

**Air Odor Noise Committee**

Amy Fu, P.E. – Chair  
Caleena Shirley  
David Wood  
Thomas Deck  
Edmund Clark, M.D.

**Education & Public Outreach**

David Wood – Chair  
Lucinda Sonnenberg, Ph.D.  
Bobby Baker, P.E.

**Water Committee**

Bobby L. Baker, P.E. – Chair  
Thomas Deck  
Roi Dagan, M.D.  
Edmund Clark, M.D.  
Caleena Shirley

Lucinda Sonnenberg, Ph.D. – Chairman  
Amy Fu, P.E. – Vice Chairman  
Bobby L. Baker, P.E., Edmund Clark, M.D., Roi Dagan, M.D.,  
Thomas Deck, Caleena Shirley, David Wood

**Jacksonville Environmental Protection Board**

Monday, January 22, 2019

**Noise Variance Request – Brasfield & Gorrie****Meeting Summary****MEMBERS PRESENT:**

Lucinda Sonnenberg, Ph.D., Chair  
Thomas Deck  
Caleena Shirley  
Amy Fu, P.E., Vice Chair

Roi Dagan, M.D.  
David Wood  
Bobby Baker, P.E.  
Edmund Clark, M.D.

**MEMBERS NOT PRESENT:****STAFF/RESOURCES PRESENT:**

James Richardson, JEPB Administrator  
Melissa Long, EQD Chief  
Jeff Close, OGC

Michael Williams, EQD Air Branch  
Tree Kilbourn, EQD Enforcement  
Terry Carr, EQD Water Branch

**VISITOR(s) PRESENT:**

Erich Reichle, Brasfield & Gorrie

Derrick Fagg, Brasfield & Gorrie

**Call to Order**

Chair Sonnenberg called the Public Hearing of the Environmental Protection Board (EPB) to order at 5:40 p.m.

**Chair Statement**

Chair Sonnenberg read a statement which provided an outline of how the hearing would proceed: presentation by staff, presentation by petitioner, comments from public, board discussion and clarification, board action and procedural summary.

**Certification of Public Notice and Variance information**

EPB Administrator James Richardson shared all required public notices appeared in the Daily Record. He then shared that a request for a noise variance was received from Brasfield & Gorrie for the construction of a multi-family dwelling to be located along Riverside Avenue. The variance seeks approval for nighttime construction and an increase in sound levels for both

daytime and nighttime. Given the timing of the variance review and meetings of the Air Committee, the Steering Committee has waived JEPB Rule 1.602(e) so that the variance will be heard by the full board without Air Committee review.

### **Presentation by Petitioner**

Mr. Erich Reichle, with Brasfield & Gorrie, provided information regarding the above referenced project and the measures that they would take in order to mitigate noise from the construction activities.

### **Staff Discussion of Petitioner Request and Staff Recommendation**

Mr. Williams shared his review of the variance request application and the questions that he posed to the applicant. He shared the modeling profiles that he had put together. He also shared his concern that the sound levels anticipated would be quite loud and would be directly adjacent to residential dwellings so there was not much that could be done regarding mitigation of sound. After review of that, in addition to what had been provided from the applicant, he was prepared to support the application request.

### **Comments from Public**

None.

### **Staff Rebuttal/Clarification to Public Comment**

None.

### **Petitioner Rebuttal/Clarification to Public Comment**

None.

### **Board Questions/Clarification**

Members posed several questions to the applicant and to staff. There was considerable discussion and concern of the proposed construction schedule and the intense sound that would be forced upon the residents of the adjacent properties.

### **Board Vote**

A motion was made (Wood) to approve the requested variance with the proposed conditions which was properly seconded (Dagan). The motion included the following conditions:

- (a) The variance application, and presentation, and the commitments therein shall be adopted and incorporated as part of the conditions of this Variance.
- (b) The variance establishes a maximum Noise level of 95 dBA for construction and maintenance operations during daytime operations and 90 dBA for construction and maintenance operations during nighttime operations - with instantaneous peak of 101 dBA during periods of sheet piling installation and removal.
- (c) Allowable nighttime construction is limited to dewatering and concrete pours
- (d) mitigation, to the extent possible, of dewatering pumps
- (e) EQD is granted ability to require additional mitigation
- (f) Communication to residents of sensitive receptors to include:
  - a. construction timetable, including closest possible estimated date of concrete pours
  - b. contact information for 24-hour hotline
- (g) Petitioner shall provide a monthly status report of the construction project to the Air & Odor Committee via email to [epb@coj.net](mailto:epb@coj.net). The report shall include:

- a. Number of citizen complaints and any plan for remediation or corrective action in response to residents' complaints.
  - b. The number of exceedances of the acceptable dBA sound level and any remediation actions taken.
  - c. Project progress, including substantial changes
- (h) Petitioner shall ensure that any sound measures be performed in accordance with the existing EPB Rule 4.
- (i) This variance shall be granted for the **January 22, 2019 through December 31, 2020** time period.

The motion was approved by the body.

#### **Procedural Summary**

Jeff Close, OGC, stated that the JEPB had just approved the variance request by Brasfield & Gorrie and that the order would be prepared and transmitted to same.

#### **Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 7:30 p.m.

Respectfully Submitted

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James Richardson, EPB Administrator