

NOTE: Please add this email to the 17-ZONE2113 Project File

All,

Thank you in advance for reading this email regarding Loveland Ready Mix Concrete, Inc (LRM) Noise Evaluation First Submittal – August 2017 Report LaPorte Operations (File Name: Additional\_20170814\_Laporte Noise Report\_FINAL”. This email contains three sections providing:

- Review comments of the Noise Evaluation Study
- My personal perspective
- Summary of the citizens’ letter comments that pertain to Noise

**I. Noise Evaluation Review Comments**

1. Page 1: The surrounding area description mentions only those 25 properties on the perimeter of the site.
  - a. The majority of LaPorte’s residences exist within ½ mile of the site. My home is within 500 feet of the site and will be impacted by the noise from LRM’s proposed operations.
  - b. No other LRM sites exists so close to so many residences. In Boulder and Johnstown the sites exist in industrial zones and in Loveland newer houses were built after LRM’s site was in operation.
2. Page 2: Pertaining to the statement “Construction activities will generally take place between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday”:
  - a. The term “generally” is too vague and allows construction activities to occur at any time.
  - b. Hours are inconsistent with LRM’s Project Description and Fire Protection Plan that specify the hours as “Monday through Friday hours: From 7:30 am to 5:00 pm, with one hour allowed for daily startup and shutdown”.
3. Page 8, Section 2.3.1: Sound Monitoring was conducted 02/21/2017 through 02/23/2017 at five locations to the west and south of the site. Sound monitoring should have to be meaningful, accurate, and complete:
  - a. Recorded sounds at northeast corner (Batch Plant area) of site where crushing, washing, and Compressed Natural Gas (CNG) Compressor Station is proposed.
  - b. Recorded sounds in the neighborhoods southeast of the site
  - c. Described weather conditions that were present when the monitoring was conducted. Although wind noise is controlled to some extent by windscreens on noise monitors, when there are wind gusts that exceed 15mph, the instrument readings are higher than the actual noise level.
  - d. Monitored and analyzed night-time conditions since LRM is proposing to produce sound all night long with the proposed CNG Generators
4. Page 9, Section 3.1: The statement “The monitoring locations encompass receptors that are nearest to the proposed plant operations” is incorrect since the report does not show any monitoring locations near the Batch Plant area.
5. Page 10: Concluded that the loudest times are in the mornings when the neighbors are headed to school or work. As a resident, I would add that bird calls contributed to the loud readings in the morning at Location 1 and Location 2.
6. Page 12: Table 5 contains the average sound level from equipment and operations. Below are comments that pertain to this table:

- a. Would be helpful to see the maximum sound level (instead of average), since the maximum sound is what would be the most annoying
  - b. Would be helpful if chart classified noise sources as: 1) mobile equipment, 2) processing equipment, or 3) facilities. In some documents it appears as if the crusher is mobile.
  - c. The table appears to have omitted some noise sources such as:
    - I. Scrapers
    - II. Backhoes
    - III. Motor Graders
    - IV. Water Truck
    - V. Bob Cats
    - VI. Backup Beepers
    - VII. Feed Hoppers
    - VIII. Vibratory Screens
    - IX. Conveyors
    - X. Cement Trucks
7. Page 12: Additional information regarding the CNG Compressors are needed. Compressors were not identified in the Sketch Plan so the Department of Health and Environment did not comment on them. The following information is requested:
- a. How many compressors are in the CNG Compressor Station?
  - b. What are the dimensions of the CNG compressors?
  - c. Will the CNG Compressors be positioned on a raised platform?
  - d. What sound-reduction mitigation measures will be taken to address this night-time obnoxious noise?
    - i. Figure 5, Batch Plant Area, shows a stock pile 100 ft directly west of the CNG Compressor Station. Will the noise wrap around this stock pile?
    - ii. How high will the stockpiles be?
    - iii. My house is within 1,000 feet southwest of the Compressor Station and there are no sound mitigation features shown on site.
    - iv. There does not appear to be any sound mitigation features for the properties east and south east of the CNG Compressor Station
8. It is unclear whether the Storm Water Management Pond shown on the southwest corner of proposed site in Noise Study is currently being proposed since multiple figures in other applicant documents do not contain this pond.
9. Page 18 (second paragraph): Additional receptors closer to the batch plant should have been incorporated into the Noise Report, since the Receptor A that is nearest to construction activities that will occur during the erection of the batch plant" is approximately 900 feet away from batch plant.
10. Page 19: Overburden Removal states that some of the top layer of soil (overburden) will be stockpiled in 6-ft perimeter berms on some borders.
- a. One figure in another part of the application shows 4-foot berms on the south side of proposed site.
  - b. It appears as if LRM is proposing the lowest possible berm height that they might be able to get away with (e.g., not being a nice neighbor)
  - c. In 2002, the Timberline Application, that was proposing mining further away from residences, proposed noise mitigation features such as 1) creating a 16-ft berm to remain for the life of the mine, and 2) locating processing plant 5-7 feet below grade. In 2009, the Stroh pit proposed a minimum height of 10-ft berms.

