

9/22/03 For Comm agenda 10/20/03

Skip & Lenore Schloming

102-R Inman Street
Cambridge, MA 02139
617-354-2358
skore@comcast.net

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29 September 2003

Henrietta Davis
Vice Mayor
Cambridge City Hall
Cambridge, MA 02139

RE: The now infamous 100 Inman Street Noise Stand-off

Dear Vice Mayor Davis:

Our neighbor Megan Brook reported that you reported to her that a city official claimed that “**the Schlomings have refused to allow re-measurement of the noise levels** [emanating from 100 Inman Street’s rooftop HVAC equipment].”

This statement is incorrect. **We have all along requested measurement at the lot line at the level of the equipment** – and would obviously allow such measurement.

Let’s be clear about this matter. It is the City administration, through Deputy City Manager Richard Rossi, **that is refusing to take measurements at the lot line.**

The City is, instead, insisting that it will only take measurements of noise levels “**from the windows of your [our] house,**” in other words, **30 feet away from the lot line** and 33 feet away from the offending HVAC equipment.

Our position is that the Noise Ordinance requires a lot line reading, and to take measurements 30 feet away from the lot line greatly reduces the enforcement level intended by the Ordinance – leaving us to suffer extremely high noise levels days, evenings, weekends and holidays.

It has also come to our attention that the City administration is insisting on the window measurement location rather than the lot-line measurement location out of a fear that enforcement of the Noise Ordinance as written (a lot-line measurement) will cause undue hardship to Cambridge businesses.

First, let us suggest a compromise – that the city take measurements **at both places**, both at our windows and at the lot line. And perhaps it would also be advisable, to get a complete picture of our situation, to take measurements at a few other points on our property where the HVAC noise can be also be heard at bothersome levels (such as on our front steps, at the front door of the rented “studio garage” at the end of our driveway and in our driveway itself).

And then, let the City's hired acoustical expert interpret these results from all locations in light of the Noise Ordinance. Just to fill you in, exactly a year ago, the City entered into a contract with Acentech, Inc., a Cambridge-based acoustical engineering firm, to make measurements in our particular case, since the whole matter had become impossible to resolve within the City's own procedures. No measurements were taken under the contract, however, because of the stand-off over where to take them.

Second, as to whether enforcement of the Noise Ordinance as written will harm businesses, this is a factual question that should not be decided by administrative fear or ignorance. Indeed, a City Council committee such as the one you chair could investigate this matter factually by gathering evidence and testimony.

But we are clear that the technology exists to baffle the 100 Inman Street HVAC equipment, and it is not inordinately expensive. Several years ago, in fact, the owner of 100 Inman Street, Ed O'Lear, presented a contract for an 80-foot-long metal wall, 10 or 12 feet high, from a sound-barrier manufacturer, at a price tag of \$16,000.

Subsequently, we investigated sound-barrier manufacturers listed on the Internet and found that sound-barrier walls can be constructed quite simply from multiple layers of inexpensive pressure-treated (all-weather) plywood. The more layers of plywood, the greater the sound-dampening effect of the barrier wall. This type of wood-frame construction wall would be both relatively inexpensive (local carpenters could build it) and could be finished with clapboards and a shed-style roof to meet the Historic Commission's aesthetic requirements.

Also, by using basic carpentry construction of walls around the equipment and a roof over the equipment, we would avoid the 80-foot length and 10-to-12-foot height that were problematic in O'Lear's original sound-barrier contract.

The City currently requires all new construction to meet the Noise Ordinance requirements. Moreover, as we have here noted, the technology is already available to baffle existing rooftop equipment such as the HVAC at 100 Inman, and it does not appear expensive.

So let us move forward. We offer a compromise herein by suggesting measurements be taken in all locations. And we suggest that the City Council investigate if any significant hardship would result to businesses from enforcement of the Noise Ordinance as written.

Your help, Madame Vice Mayor, in investigating already into this matter is very greatly appreciated, and we hope it will lead to resolution of this long-standing, unresolved issue.

Sincerely,



Skip Schloming

Cc: All City Councilors
City Manager Robert Healy
Deputy City Manager Richard Rossi
Wayne Barron and Megan Brook, 103 Inman Street

5316

Communication #4

A communication was received
from Skip and Lenore Schloming,
regarding noise at 100 Inman Street.

In City Council October 20, 2003

**REFERRED TO CITY MANAGER
ON MOTION OF VICE MAYOR
DAVIS**