



317.916.8000 ▪ www.augustmack.com  
1302 North Meridian Street, Suite 300 ▪ Indianapolis, Indiana 46202

## Memorandum

**DATE:** June 15, 2022  
**TO:** Mr. Brian Ayer, Mr. Mark Boice, Mr. Mike Davis, Mr. Pete Schwartz, Mr. Gregory P. O'Connor, Mr. Darren Peterson, Mr. Aaron Smith, Mr. Dan Spartz and Ms. Megan Wiles  
**CC:** Mr. Chris Beaver  
**FROM:** Anthony Henley (August Mack)  
**SUBJECT:** Noise Study, Proposed Ordinance #37-06-22 and #38-06-22

=====

August Mack is respectfully submitting this memorandum to clarify information in the “Noise and Fugitive Dust Monitoring Report” dated 11/16/2020 (“the Report”) and to respond to citizen comments made during the Noblesville Common Council Meeting on 6/14/2022. The citizens comments were generally of two types – some commenters claimed that the data in the study indicated an exceedance of the noise ordinance found in Chapter 93 of the Noblesville Code of Ordinances and other commenters questioned the integrity of the study itself.

### Noise Ordinance Discussion

One commenter displayed the Noise Contour map included as Figure 3 of the Report and made the claim that exceedances of the ordinance were occurring at the Strawtown satellite digging site. August Mack is providing the following information regarding this claim for your consideration:

1. All noise level readings were conducted inside the property line and within the bermed area at the Strawtown location. This is an access-controlled, private property. Per the ordinance, when evaluating the ordinance for a private property “the sound must be measured on a sound level meter at a point no closer than the property line of said private property.” It was not possible to evaluate the contribution of the site activities to the ambient noise levels beyond the berms and at the property line due to high noise levels (greater than 70 dB(A)) from State Road 37.
2. As noted above, noise levels from State Road 37 were observed to be a significant contributor to the elevated noise shown on Figure 3 in the southeast corner of the site.
3. Dump truck loading was occurring near the construction entrance on the day of the sampling resulting in noise levels of 70-80 dB(A). This activity was occurring 50-100 feet from the property line. The noise from this activity will dissipate significantly prior to reaching the property line. Again, this effect is difficult to quantify during the study due to high levels of noise interference from the adjacent roadway.

4. At the proposed Potter's Bridge location, Beaver Materials intends to install barriers (earth berms) along the portions of the property line that are near sensitive noise receptors. Physical barriers are generally assumed to reduce noise levels by 5 dB(A). It should be noted that noise is measured on a logarithmic scale and a 5 dB(A) decrease actually results in a 60%+ reduction in noise levels.
5. The closest houses on the east side of Allisonville Road are 140+ feet away of the proposed Potter's Bridge site property. The closest house south of the Potter's Bridge site property is contiguous to the property and the dwelling is located approximately 19 feet from the property line. As noted previously, a berm will be installed on this side of the property to ensure compliance with the ordinance.

In conclusion, the noise information provided in the report cannot and does not indicate an exceedance of any ordinance. From a noise perspective, this project is not unique. The equipment and activities that will be utilized on this site are the same that are used in almost all construction projects and the noise levels from this type of equipment is well documented. Based on the data collected and presented in the Report and the additional information above, no violations of the noise ordinance are expected. If during technical review, there are concerns about specific operational details of the project, additional noise mitigation options can be considered and implemented. Frequent noise monitoring is recommended during project implementation to ensure continuous compliance with the ordinance.

### **Integrity of Study**

One commenter questioned the integrity of the study. This project was completed using certified and calibrated equipment. August Mack personnel were onsite numerous times throughout the study duration to observe site conditions. The gravel and sand removal and loading operations were operating normally at the Strawtown site throughout the study. Any allegation that metering equipment was intentionally "dodged" or that samples were intentionally collected outside of operating scheduled is false and not supported by any evidence whatsoever. In fact, the stationary noise monitoring equipment was placed in the interior of the property closest to operating equipment to reflect a "worst case" scenario (and to avoid the interference effects of the nearby road). In short, **we care** about the quality and integrity of our work and **we were there**.

The commenter also indicated that differences in sample duration may skew results since some samples included nights and some did not. Our study normalized the data using a metric called the "Community Noise Exposure Level" or "CNEL." CNEL is the average sound level over a 24-hour period, with a penalty of 5 dB added between 7 p.m. and 10 p.m. and a penalty of 10 dB added for the nighttime hours of 10 p.m. to 7 a.m. This provides a normalizing effect for comparison purposes, which should address the commenters concern.

*Memorandum*  
*Noise Study; Proposed Ordinances*  
*#37-06-22 and #38-06-22*

*June 15, 2022*

We appreciate your consideration of this additional information. Please do not hesitate to contact us if you have any questions or requests.

Sincerely,

A handwritten signature in cursive script, appearing to read "Anthony Henley".

Anthony Henley  
Senior Compliance Manager  
August Mack Environmental, Inc.