

## SUPPLEMENTARY MEMORANDUM

TO: Town Supervisor Lewis Grubham ([supervisor@townofkirkwood.org](mailto:supervisor@townofkirkwood.org))  
Planning Board Chairman Marchie Diffendorf ([marchiediff@yahoo.com](mailto:marchiediff@yahoo.com))  
Town of Kirkwood, New York

FROM: Adam P. Meinstein

DATE: December 2, 2022

RE: **Exhibit 'A' to November 22, 2022 Memorandum from Applicant**  
**Discussion of Noise in Area of Five Mile Point Warehouse Investors, LLC proposed project**  
**on the site of Five Mile Point Speedway (the "Project")**

In this Supplemental Memorandum to our 239 Reply, we provide additional data to refute the case made by Broome County Planning that we are introducing noise that "will alter the community character" and have a significant impact on noise in the Project area. As discussed below, the immediate area of the Project already currently experiences significant noise from Interstate 81 traffic, Five Mile Point Motor Speedway, other State Highway traffic and area businesses and traffic. Noise from the standard industrial uses in the Project are not anticipated to materially increase those levels.

To measure the noise level of different sounds a measurement unit called the decibel (dB) is utilized, which represents a sound's intensity. To measure a sound's frequency, the hertz (Hz) is the measure that is used. Each time a sound's decibel level increases by 10, its intensity multiplies by 10. However, the decibel scale is logarithmic, not linear. Therefore, a 10 dB sound is 10 times more intense than a 0 dB sound, a 20 dB sound is 100 times more intense, and a 30 dB sound is 1,000 times more intense.

We have attached pages generated from the U.S. Department of Transportation's National Transportation Noise Map (<https://maps.dot.gov/BTS/NationalTransportationNoiseMap/>) for your consideration as Exhibit A-1 and A-2, with a focus on the immediate subject area surrounding Kirkwood (2016-2018 data available). The DOT Noise Map is an online interactive map, which visualizes noise pollution from aviation, road and rail across the whole United States. It provides a picture of the potential exposure to aviation and highway noise for any location in the country. The colors on the map visualize the number of decibels of transportation noise. These levels reflect the estimated average noise levels over a 24-hour period. The Noise Map includes filters which allow you to view noise levels from aviation, road and rail combined, or to view the noise level from each of these modes of transportation individually.

Please note that the Project abuts Interstate 81, which shows a wide, prominent band of intense noise cutting through Kirkwood and Broome County, with estimated average decibel levels in the 60-80 dB range over a normal 24-hour period. Route 11 along the west side of Valley Park and the shopping center and the access roads leading to Interstates 81 and 86 all show estimated average decibel levels in the 55-60 dB range. It is our opinion that the traffic generated by the Project will not provide considerable decibel increases to an area with relatively high background levels of noise as shown on the National Transportation Noise Map. Further, the area decibel levels shown in the attached exhibits on the DOT Noise Map are not consistent with Broome County's characterization of the entire subject area as merely residential and quiet in character.

On Friday, October 28, 2022 and on Saturday, October 29, 2022, a representative of the Project developer took decibel readings during the Five Mile Point Speedway Quarter Mile Motor Races. We utilized a RISEPRO® Digital

Sound Level Meter, which measures range from 30 – 130 dB with frequency range from 31.5 to 4Khz. The device is reported to be highly accurate within +/-1.5dB. Please see attached Exhibit A-3. Each of the race days, we arrived to start our study approximately 1.5 hours prior to race time, when the noise was primarily from spectators arriving by vehicles and haulers and race cars starting to prepare for the events of the evening. We also took readings close to Interstate 81 to assess those sound levels at race-time. During the race, we took decibel readings from various locations around the Speedway course and the immediate neighborhood. A few points are worth noting:

- The Friday and Saturday races both generated similar sound readings to each other. The Saturday races began earlier than the Friday races, so our decibel measurement on Saturday started about 2 hours before the start time of the Friday races.
- Prior to the races, average decibel readings in various locations ranged from a minimum average of 56 dB up to a maximum average of 73 dB; near the track edge and Interstate 81, the reading was as high as approx. 80 dB.
- During the races, average decibel readings in various locations ranged from a minimum average of 69 dB up to a maximum average of 93 dB; near track edge and Interstate 81, the reading was as high as approximately 115 dB. Measurements taken from off site locations, such as Williams Street, the Frances Street auto repair facility and the Anthos Apartments ranged an average of 75-80 dB.
- Sound measure during the races from the side median of Interstate 81, southbound, resulted in readings ranging from a minimum of 64 dB up to a maximum of 92 dB.
- We were told from several civil engineers on our Project team, anecdotally, that noise from the Five Mile Point Speedway races can be typically heard from as far as 4-5 miles away.

It will come as no great revelation to anyone living in the immediate area of the Project to hear that Five Mile Point Speedway and Interstate 81 both make considerable noise. However, our goal here is to provide some sample sound readings that allow us to dispel certain myths and mischaracterizations that were part of the unbalanced Broome County Review.

To get additional data on neighborhood noise on “non-race” day, the representative of the Project developer took dB readings in various locations on Thursday, November 17, 2022. Please see attached Exhibit A-4. Some observations follow:

- Readings from locations 1, 2, 3, 9 and 10 were all heavily influenced by Interstate 81 noise and all generated dB readings consistent with the estimates on the U.S. Department of Transportation's National Transportation Noise Map; low end noise readings ranged from 50-60 dB and high readings were in the 80's dB range. Also, please note that the western side of Interstate 81 has no noise attenuation panels like the east side.
- Readings in the area of Valley Park were at a low around the 50 dB level and highs around the 80's dB level. The highs are generated by considerable volumes of traffic travelling along Crescent Street and vehicles coming and going from the Interstate highway ramps.
- Readings on Frances Street near the dentist office and near the Project entrance were in the average low range around 50 dB and average highs in the low 80s dB.

Please note that the developer is not an engineer in the field of sound study. Each dB reading above was taken over a period of several minutes and by no means represents average daily levels from a particular location. However, based upon available data from samples taken on a typical weekday we have the following observations:

- Loud traffic noise already exists on Frances Street just west of Interstate 81 and on Frances Street in the area of Valley Park. This noise is generated from Interstate 81 and traffic traveling to and from the

Interstates on Crescent and access roads. The Project is framed on each side by these respective nodes of traffic noise.

- There is only approximately 1/5 of mile distance from the proposed Project entry on Frances Street to Crescent St and approximately another 1/5 mile from Crescent to the Interstate access roads. Traffic speeds on Frances Street are projected to be very moderate at 30 mph (current speed limit), which minimizes sound from both cars and trucks. The future 4-way all-stop traffic sign (or signal) at the immediate corner of Frances and Crescent Streets will further control speed and noise.
- The preponderance of land uses along Frances Street are already commercial and industrial in nature. Please see attached Exhibit A-5 as a reminder of those uses for the short distance of Frances Street that will be utilized by the Project. Traffic volumes and road noise are projected to be moderate and whatever noise generated should be isolated to the immediate road area itself.
- There is no use anticipated for the Project that will generate noise anywhere near the high decibel levels created by Five Mile Point Motor Speedway at race-time or to those generated by the huge volumes of 24/7/365 traffic on Interstate 81.
- The Project was designed with limited lot coverage, generous green area and more than adequate setbacks from adjacent uses, which will further serve to limit noise.

Thank you for your review of this Supplemental information to our detailed Memorandum for this important proposed Project. We humbly request, after your careful consideration of our application and the points addressed in this Memorandum and this supplement, that (1) you refer our re-zoning request and site plan application to the Town of Kirkwood Planning Board and (2) that the Town Board set a date for a public hearing on this Project.

I look forward to answering any questions or providing clarifications to the details provided herein.

Cc: Sarah Campbell, Hinman, Howard & Kattell, LLP  
Kenneth Ellsworth, Keith Barney, Keystone Associates  
Gordon Stansbury, GTS Consulting



Kirkwood, New York, Unit...

