
Fwd: Construction Noise Ordinance

Chad Sweet <chadsweet@cityofgearhart.com>
To: Krysti Ficker <krysti@cityofgearhart.com>

Wed, Jul 7, 2021 at 1:32 PM

----- Forwarded message -----

From: **Sheila Nolan** <senolan@gmail.com>

Date: Wed, Jul 7, 2021, 10:14 AM

Subject: Construction Noise Ordinance

To: <mayorcockrum@cityofgearhart.com>, **Reita Fackerell** <councilorfackerell@cityofgearhart.com>, **Brent Warren** <councilorwarren@cityofgearhart.com>, <councilorsmith@cityofgearhart.com>, <councilorjesse@cityofgearhart.com>Cc: **Chad Sweet** <chadsweet@cityofgearhart.com>

Dear Mayor Cockrum and City Council Members,

As a full-time resident of Gearhart living on Creekside Court, we have been surrounded by non-stop construction at the end of our cul de sac, as well as, the construction of the Meadow subdivision behind us for well over twelve months. To my knowledge, there are at least 25 building lots in the new Meadow subdivision with 4 foundations poured at this time. In addition, due to the age of the existing housing in the neighborhood, houses are beginning to be reroofed. By my calculations, we will be dealing with consistent construction noise for the next few years.

The Commercial Construction 8 to 6 signage disappeared within the Creekside cul de sac and contractors have frequently disregarded the regulations. The eager beaver pulling forms off at 7 a.m., the roofer that continues until 9:30 p.m., the dump truck rolling in right at 7:58 a.m.

I am not looking for a ban on construction. What I am looking for is a way to co-exist when I am surrounded by ongoing construction noise. I urge you to consider providing our community a consistent period of time that we can enjoy some of the tranquility that brought us to Gearhart initially.

Our neighbor in home hospice had no respite for either himself or his grieving family recently. A construction worker collapsed and there was almost not enough room for the first responders to pull in due to all of the contractors vehicles.

I am asking as a full-time resident and voter to please give consideration to providing us with a set time that we can enjoy our outdoor space and have our windows open with the full knowledge we should not be disturbed by construction vehicles and construction noise. I request that at minimum Saturday and Sunday be set aside for our peace of mind and the 8 am to 6 pm hours be enforced.

Thank you for your consideration.

Sincerely,

Sheila Nolan

July 7, 2021

Dear Mayor Cockrum and City Council of Gearhart,

I was inspired to write this letter by the little red signs dotted around Gearhart alluding to commercial construction that triggered my favorite pastime: reading various city ordinances.

Please reference Ordinance No. 875, passed, approved and signed Feb 5, 2014, regulating contractor work hours in the city of Gearhart, page 2, "General Prohibition".

Ord 875 states [Building] contractors or employees are allowed to work from 8am to 6pm and that Landscape construction contractors or employees are allowed to work between the hours of 7am and 7pm.

A little arithmetic shows a very generous work week allowed in all of Gearhart's zones. [Building] contractors are allowed 10 hours per day 7 days a week totaling 70 hours. Landscape contractors are allowed 12 hours per day 7 days a week totaling 84 hours. Both of these windows are 12 months long.

Consider:

- 1) Any contractor working 10 to 12 hours per day works during breakfast, lunch and dinner times of most residents. Warm days, windows and doors are open a lot, allowing dust and noise to enter homes from nearby work.
- 2) Most working Gearhart residents typically work five days per week with two days off for life's pursuits and family time.
- 3) There is no mention of any day or days of the week when residents can anticipate respite from the challenges presented by these large construction windows. Noise, exhaust fumes and dust cannot be contained. Worker traffic and parking congest roads and streets.
- 4) There are no restrictions at all on commercial trucking or delivery vehicles servicing any given construction site by, often, large diesel trucks with beeping reverse gears.

I hope we can all agree that Gearhart is a very different town now than it was in February 2014, just seven years ago!

Many part time home owners are now full time residents. Many properties are upgrading their landscaping from low maintenance to high maintenance.

Empty lots are being built out, often to the limits of property setbacks, and many existing structures are being remodeled or expanded. Local and out of town/out of state contractors seem to be working around the clock, challenging local contractors and workers.

Open space and habitat is quickly disappearing in Gearhart.

Is this feverish desire to develop Gearhart regulated or restricted in any way by Gearhart's Comprehensive Plan? I would opine that it clearly is.

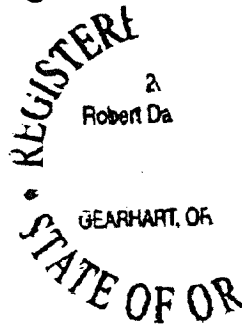
Is this pervasive development pushing Gearhart closer to a state mandated sewer system? I would opine that it clearly is.

A lot of my friends and neighbors and I are edgy and concerned about the development frenzy that's changing the very nature of the small coastal community atmosphere of Gearhart.

My request of you, Mayor Cockrum and city council, is to try your best to prioritize the protection of Gearhart's history, nature and ambience and so limit all building and/or landscape work to from 8am to 5pm Monday through Friday, hoping these rules are reasonably enforceable.

Respectfully,

R David Smith, Arch
236 North Cottage Avenue
Gearhart, OR 97138
(503) 738-8923



PS: Thank you all for volunteering your time for a huge and largely thankless job!

R D SMITH, ARCHITECT

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Fax

TO: Kristy Ficker, Chad Sweet, City of Gearhart

Fax Number: (503) 738-9385

Date: 6/6/21

7/7/2021

From: R David Smith

Number of pages including this cover sheet: 3

Re: Letter for City Council packet 7/7/21



**UPDATED VERSION, PLEASE DELETE
EARLIER FAX DATED 7/6/21**

Could you please add ^{THIS} my letter to the councils packets for Wednesday night's meeting?

Questions or comments? Please call or text my cell phone.

Thanks,

Robert D Smith

c: (503) 440-2317

e: rdsmith236@gmail.com

PS I WILL STOP BY WED A.M.
TO CONFIRM ALL - ROB

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