

Closing statement in the matter of the Noise Variance Granted for the AWW Demolition Project

#3029782

Madame Examiner,

The evidence presented by the State and the City did not prove their application for a noise variance met the criteria for granting such a variance. Therefore, it should be rescinded or modified.

1. They did not present any evidence with regard to worker safety, so that criterion was not met.
2. They did not present any real evidence, an actual calculation showing the schedule that will require a 24/7 work schedule, and hence the variance in the sound code, was more economically favorable than a normal work schedule within the city's normal sound code. Hearsay of a 40% savings by a contractor who has not provided the calculations of such a savings is not the standard implied in the city's variance criteria. No calculation of mitigation costs versus cost savings by the proposed schedule was presented.

Additionally, the original application is misleading to the public. The AWW Project and Zoning map shows only one residential area (north of Lenora), labeling the other seven (7) sites as commercial. During our examination of the evidence, it was clear there are multiple residential buildings throughout the AWW Project area that will be impacted.

1. The appellant Four Seasons HOA, represented by Mr. Gleason, location is between Union and University, and has approximately 50 residences within 300 feet of the AWW.
2. The appellant Hillclimb Court, represented by Michael Roberts, location is between Pike and Pine with 75 residences within 30 feet of the viaduct.
3. The AWW Pre-Demolition Noise Monitoring Sites (sound testing sites) on page 12 of the application show five (5) more resident buildings on Alaskan Way, Western Ave, Main Street and First Ave S. The Elliott Point Apts (70 units), The Waterfront Landing Condominiums (232 units), the Compass Center (temporary housing), Our Home Hotel condos (75 units) and the Triangle Building (5 units) all sites with which Mr. Dasher of the city of Seattle stated his familiarity. All within 50 feet of the viaduct.
4. Mr. Dasher also stated that there were residences throughout the commercial zones.
5. Residences on either side of the Columbia and Seneca off ramps were referred to by the city's witnesses, when they stated the problem with parking access for these residential buildings as a concern.

This blatant attempt to mislead the public to believe that residences were not within the impact zone should not be acceptable to our city. Nor should the lack of evidence of the project being economically unreasonable with any other potential schedule was simply not presented. Nor was any evidence presented showing the project functionally unreasonable with any other schedule.

Pg 2 of 3

Finally, the noise expert said that the STC (Sound Transmission Rating) was not necessarily the best criteria for evaluating this project. She said the equivalent noise measurements were the best way to measure any health risks to the public. She admitted she would not personally tolerate sound of 72 DBA (a vacuum cleaner) in her home in the middle of the night. Yet that is the level of sound to which the residents within 100 feet of the viaduct project will be subjected 24/7 if this variance stands.

No reference to residents' health was stated as an impact on the application or by the witnesses. The only impacts addressed by the witness from the State (Mr. Nielsen) were those of business concerns, holiday shopping and summer tourist season. The only impacts to residences stated by Mr. Dasher were those of parking egress. This shows a pattern of disregard for the quiet enjoyment of our property.

I strongly urge you to reconsider the hours granted in the NVA. To subject the citizenry of Seattle who reside near or immediately by the demolition to such noise levels during the night is simply not acceptable. If you believe it is, then one must ask themselves, when did we become a city who cares less for its people and more for its commercial entities?

Thank you for your consideration.

Kay Smith-Blum  
Representing the residents of the Pomeroy Condos  
2319 First Ave Seattle WA 98121

Page 3 of 3



## Fax Cover Sheet

Date 7.18.2018

Number of pages 3 (including cover page)

To:  
Name Seattle Hearing Examiner  
Company City of Seattle  
Telephone 206 615 1718  
Fax 206 684 0536

From:  
Name Kay Smith-Rum  
Company Romero Condos  
Telephone 206 498 2160

Comments Closing STATEMENT in Appeal of  
NOISE VARIANCE #3029782



Fax - Local Send



Fax - Domestic Send



Fax - International Send

fedex.com 1.800.GoFedEx 1.800.463.3339

© 2015 FedEx. All rights reserved. Products, services and hours vary by location. 615.OP00.002

0017745FM

