

November 6, 2003

Christopher O. Ward
Commissioner, NYC DEP
59-17 Junction Blvd.
Corona, NY 11368

Re: Noise Code

Dear Commissioner Ward,

We commend DEP's initiative to update the City's antiquated Noise Code and define with greater specificity unreasonable levels of noise. It is of special interest to us to learn that DEP is specifically looking into noise problems in mixed use areas.

While Chelsea and Clinton are primarily residential, our mixed use nature is characteristic and pervasive. In fact, it is not uncommon to find a multiplicity of uses within a single block. As well as residential, these uses include institutional, manufacturing, retail, restaurants, night clubs, and bars, and auto related services.

Residents as well as business owners in our community are eager to have in place a revised code so they can better monitor noise levels. How will the new code address noise from clubs or restaurants in the middle of residential blocks? How will the code measure a cacophony of horn honking in front of an establishment or parked or passing vehicles playing sound systems brutally loud? Will the code address the noise generated by raised but unamplified voices?

It should be noted that residents living above or next door to establishments playing music are especially sensitive to low frequency bass. In addition to general decibel levels, it's important to monitor these frequencies and to have the equipment to do so.

We are also a high traffic area with a high ambient noise level from cars, buses, trucks, and from the continual construction activities of a tremendous amount of new development. HVAC and other mechanical equipment on neighboring properties are also a frequent cause of complaints about noise, as well as odors and exhaust emission.

Our neighborhoods are not only characterized by a mix of uses but also by density. Often, a single source of noise is not a problem in itself, but becomes one when added to other noises.

C. Ward
November 6, 2003
Page 2 of 2

The cumulative effect of multiple sources of noise is one we hope the revised Noise Code will take into consideration.

As we are sure you are aware, DEP inspectors and local precincts will need the tools for enforcement, especially proper equipment and adequate training. Remote monitoring over several hours, or perhaps days, for all noise concerns, may also be necessary to measure and fix problems. How will this be implemented?

We feel that making acceptable decibel levels commensurate with the character of each neighborhood is a welcome and much needed approach to updating the Noise Code. We are also heartened by reports that communities will be consulted. Given the nature and evolution of our own community, and the fact that we have been dealing with noise issues intensely for several years, we welcome the opportunity to participate in and be consulted on the study.

Thank you,

Sincerely,



Walter Mankoff
Chair
Manhattan Community Board No. 4

Millie Glaberman
Co-Chair
Quality of Life Committee

Jean Daniel Noland
Co-Chair
Quality of Life Committee