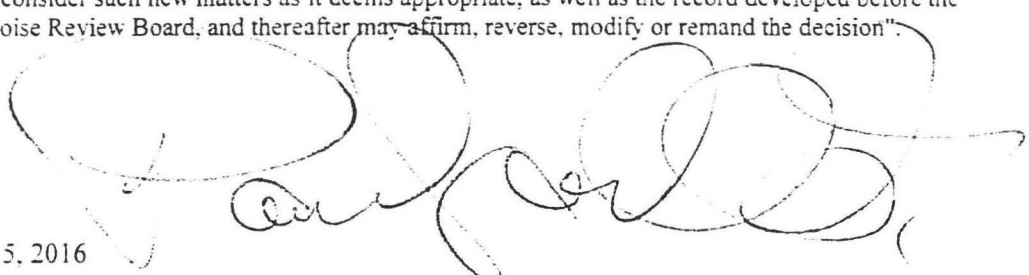
The applicant understands that this variance is subject to review upon complaint.

This decision becomes effective on August 15, 2016.

APPEAL PROCEDURES: PCC Section 18.14.020 (i) states that "A variance decision of the Noise Control Officer or the Noise Review Board may be appealed to the City Council as follows: (1) A variance decision may be appealed by the applicant, his legal representative, or by any person who has submitted oral or written testimony on the application. (2) Notice of intent to appeal shall be submitted in writing to the City Auditor's Office within 10 day of the effective date of the decision. The notice shall identify the decision that is being appealed, and shall include the appellant's name, address and signature, phone number, relationship to the variance decision action, and a clear statement of the specific reason(s) for the appeal including alleged misapplication of City Codes.

(3) Upon receipt of such appeal, the Auditor shall then place the matter upon the Calendar of the City Council. At the time of hearing, the City Council may consider such new matters as it deems appropriate, as well as the record developed before the Noise Control Officer or the Noise Review Board, and thereafter may affirm, reverse, modify or remand the decision".

Paul van Orden,  
Noise Control Officer  
City of Portland

A large, stylized handwritten signature in black ink, appearing to read 'Paul van Orden', is written over the printed name and extends across the right side of the page.

Conditions Signed August 15, 2016





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 Variance / Permit

Application #: 3712235

Applicant: Fore Property \*Joe Whitaker  
1741 VILLAGE CENTER CIR  
LAS VEGAS NV 89134

FILE COPY

Organization:

Activity: CONCRETE POURS – UP TO 12

Event Location: 1850 NW FRONT AVE

Date(s): Up to 12 Days between Oct 20, 2015 and Feb 15, 2016

Hours: 5:00 am - 7:00 am

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 up to 12 days between October 20, 2015 and February 15, 2016. The hours of the variances construction shall be from 5:00 a.m. to 7:00 a.m.

B. 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.

C. 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.

D. 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) 823-7915 with a follow-up call to (503) 823-7350 to verify receipt of fax.

E. On Sundays work shall be permitted from 9 a.m. to 7:30 p.m. during the duration of the variance time period.

F. Notice shall be given to the neighborhood residents. The notice will include a contact person and phone number for construction noise issues. Notices will be delivered to all buildings within a 2 block radius of the construction work. The notice shall include the nature of the work and the anticipated noise sources that neighbors will hear during the period of the variances work activity. As dates for concrete pours get firmed up, neighbors must be notified of the upcoming pour within 1 week of it occurring.

G. The Applicant shall be prepared to develop a noise mitigation plan with the Noise Control Office should complaints arise.



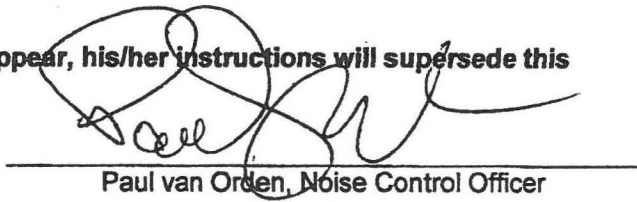
- H. The noise variance will be reviewed upon receipt of complaints. If complaints are filed, the Noise Control Officer may modify the variance, as needed, to resolve community noise disturbances.
- I. The Applicant will notify the Noise Control Officer by the next morning if the variance was needed to work outside the normally permitted construction hours. The Applicant will keep a running tally of varianced days used. This log shall be made available to the Noise Control Office upon request.