11. Pages 19-20: The statement “The berms will be planted with grasses to serve as a windbreak and sound barrier” seems to over-exaggerate the power of grass. For a windbreak and sound barrier mature evergreen trees would need to be planted on the berms.
12. Page 20: Did the calculation of values in Table 7, Overburden Removal-Unmitigated Sound Levels at Nearest Residential Receptor, incorporate background sounds (see Tables 3 and 4)?
  - a. Receptor C is very close to Location 2. During Phase 0-2, the overburden removal is occurring at Location 2 but the predicted sound level is only 8 dBA higher than measured background sounds.
13. Page 21, Section 4.2.1: The second paragraph states that the CNG compressors typically operate during the evening and the average sound level at the compressors is 76.2dBA.
  - a. The Run Time –CNG Compressors – Johnstown Chart shows that approximately every 70 minutes the CNG Compressor average jumps 1 dBA and gradually climbs from 9:30 pm. to 2:24 a.m. (note that the chart ends at 2:24 a.m., so it is unclear how much the stillness of pre-dawn will be disturbed at 4:00 a.m.). Introducing a new constant new source of noise during the night is not compatible with the neighborhoods.
  - b. How was it determined that Receptor A would be at 23.7 dB, especially when the Background Sound-Level did not record sounds during the night?
14. Page 22: First sentence states “With berm placement on both sides of the access road and the existing vegetation between the receptor and the access road it is expected the sound levels will be within County requirements”:
  - a. Figure 5 of the Noise Report that shows the berms placement does not include berms on either side of the access road. A figure in another document shows the berm along 54G as 4 feet tall. To remove ambiguity, recommend adding “directly north of 54G”.
15. Page 23: Third paragraph states the “Unmitigated sound levels during the mining operations are predicted to exceed County residential sound limits during all phases except for Phase 8-10. Average unmitigated sound level exceedance is 4.7 dBA”. The report also indicates that 1 meter of barrier height will provide an additional 1.5-dBA of attenuation.
  - a. Given the above formula a 6-ft high berm (1.829 meters) decreases sound by 2.7 dBA and therefore will still exceed County residential sound limits.
  - b. Mitigation should mitigate the highest expected noise, not the average.
  - c. Do these formulas work for the residents living in the 2<sup>nd</sup> floor apartments directly west of the site?
16. Page 24: States that there is significant vegetation around a number of the residential receptors, which would further mitigate sound levels generated from the Project.
  - a. As a resident, I can accurately state that sound still travels from road traffic through the significant vegetation even in the summer months. In the Fall, Winter, and Spring – no vegetation will be present. Noise generated in the quiet of night is even more disturbing.
17. The report mentions in four places “The County noise ordinance allows for an increase of 10 dBA for up to 15 minutes in any one hour (between the hours of 7:00 a.m. and 7:00 p.m.)”.
  - a. The numerous occurrences in the report leads me to believe that LRM plans to exceed the maximum permissible noise levels.
  - b. A 10-dB increase is perceived as being twice as loud (once every hour would be enough to impact resident’s mental health)
18. Page 25: Second paragraph states that the “majority of operations will take place up to 26-ft below ground surface”
  - a. This statement is misleading. I assume that LRM used the results from one of the monitoring wells in an area that they do not plan on mining to arrive at 26-ft. Why was not an average

used in this sentence? The average maximum depth based on the monitoring wells is 18.7 feet.

