

Good morning. My name is David Mitchell.

Following the July 2015 City Council meeting Commissioner Fritz convened a Noise Task Force to further study additional pile driving restrictions.

The Noise Task Force was unable to come to any consensus and no recommendations to further restrict pile driving were forthcoming.

Commissioner Fritz then had her staff draft a proposal to amend Title 18 to:

- Remove the exemption for pile driving and require a Noise Variance Permit

And also to:

- Limit the use of the impact hammer to projects where soil conditions prohibit the use of quieter methods like the auger drill.

On February 10, 2016 Commissioner Fritz's presented a first draft of her proposal to the Noise Review Board.

- Kerrie Standlee, Acoustical Engineer and Noise Review Board Member said he "would rather see companies come up with viable noise mitigation devices. Then it would not matter what equipment they use."
- Noise Review Board Chair, David Sweet stated that he felt *"the July 2015 code changes had been effective and any further code changes were not needed as there had been no impact hammer pile driving since the July 2015 code change."*

The fact that there had been no impact hammer pile driving was not because of the July 2015 code changes.

Rather it was because all proposed projects were tracked through the Design Review Commission and a letter-writing campaign was launched asking developers to use the quieter auger drill method.

As a result more than 15 developers agreed to switch to the auger drill.

On March 9, 2016 the Noise Review Board heard Public Testimony on Commissioner Fritz's proposal.

Pile Driver Union members were invited by the Noise Control Office to attend. Pile Drivers warned the Noise Review Board that restricting the use of the impact hammer would cause them to lose work.

Representatives from Pacific Foundation and DeWitt Construction stated that they both hire union pile drivers to work on auger drill projects the same as on impact hammer projects.

The Noise Review Board felt they were being asked to make geotechnical decisions in determining how buildings would be built and decided not to support Commissioner Fritz's proposal.

Without the Noise Review Boards support, Commissioner Fritz understandably decided not to go forward with the proposal to City Council.

We had enjoyed more than two years of freedom from the noise of the impact hammer because we had successfully persuaded 15 developers to use the auger drill.

But, we knew Hoyt Street Properties was preparing to begin construction on their Condominium project at Block 20. Hoyt's Geotechnical Engineer had clearly indicated his preference for using the impact hammer in his testimony at Noise Review Board & City Council meetings.

On September 2, 2016 Hoyt Street Properties announced plans to use the impact hammer pile driver at its condo project at Block 20.

Parsons, Susan

From: Dave Mitchell <d.leighton.mitchell@gmail.com>
Sent: Thursday, March 01, 2018 11:12 AM
To: Council Clerk – Testimony
Cc: Mary Sipe; Stan Penkin
Subject: Confirmation of Communications slot on May 2, 2018

I am writing to confirm my reservation for one of the Communications time slots at City Council at 9:30 a.m. on Wednesday, May 2, 2018

Dave Mitchell

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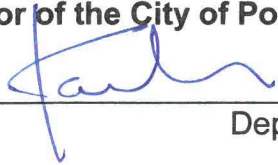
Request of Dave Mitchell to address Council regarding Noise Review Board pile driving proposal (Communication)

MAY 02 2018

PLACED ON FILE

Filed APR 24 2018

MARY HULL CABALLERO
Auditor of the City of Portland

By  Deputy

COMMISSIONERS VOTED AS FOLLOWS:		
	YEAS	NAYS
1. Fritz		
2. Fish		
3. Saltzman		
4. Eudaly		
Wheeler		