**To the Applicant:**

1. Carry this document with you during the activity. This is not a permit to make more noise than is minimally necessary for your needs.
2. Violation of the conditions of this variance constitutes grounds for revocation of the variance, and denial of future applications, and may also result in the issuance of citation(s) for violations of City Code.
3. If a Police or Noise Control Officer should appear, his/her instructions will supersede this variance and take precedence.

Date:

 14 2015

  
\_\_\_\_\_  
Paul van Orden, Noise Control Officer



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 Variance / Permit

Application #: 3644039

Applicant: MCRT PNW CONSTRUCTION LLC  
220 NW 2ND AVE STE 900  
PORTLAND OR 97209

**FILE COPY**

Organization:

Activity: CONSTRUCTION - CONCRETE POURS

Event Location: 1481 NW 13TH AVE

Date(s): 4 Concrete Pours on Saturdays between Sep 26, 2015 through Nov 15, 2015

Hours: 6:00 am - 10:00 pm

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 be for 4 concrete pours, to run Saturdays between September 26, 2015 and November 15, 2015. The hours of the variances construction shall be from 6:00 a.m. to 10:00 p.m.

B. 2 concrete pours shall be allowed to begin set-up at 6:00 am, with work to begin pours beginning at 7:00 am and end by 10:00 pm. No more than two concrete trucks will be at the site off-loading concrete, with two additional delivery trucks there in waiting. Any additional concrete trucks will be staged off site at locations that are approved for staging by the Noise Office.

C. 2 concrete pours shall begin set up at the allowable construction start time, 7:00 am, and will end by 10:00 pm.

D. 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.

E. Use concrete pump trucks in good working order, with throttle set to low.

F. 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.

G. 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) 823-7915 with a follow-up call to (503) 823-7350 to verify receipt of fax.

H. On Sundays work shall be permitted from 9 a.m. to 7:30 p.m. during the duration of the variance time period.

I. Notice shall be given to the neighborhood residents. The notice will include a contact person and phone number for construction noise issues. Notices will be delivered to all buildings within a 2 block radius of the construction work. The notice shall include the nature of the work and the anticipated noise sources that neighbors will hear during the period of the variances work activity.

J. When pours are scheduled with dates more firm, notice shall be provided to The Wyatt, The Sitka, The Pinnacle, Ramona, and The Parker buildings with dates in advance.

K. The Applicant shall be prepared to develop a noise mitigation plan with the Noise Control Office should complaints arise.

L. 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.

M. The Applicant will notify the Noise Control Officer by the next morning if the variance was needed to work outside the normally permitted construction hours. The Applicant will keep a running tally of variances days used. This log shall be made available to the Noise Control Office upon request.

**To the Applicant:**

1. Carry this document with you during the activity. This is not a permit to make more noise than is minimally necessary for your needs.
2. Violation of the conditions of this variance constitutes grounds for revocation of the variance, and denial of future applications, and may also result in the issuance of citation(s) for violations of City Code.
3. If a Police or Noise Control Officer should appear, his/her instructions will supersede this variance and take precedence.

