



11930 Cyrus Way
Mukilteo, WA 98275
(425) 263-8000

NOTICE OF NOISE VARIANCE APPROVAL

VAR-NOISE-24-001

Location: 47th Pl W and 106th St SW
Application Submitted: April 19, 2024
Determined Complete: June 6, 2024
Project Applicant: Gael Fisk P.E., gfisk@mukilteowa.gov
City Contact: Devyn Walter, dwalter@mukilteowa.gov
File Number: VAR-NOISE-24-001



Scan for project information

Proposal: This variance will allow up to 21 days of work (a maximum of five in a row) outside of the City's allowed construction hours of (7am – 9pm on weekdays; 9am to 7pm on weekends/holidays). Specific nights will depend on project scheduling and on when the weather is conducive to the work that needs to be performed.

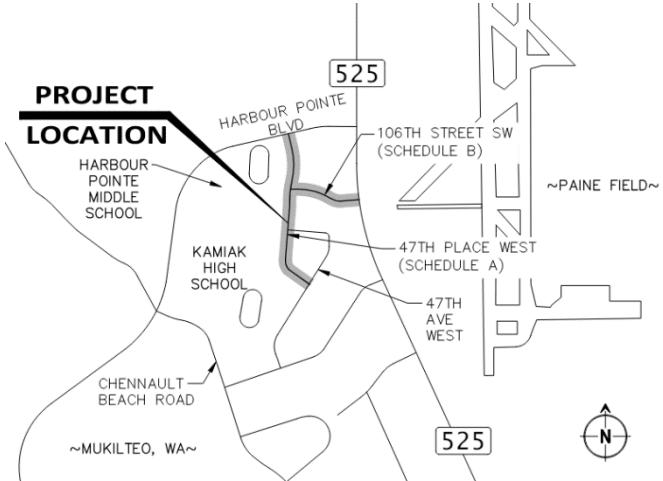
The purpose of this request is to support road work on 47th Pl W and 106th St SW. The work will preserve the life of the pavement and install permanent pavement markings, bicycle lanes, a pedestrian light, and stormwater features.

The noise variance will support timely completion of the project – planned to begin in September or October of 2024. Nearby property owners will receive project update mailer from the contractor once construction start date is confirmed.

Findings: There are special circumstances (namely the size of this project and the need to complete it in a timely manner to minimize economic harms from circulation disruptions) that make compliance with construction hours infeasible.

Decision: The project was reviewed for consistency with the standards and regulations of the Mukilteo Municipal Code ([MMC 9.46](#)) and the Washington Administrative Code ([WAC 173-60](#)) and is hereby **APPROVED** with the following conditions:

1. The noise variance shall be valid for up to 21 nights (with no more than 5 consecutive nights).
2. Contractor shall provide residents and businesses within 500 feet of the work zone with a notice of the project which shall:
 - Be mailed at least 10 calendar days, but no sooner than 30 calendar days, in advance of the first day of night work associated with the activity.
 - Provide a name and contact number for residents/businesses to call that will be answered during the time the overnight work is taking place in order to respond to questions or comments.
3. All equipment and lights shall be shut off when not in use. All construction equipment and vehicles shall be equipped with non-pure tone back up alarms.



4. Construction lighting shall be directed towards the work area and shall not be turned towards residential areas.
5. Truck tailgate banging is prohibited. All trucks shall be secured to prevent excessive noise from banging.
6. All trucks performing export haul shall have well maintained bed liners as inspected and approved by the onsite inspector.
7. A copy of this noise variance decision shall be kept on the project site at all times, and available for inspection by City and other regulatory officials upon request.

A handwritten signature in black ink, appearing to read "T. Dale".

Date issued: June 18, 2024

Appeals: Any person aggrieved by the granting of this variance may appeal the decision to the Pollution Control Hearings Board, pursuant to RCW 43.21B under the procedures of WAC 371-08.

Additional information: Project documents, including any environmental checklists or supplemental reports, are available on the city's website: mukilteowa.gov/land-use-action-notices.