



June 20, 2014

**BY ELECTRONIC MAIL: [cjoyce@acton-ma.gov](mailto:cjoyce@acton-ma.gov)  
AND FIRST CLASS MAIL**

Acton Board of Selectmen  
Acton Town Hall  
472 Main St.  
Acton, MA 01720

Re: 848 Main Street, Acton – Special Permit Application

Dear Members of the Board:

As you may recall, this firm represents neighbors and abutters to the proposed wood processing operation located at 848 Main Street in Acton, on land identified as Assessor's Map C5, Parcel 39 (the "Project Site"). I have reviewed the three proposals the Board received from acoustical consulting firms, which were posted on the Town's website today, and would like to offer some brief comments.

Of the three proposals, we think the superior proposal is the one from Cavanaugh Tocci Associates, Inc. ("CTA"). I have worked with this firm in the past, and have confidence that they will understand the Board's objectives and do a professional job.

I have some concerns with the proposal from Epsilon Associates, Inc.. First, the firm seems to be operating under the premise that a legal wood processing operation is already on the Project Site, which of course is false. Second, Epsilon's price is almost twice as much as the price quoted by CTA, for essentially the same scope of work.

In my opinion, the proposal from Noise Control Engineering, LLC is the least favorable. The proposal states that measuring background (ambient) sound levels would be an "optional" task. We think it is essential that ambient sound be measured in order to determine the noise impacts from the proposed wood operation. We also think that CTA's proposed methods of data collection and evaluation are more comprehensive than NCE's, and for approximately the same cost to the Town.

All of the proposals appear to suggest that the operative standard by which it will be measuring compliance is the DEP noise regulation, which generally prohibits sound levels of more than 10 decibels above background (ambient) levels. The Zoning Bylaw's special permit

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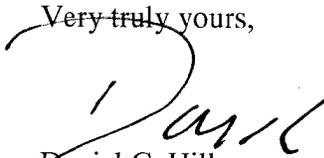
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criteria, which is the operative standard here, makes no reference to the 10 decibel standard. While the Board may consider the DEP standard as one point of reference in its deliberations, it should not assume that if the wood operation does not exceed that standard, its noise impacts will be nominal or somehow acceptable. Whoever is selected as the peer review consultant should be advised that the DEP standard is not the only legal standard relevant to this proceeding.

My only substantive critiques with the CTA proposal are the time duration of the data collection for the ambient sound levels and the proposed task of developing mitigating measures for reducing noise from the operation. First, CTA proposes to collect ambient sound for just one business day. In my opinion, this does not provide a reliable baseline, as something unusual could happen on any one given day, skewing what the sound levels might be on a *typical* day. In particular, weather can be a significant factor in sound data collection (wind, rain). In other similar sound studies we have worked on or are familiar with, ambient sound data is collected over a period of several days, to control for any aberrations or outliers. With respect to mitigation, we do not think it is appropriate for a firm engaged by the Town to make such suggestions for the benefit of an applicant. If the applicant wishes to propose mitigating measures to reduce noise, it can do that itself, and the Town and its peer review consultant can review those measures as potential conditions to a permit. If CTA is chosen, which we recommend, we would request that these minor modifications be made to CTA's proposal/scope.

Thank you for your consideration.

Very truly yours,



Daniel C. Hill

cc: Scott Mutch, Zoning Enforcement Officer  
Clients