Date:

*[Handwritten signature]*  
Sept 28 2015

*[Handwritten signature]*  
Paul van Orden, Noise Control Officer





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 Variance / Permit

Application #: 3946849

Applicant: John Hyland Construction Inc \*Jeffrey Durmaj\*  
PO Box 7867  
Springfield, OR 97477

Organization:

Activity: CONSTRUCTION - CONCRETE POURS - 3 TIMES PER WEEK MAXIMUM

Event Location: 333 SW HARRISON ST

Date(s): Mar 1, 2017 through Sep 1, 2017

Hours: 6:00 am - 7:00 am

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 from March 1, 2017 through September 1, 2017, for the purpose of placing concrete. The hours of the variances construction shall be from 6:00 a.m. to 7:00 a.m. (regular construction hours are allowed 7:00 am – 6:00 pm Monday through Saturday)
- B. 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.
- C. 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.
- D. 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) 823-7915 with a follow-up call to (503) 823-7350 to verify receipt of fax.
- E. On Sundays no work shall be permitted during the duration of the variance time period.
- F. Notice shall be given to the neighborhood residents the week prior to each week's concrete pour. The notice will include a contact person and phone number for construction noise issues. Notices will be delivered to all buildings within a 2 block radius of the construction work. The notice shall include the nature of the work and the anticipated noise sources that neighbors will hear during the period of the variances work activity.
- G. The Applicant shall be prepared to develop a noise mitigation plan with the Noise Control Office should complaints arise.
- H. 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.

I. The Applicant will notify the Noise Control Officer by the next morning if the variance was needed to work outside the normally permitted construction hours. The Applicant will keep a running tally of varianced days used. This log shall be made available to the Noise Control Office upon request.

**To the Applicant:**

1. Carry this document with you during the activity. This is not a permit to make more noise than is minimally necessary for your needs.
2. Violation of the conditions of this variance constitutes grounds for revocation of the variance, and denial of future applications, and may also result in the issuance of citation(s) for violations of City Code.
3. **If a Police or Noise Control Officer should appear, his/her instructions will supersede this variance and take precedence.**

Date: 1/6/17

  
Paul van Orden, Noise Control Officer





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 Variance / Permit

Application #: 3976840

Applicant: COLAS CONSTRUCTION \*MEGAN STEELE\*  
19 NW 5TH AVE STE 203  
PORTLAND OR 97209

FILE COPY

Organization:

Activity: CONSTRUCTION - CONCRETE POURS

Event Location: ROW NE 21ST & IRVING

Date(s): 30 days between Mar 13, 2017 through Feb 13, 2018

Hours: 6:00 am - 7:00 pm

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 30 days between March 13, 2017 and February 13, 2018. The hours of the variances construction shall be from 6:00 a.m. to 7:00 p.m.
- B. 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.
- C. 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.
- D. 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 the Noise Office at [noise@portlandoregon.gov](mailto:noise@portlandoregon.gov) with a follow-up call to (503) 823-7350 to verify receipt of email.
- E. On Sundays no work shall be permitted.
- F. Notice shall be given to the neighborhood residents. The notice will include a contact person and phone number for construction noise issues. Notices will be delivered to all buildings within a 2 block radius of the construction work. The notice shall include the nature of the work and the anticipated noise sources that neighbors will hear during the period of the variances work activity. As dates of concrete pours firm up, neighbors shall be re-notified within one week of the estimated pour date.
- G. The Applicant shall be prepared to develop a noise mitigation plan with the Noise Control Office should complaints arise.
- H. 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.

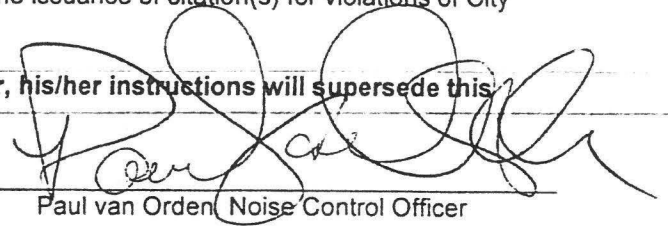
I. The Applicant will notify the Noise Control Officer by the next morning if the variance was needed to work outside the normally permitted construction hours. The Applicant will keep a running tally of variances days used. This log shall be made available to the Noise Control Office upon request.

**To the Applicant:**

1. Carry this document with you during the activity. This is not a permit to make more noise than is minimally necessary for your needs.
2. Violation of the conditions of this variance constitutes grounds for revocation of the variance, and denial of future applications, and may also result in the issuance of citation(s) for violations of City Code.
3. If a Police or Noise Control Officer should appear, his/her instructions will supersede this variance and take precedence.