19. The plan did not mention working with neighbors to address noise problems. (Please note that the Tapestry House does generate sound at night and provides contacts/numbers to call if anyone is disturbed and immediately addresses issue by lowering volume and closing doors)
- a. Will neighbors be provided a hot-line number to call when there is a noise problem?
  - b. Who do we call in the middle of the night to monitor the noise?
  - c. What types of actions would LRM take when a noise problem is reported?
  - d. Noise violation fines are minimal and are not high enough to deter generating noises that disturb the neighbors.

## **II. My Personal Perspective**

Noise is one of my main concerns since I am very sensitive to man-made noise. If noise issues are not addressed, it would force me to move away from my home that I have lived in for over 32 years. The sounds of nature are always welcome: we have a small waterfall in the ditch directly north of our house that provides soothing sounds when outside in the yard and also while sleeping with our windows open. The soothing sounds cannot be heard when there is a manmade disturbing noise. The Tapestry House is about the same distance as the proposed CNG Compressors, and I am the neighbor that calls to complain that their event(s) are preventing me from sleeping... Afterwards, the Tapestry House resolves the issue and peace/sleep returns.

People living in LaPorte have always valued that LaPorte is different from close-by towns (Fort Collins, Loveland, and Windsor). One of the major differences is the quiet... when we leave Fort Collins we leave behind the noise and traffic. When contractors come out to our place to bid on work, we often hear them exclaim "wow... this is really peaceful and quiet out here".

Noise contamination steals our rights for peace, solitude, and well-being. The existing family residential neighborhoods (most have existed for over 50 years) will be adversely impacted by the constant noise and these negative impacts will continue over a prolonged period of time (maybe for the rest of my life). To minimize distribution to LaPorte's existing citizens, aggressive mitigation measures are needed and components of the application should not be approved. Noise would be greatly reduced if the following was denied: 1) crusher, 2) concrete batch plant, 3) cement trucks, 4) CNG Compressor Station, and 5) any night-time operations.

### III. Summary of Noise Concerns Mentioned in Citizen Letters

The below table shows the number of citizen letters that were written from January 2017 to April 2017 that included noise concerns. The last three columns show how three of the six review criteria used to approve a special review application have not been met.

<b>Citizen Comments</b>	<b>Number of Letters</b>	<b>A. Compatible with existing uses and in Harmony with Neighborhood</b>	<b>B. Consistent with the LaPorte Area Plan</b>	<b>D. Will Not Result in Substantial Adverse Impact on Vicinity Property</b>
Creates substantial Noise Pollution	103	No	No	
Decreases Quality of Life (like to be outside)	79	No	No	
Health Hazards	60	No	No	
Disturbing Peace and existing quiet, happiness	58	No	No	No
Crusher Noise	51	No	No	
Site is not suitable for industrial uses since in LaPorte	50	No	No	
Existing health issues (asthma, lung cancer-probably from environment hazards, COPD, heart disease, <b>sleeping disorders</b> )	39	No		No
24-hour operation is not acceptable	18	No	No	No
Proposal lacks good neighbor considerations and disrespects residents	17	No	No	
Mental Health(residents will become stressed, annoyed, aggressive, crazy, disturbed, angry)	14	No	No	No
Needs berm details (want double layer of mature evergreens to help with noise/dust, location, height, how maintained)	12			
Need to respect that we did not buy our houses in an industrial area	8	No	No	
Most residents have open windows – not air conditioning	8	No		
Backup Beepers' Noise	7		No	
Starting at 7 am is not reasonable next to residential area	5	No		
Forces neighbors to relocate	5	No	No	No
Negatively impacts Pets / Animals	5	No		
Impacts to birds (migrating and nesting, singing)	5	No	No	
Crusher vibration	3	No	No	
Negatively impacts swing shift (people who need to sleep during day)	2	No		No
How will they address neighborhood complaints – call center?	2			