

Inspection Services
Michael J. Nugent
Manager

Department of Urban Development
Joseph E. Gray, Jr.
Director



CITY OF PORTLAND

June 20, 2000

Stan Bennett/President
Oakhurst Dairy
364 Forest Ave.
Portland, ME 04101

Re: Oakhurst Site, 4 to 32 Canco Road (142 I001)

Hand Delivery

Dear Mr. Bennett,

Through recent noise complaints, our office conducted sound level tests to determine the levels of sound being emitted from the above property on 6/15/00 at 7pm. There are diesel / electric compressors supplying refrigeration for your business that exceeds the maximum allowable dBA levels for this I-M, moderate industrial zone. I have attached copies of the requirements for this zone. Between the hours of 10:00 p.m. and 7:00 a.m., the maximum permissible sound level of any continuous, regular or frequent source of sound produce by an activity shall be no more than 55 dBA. Three sound readings were done resulting in levels of 62 and 64 dBA along the abutters property line. You are in violation of the Zoning Ordinance for noise levels.

This is a notice of violation pursuant to Section 14-252 of the Code. The equipment shall not be used after 10pm and any equipment used between 7am and 10 pm shall not exceed 70 dBA.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code and in Title 30-A M.R.S.A. ss 4452.

This constitutes an appealable decision pursuant to Section 14-472 of the Code. Please feel free to contact me at 874-8700 , if you wish to discuss the matter or have any questions.

Sincerely

Mike Nugent
Manager of Inspection Services

cc/Central File