



Village of Rhinebeck  
76 East Market Street  
Rhinebeck NY 12572

c/o:

Ms. Brandee Nelson  
Tighe & Bond  
47 West Market Street  
Rhinebeck NY 12572

6 Mulberry Street (the Project)  
Rhinebeck NY 12572  
MEMO: Construction Noise  
Hours of Operation

**Construction Hours:**

Residential Construction shall be allowed between 7 AM and 6 PM on weekdays. Work may take place at other times only if the site has a construction variance/permit from the Village of Rhinebeck.

**Unlawful Noises:**

**Building Construction:**

Operating or permitting the operation of any tool or equipment used in construction drilling or demolition work, including excavation, and the alteration or repair of any building between the hours of 10:00 p.m. and 7:00 a.m., except in the case of an emergency or the interests of public safety.

**Refuse Compacting:**

The operation of a refuse compacting vehicle in the process of compacting or collecting refuse contained in a dumpster or similar receptacle between the hours of 10:00 p.m. and 7:00 a.m. or the operation of a refuse compacting vehicle in the process of compacting or collecting refuse contained in individual garbage cans between the hours of 10:00 p.m. and 7:00 a.m.

**Heavy Equipment:**

The operation of any pile driver, bulldozer, pneumatic hammer, grinder, or other construction equipment which creates unreasonable noise, except between 7:00 a.m. and 6:00 p.m. on weekdays, and between 10:00 a.m. and 6:00 p.m. Saturdays, except as may otherwise be permitted by the Building Inspector in cases of urgent necessity in the interest of public safety. The operation or use of such heavy equipment on Sundays and legal holidays is prohibited.

**Machinery:**

The operation of any machinery, equipment, pump, fan, air-conditioning apparatus, or other mechanical device in such a manner as to create unreasonable noise.

**Loading and Unloading:**

The loading or unloading of any materials, equipment, or the handling of bales, boxes, crates, containers, or similar objects so as to create unreasonable noise.



**Vibration:**

The operating or permitting the operation of any device that creates vibration which is above the vibration perception threshold of an individual beyond the property where the source is located. For the purposes of this section, "vibration perception threshold" means the minimum ground- or structure-borne vibrational motion necessary to cause a normal person to be aware of the vibration by such direct means as, but not limited to, sensation by touch or visual observation of moving objects.

**Presumptive Evidence:**

It shall be prima facie evidence that an act is in violation of this memo when a sound-level meter indicates that the decibel level of a particular activity is in excess of 60 dBA between the hours of 7:00 a.m. and 9:00 p.m. and 50 dBA between the hours of 9:00 p.m. and 7:00 a.m. measured at a distance of 50 feet from the source of the noise. All measurements will be made on the A-weighted sound level of a sound-level meter with a slow response.

**Exempt Sounds:**

Sounds which are authorized as exempt from the above described Unlawful Noises, by resolution of the Village of Rhinebeck Board of Trustees because said noise, although otherwise causing unreasonable noise, would be generated from a non public-works project where the Village of Rhinebeck Board of Trustees, for good cause shown, has determined that such waiver would be protective of the general health, safety and welfare of the citizenry of the Village of Rhinebeck and/or a necessary consequence of executing the approved and permitted Project in a reasonable and efficient manner. However, should noise become a problem, the Village of Rhinebeck Board of Trustees may rescind or modify the waiver.

Respectfully,

David Ruff AIA, RA, NCARB  
NAVA Partners LLC  
Dutchess Shepherd LLC