Date:

March 6, 2017



Paul van Orden Noise Control Officer



CITY OF

**PORTLAND, OREGON**

OFFICE OF NEIGHBORHOOD INVOLVEMENT

CHLOE EUDALY, COMMISSIONER

David Austin, Interim Bureau Director

Noise Control Program

1221 SW 4th Avenue, Room 110

Portland, Oregon 97204

*Promoting a culture of civic engagement*

## Noise Variance / Permit

**Application #:** 3990177

**Applicant:** LCG PENCE \*KIP PATTERSON\*  
2720 SW CORBETT AVE  
PORTLAND, OR 97201

**Organization:** LCG PENCE RESIDENTIAL, LLC

**Activity:** CONSTRUCTION - CONCRETE POUR

**Event Location:** 2405 N VANCOUVER AVE

**Date(s):** One day between Apr 6, 2017 and Apr 13, 2017

**Hours:** 6:00 a.m. - 8:00 p.m.

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 from April 6, 2017 through April 13, 2017. The hours of the variances construction shall be from 6:00 a.m. to 8:00 p.m.
- B. 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 7:00 a.m. the following morning, back up alarms will be disconnected and spotters will be used to safely back up vehicles.
- C. 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.
- D. 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) 823-7915 with a follow-up call to (503) 823-7350 to verify receipt of fax.
- E. On Sundays work shall be permitted from 9:00 a.m. to 7:30 p.m. during the duration of the variance time period.
- F. Notice shall be given to the neighborhood residents. The notice will include a contact person and phone number for construction noise issues. Notices will be delivered to all buildings within a 2 block radius of the construction work. The notice shall include the nature of the work and the anticipated noise sources that neighbors will hear during the period of the variances work activity.
- G. The Applicant shall be prepared to develop a noise mitigation plan with the Noise Control Office should complaints arise.
- H. 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.

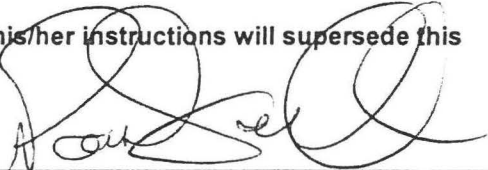
I. The Applicant will notify the Noise Control Officer by the next morning if the variance was needed to work outside the normally permitted construction hours. The Applicant will keep a running tally of variances days used. This log shall be made available to the Noise Control Office upon request.

**To the Applicant:**

1. Carry this document with you during the activity. This is not a permit to make more noise than is minimally necessary for your needs.
2. Violation of the conditions of this variance constitutes grounds for revocation of the variance, and denial of future applications, and may also result in the issuance of citation(s) for violations of City Code.
3. If a Police or Noise Control Officer should appear, his/her instructions will supersede this variance and take precedence.

Date:

March 31, 2017



Paul van Orden, Noise Control Officer





BREMIX  
CONSTRUCTION

KLEINSTEED PRODUCTS CORP







## Carroll, Nicholas

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**From:** Alexander Wilmerding <alexwilmerding@gmail.com>  
**Sent:** Monday, April 10, 2017 11:55 AM  
**To:** ONI Noise Control Office  
**Cc:** miguel fernandez  
**Subject:** Noise Waiver Appeal: Notice to REMOVE names, Thank you  
**Attachments:** Appeal Letter 937 - no names.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

To Whom it May Concern,

After doing further due diligence and understanding short term need for Bremik to commence construction early provided the approved noise variance. I would like to **withdraw** and **remove** the following names from the petition.

I thank you for your assistance in this matter. The sooner this is completed the better for everyone.

Fondly,

**Alexander Wilmerding**  
**Miguel Fernandez**

937 NW Glisan St # 634  
Portland Oregon 97209

If you have further questions please feel free to reach out to me at 786-423-9706



		
Proposed	Under Review	Under Construction

*Submitted by Mary Sipe 4/19/17*

