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Acoustical consultants can provide guidance to a developer on how to minimize noise pollution



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Ask the typical American to think about pollution, and the first things likely to come to mind are air quality, toxic chemicals and smog. But if you are a developer in New York City, another critical environmental concern you will face is noise pollution - and you might not even realize it.

Noise pollution in an urban setting comes from many sources. Some of these are essential to the health, safety and welfare of the city's inhabitants, such as emergency vehicle sirens, garbage collection operations, and construction and maintenance equipment. Others, such as traffic, stem from activities that are essential to the viability of the city as a place to live and do business. Although these and other noise-producing activities are necessary to a city, the noise they produce is undesirable.

New York City's Noise Control Code

Since New York City introduced its 311 hotline in 2003, noise has consistently ranked as the number one complaint among quality-of-life issues - just ask anyone who has had to sit through the incessant pounding of the jackhammer next door.

In the early 2000s, the City recognized the need for new noise legislation to replace the outdated and ineffective Noise Control Code that had regulated noise for thirty years. AKRF's Acoustics Department was retained to assist the New York City Department of Environmental Protection (NYCDEP) in updating and overhauling the existing code.

The overhauled Code, which was enacted in December 2005 and went into effect July 1, 2007, brought New York City's Noise Control Code into the 21st century by delineating noise enforcement regulations aimed at curbing the city's noise pollution and enhancing the NYCDEP's capability to enforce the Code.

The comprehensive New York City Noise Control Code (i.e., Local Law 113), defines "unreasonable noise" and addresses a wide range of noise sources including commercial or business enterprises, motor vehicles and motorcycles, refuse collection vehicles and music from commercial establishments. The construction rules that were written in coordination with the new Code provide one of the most

extensive sections on construction noise in the country.

These rules establish a unique noise mitigation plan for each construction site, offering alternatives for contractors to continue their important construction tasks while having fewer noise impacts on the surrounding environment.

The Code, along with these rules, requires the development and implementation of a site-specific construction noise mitigation plan to be kept on-site, sets maximum noise emission levels for specific pieces of equipment, limits the hours of normal construction and contains provisions for construction activities that would occur outside the normal weekday hours.

If you are a developer and none of this rings a bell, you are not alone. Nearly two years after the overhauled Noise Control Code took effect, many real estate professionals remain unaware of the code's existence. Others know about the code and either lack knowledge on requirements for compliance, or neglect it - generally until an inspection from the NYCDEP inspires a change of procedure.

Whether intentional or not, failure to comply with the code's noise regulations can result in steep fines from the NYCDEP, as well as costly delays in construction - not to mention adverse effects on nearby residents and bad community relations.

After all, we should not lose sight of the fact that the Noise Control Code exists to protect the people of New York City. According to Local Law 113, "the making, creation or maintenance of excessive and unreasonable noises within the city affects and is a menace to public health, comfort, convenience, safety, welfare and the prosperity of the people of the city."

Why Hire an Acoustical Consultant?

Acoustical consultants can provide guidance to a developer not only on compliance issues relating to the NYC Noise Control Code and NYC Building Code, but also on how to minimize noise effects on inhabitants of the building and on how to minimize the effects of construction noise on the surrounding community.

This includes the development of a site-specific construction noise mitigation plan that satisfies NYCDEP requirements, and assistance with the plan's implementation. Additionally, acoustical consultants can help developers respond to noise complaints by performing on-site noise measurements and recommending various mitigation measures.

In fact, some consultants, such as AKRF, become involved in a project long before construction begins, as part of a project's city, state, or federal environmental approval process. Retaining an acoustical consultant at the start of the design and development process provides the advantage of having an expert who understands the acoustical ramifications of the proposed construction activities involved at an early stage.

But with or without this added experience, an acoustical consultant can save a project money, speed up the process, and most

importantly, minimize the noise effects of a project's construction on the surrounding community.

Environmental guidelines like the New York City Noise Control Code are important components to the development process that serve to improve not only the quality of our projects, but also the quality of life for people in New York City.

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