Rail ( ) Noise in the U.S. for 2016 and 2018

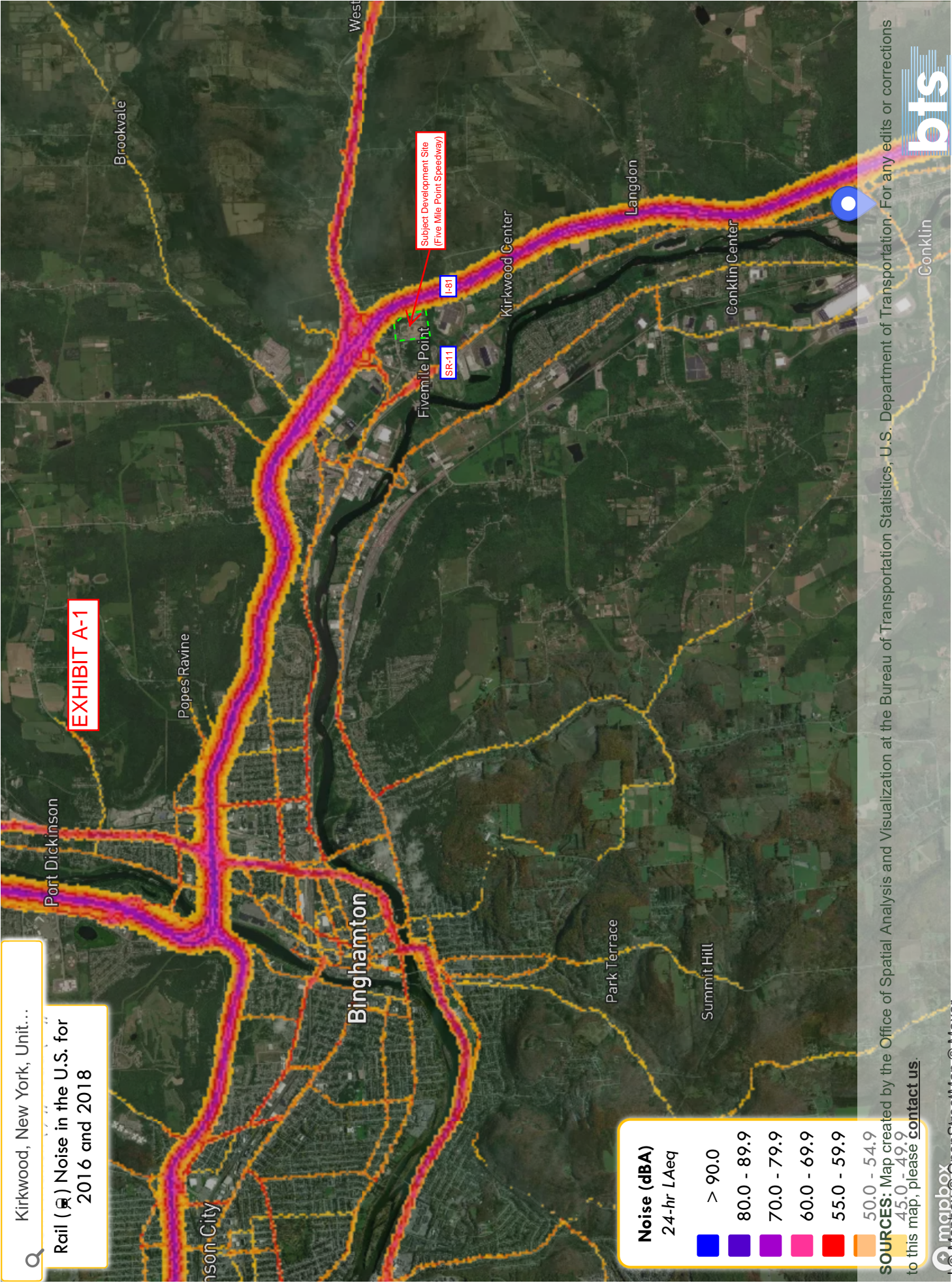




EXHIBIT A-2

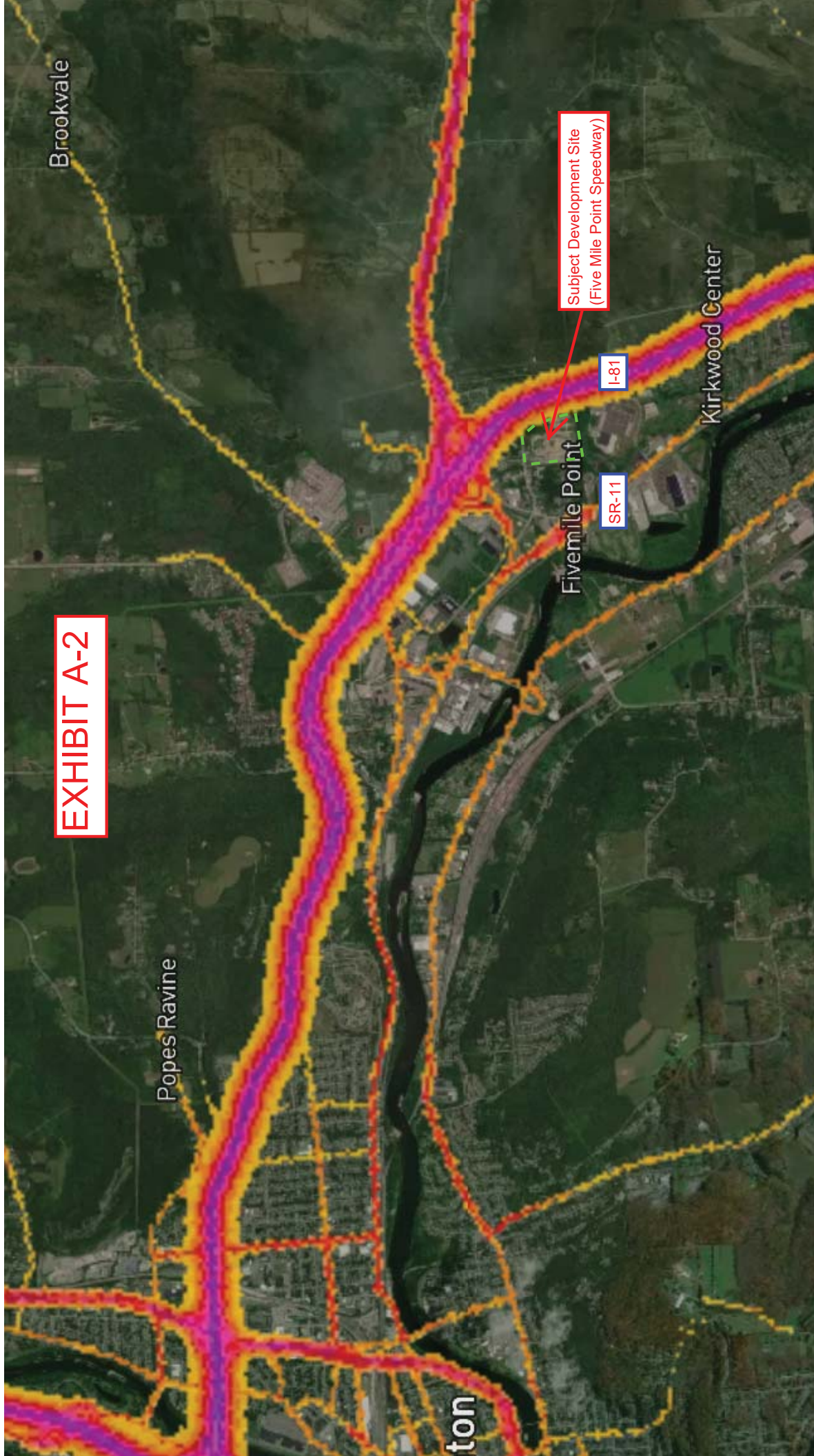




EXHIBIT A-3

DECIBEL (DB) READINGS FROM FRIDAY, OCTOBER 28, 2022

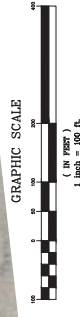
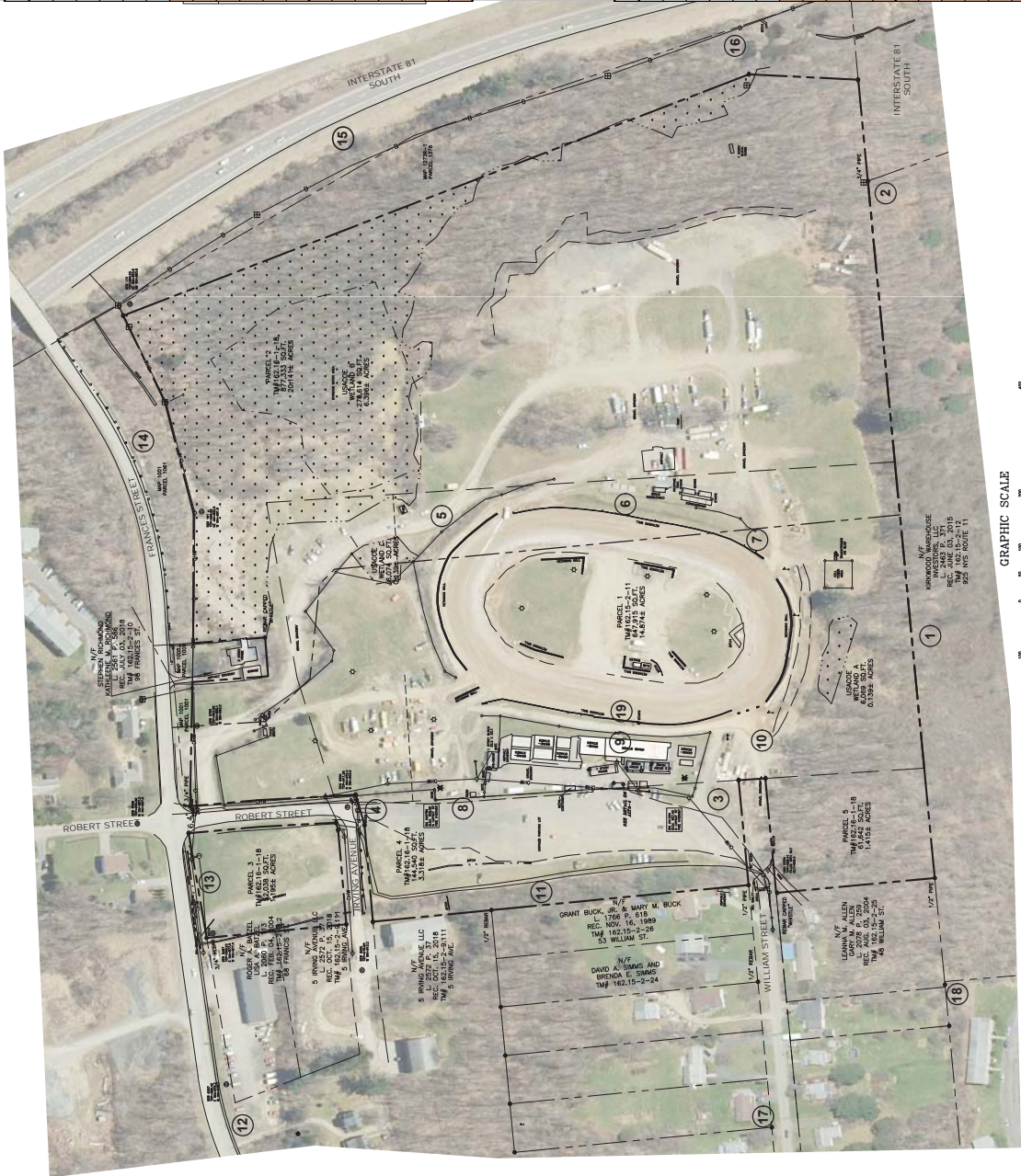
Decibal Readings (dB)				Notes:
Loc.	Time	Min	Max	
1	4:30 PM	52	65	Noise from I-81. Edge of Triumph parking.
2	4:45 PM	51	67	I-81 and yard jockey noise
3	5:00 PM	52	72	South edge of race parking - spectator noise
4	5:15 PM	56	74	Irving Ave & Robert St - spectator noise
5	5:30 PM	62	79	NEC of track edge- 81, haulers, engines
6	5:45 PM	64	81	Eastern track Pit's side bleachers.
7	6:00 PM	80	106	Practice races start. SEC of track edge.
8	6:15 PM	66	90	Heat races. Edge of race parking.
9	6:30 PM	72	100	Heat races. Grandstands.
10	6:45 PM	76	96	Heat races. SWC of track.
11	7:00 PM	67	89	Heat races. Western edge of race parking.
12	7:15 PM	71	93	Heat races. Frances St next to auto repair lot
13	7:30 PM	63	86	Heat races. Frances St - west of Robert St
14	7:45 PM	66	90	Heat races. Frances St - just west of I81
15	8:00 PM	68	92	Racing Action. On southbound side of I81.
16	8:15 PM	64	89	Racing Action. On southbound side of I81.
17	8:30 PM	64	89	Racing Action. William St west of track
18	9:00 PM	62	85	Racing Action. Anthos Apartment loop road
19	9:30 PM	76	105	Features. Grandstand.

Avg (1-19) 64.8 86.7  
Avg (1-6) 56.2 73.0  
Avg (1-19) 69.8 94.2

DECIBEL (DB) READINGS FROM SATURDAY, OCTOBER 29, 2022

Decibal Readings (dB)				Notes:
Loc.	Time	Min	Max	
1	2:30 PM	54	65	Noise from I-81. Edge of Triumph parking.
2	2:45 PM	50	68	I-81 noise only
3	3:00 PM	55	72	South edge of race parking - spectator noise
4	3:15 PM	57	75	Irving Ave & Robert St - spectator noise
5	3:30 PM	62	78	NEC of track edge- 81, haulers, engines
6	3:45 PM	64	83	Eastern track Pit's side bleachers.
7	4:00 PM	82	115	Practice races start. SEC of track edge.
8	4:30 PM	67	94	Heat races. Edge of race parking.
9	5:00 PM	77	101	Heat races. Grandstands.
10	5:30 PM	78	98	Heat races. SWC of track.
11	5:45 PM	66	88	Heat races. Western edge of race parking.
12	6:00 PM	62	83	Heat races. Frances St next to auto repair lot
13	6:15 PM	64	85	Heat races. Frances St - west of Robert St
14	6:45 PM	66	88	Heat races. Frances St - just west of I81
15	7:30 PM	68	91	Racing Action. On southbound side of I81.
16	7:45 PM	67	90	Racing Action. On southbound side of I81.
17	8:15 PM	67	91	Racing Action. William St west of track
18	8:30 PM	65	86	Racing Action. Anthos Apartment loop road
19	9:17 PM	78	115	Modified Feature. Grandstand.

Avg (1-19) 65.7 87.7  
Avg (1-6) 57.0 73.5  
Avg (7-19) 68.8 93.1





# EXHIBIT A-4



DECIBEL (DB) READINGS FROM THURSDAY, NOVEMBER 17, 2022				
Loc.	Time	Decibal Readings (dB)		Notes:
		Min	Max	
1	12:15 PM	53	83	Noise from I-81. Edge of Triumph parking.
2	12:30 PM	51	81	Noise from I-81. Edge of Triumph parking.
3	12:45 PM	62	80	Noise from I-81. Edge of Triumph parking.
4	1:00 PM	60	78	Buckingham Mfg. - Grossett Drive
5	1:15 PM	47	84	Frances Street - Edge of softball field
6	1:30 PM	51	78	Frances St - Parking across from softball field
7	1:45 PM	60	79	Frances St - Dentist office parking lot
8	2:55 PM	46	86	Frances St - Future project entry
9	3:15 PM	51	89	Frances St - West side of I-81.
10	3:30 PM	62	81	Frances St - East side of I-81.
11	4:00 PM	28	84	Church at Grossett and SR-11.
Avg (1-19)		51.9	82.1	



EXHIBIT A-5

