Session 5
23 CFR 772: Consideration of Viewpoints of Owners and Residents

Facilitator: Jay Waldschmidt, Wisconsin DOT

Participants:
- Bill Bowlby, Bowlby & Associates, Inc. (re: FHWA)
- Jay Waldschmidt, Wisconsin DOT
- Marilyn Jordahl-Larson, Minnesota DOT
- Carole Newvine, Oregon DOT

Discussants: Greg Smith, NC, and Tom Hanf, MI
FHWA Research on 23 CFR 772: Streamlining, Analysis, and Outreach

- Phase II, Task 3, Examination of Consideration of the Viewpoints Criterion for Abatement Reasonableness

- Purpose: To amend the Phase I work by inventorying and examining the variability in the factors used by SHAs in implementing the consideration of viewpoints requirement in 23 CFR 772

- Researchers: RSG, Bowlby & Associates, Inc., and Environmental Acoustics
How Viewpoints are Considered Affects Results
## Different Bases for Decisions Used by SHAs

<table>
<thead>
<tr>
<th>Basis for Decision</th>
<th>Number of SHAs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrier is reasonable based on percentage of votes received</td>
<td>22</td>
</tr>
<tr>
<td>Barrier is reasonable based on percentage of all possible votes</td>
<td>7</td>
</tr>
<tr>
<td>Barrier is reasonable, but policy is unclear if the percentage is of votes received or all possible votes</td>
<td>3</td>
</tr>
<tr>
<td>Barrier is NOT reasonable based on percentage of votes received</td>
<td>7</td>
</tr>
<tr>
<td>Barrier is NOT reasonable based on percentage of all possible votes</td>
<td>6</td>
</tr>
<tr>
<td>Percentage of votes received are given for a barrier to be reasonable AND to be NOT reasonable</td>
<td>5</td>
</tr>
<tr>
<td>Criteria for both reasonable and not reasonable but policy is unclear if it is in terms of percentage of votes received or all possible votes.</td>
<td>2</td>
</tr>
<tr>
<td>Percentage of “Yes” Votes of Votes Received</td>
<td>Number of SHAs</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>50%</td>
<td>4</td>
</tr>
<tr>
<td>&gt; 50%, 51%, 50%+1 vote</td>
<td>11</td>
</tr>
<tr>
<td>60%</td>
<td>1</td>
</tr>
<tr>
<td>67%</td>
<td>2</td>
</tr>
<tr>
<td>70%</td>
<td>1</td>
</tr>
<tr>
<td>75%</td>
<td>2</td>
</tr>
<tr>
<td>80% (of front row)</td>
<td>1</td>
</tr>
</tbody>
</table>
Voting in Favor of Barrier Based on % of Possible Received

<table>
<thead>
<tr>
<th>Percentage of “Yes” Votes of All Possible Votes</th>
<th>Number of SHAs</th>
</tr>
</thead>
<tbody>
<tr>
<td>50%</td>
<td>2</td>
</tr>
<tr>
<td>&gt; 50%, 51%, 50%+1 vote</td>
<td>4</td>
</tr>
<tr>
<td>67%</td>
<td>1</td>
</tr>
</tbody>
</table>

- For a multi-unit rental property (including a mobile home park), a 75% positive vote of the benefited renters would override an owner’s negative vote.

- A non-vote counts as being in favor of the abatement measure.
## Weighting of Votes by Owner-Occupant or Renter

(With No Additional Weightings)

<table>
<thead>
<tr>
<th>Number of SHAs</th>
<th>Owner-occupant</th>
<th>Rental</th>
<th>Total</th>
<th>Owner</th>
<th>Renter</th>
</tr>
</thead>
<tbody>
<tr>
<td>17 only say “property owners and residents”</td>
<td>Not stated (could be 1 or 2)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 only says “resident”</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>1</td>
<td>1</td>
<td>1</td>
<td>0.5</td>
<td>0.5</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>1</td>
<td>1</td>
<td>0.9*</td>
<td>0.1*</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>1</td>
<td>1</td>
<td>0.9/0.8</td>
<td>0.1/0.2</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>1</td>
<td>1</td>
<td>0.75*</td>
<td>0.25*</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td></td>
<td>Only owner votes count</td>
</tr>
<tr>
<td>1</td>
<td>1</td>
<td>1.5</td>
<td>1</td>
<td>0.5</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>1</td>
<td>2</td>
<td>1**</td>
<td>1**</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>5</td>
<td>6</td>
<td>5</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td></td>
<td>1***</td>
</tr>
</tbody>
</table>

*Has been interpreted as 0.9 total votes for owner of a multi-unit complex and 0.1 vote/renter

**For multi-unit complex: 1 vote for complex owner and 1 collective vote of all renters

***For a multi-unit land use, need 75% of benefited renters to override owner’s vote.
### Extra Weighting for First-row Benefited Receptors

<table>
<thead>
<tr>
<th># of SHAs</th>
<th>&quot;First-row&quot; (&quot;front-row&quot;)</th>
<th>Other row</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Owner-occupant</td>
<td>Rental</td>
</tr>
<tr>
<td>4</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>1</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>1*</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>1</td>
<td>3</td>
<td>3.5</td>
</tr>
<tr>
<td>1</td>
<td>4</td>
<td>3</td>
</tr>
</tbody>
</table>

Reduce owner vote by ½ if renter disagrees

Reduce owner vote by ½ if renter disagrees

* Stated as abutting or not abutting the highway ROW.

**For multi-family, owner votes are per property, not per unit.
### Extra Weighting for Impacted Benefited Receptors

<table>
<thead>
<tr>
<th># of SHAs</th>
<th>Impacted</th>
<th></th>
<th></th>
<th></th>
<th>Not Impacted</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Owner-occupant</td>
<td>Rental</td>
<td>Non-resident Owner</td>
<td>Rent</td>
<td>Owner-occupant</td>
<td>Rental</td>
<td>Non-resident Owner</td>
<td>Rent</td>
</tr>
<tr>
<td>1</td>
<td>4</td>
<td>4</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>0.5</td>
<td>0.5</td>
</tr>
<tr>
<td>1</td>
<td>5</td>
<td>5</td>
<td>3</td>
<td>2</td>
<td>3</td>
<td>3</td>
<td>2</td>
<td>1</td>
</tr>
</tbody>
</table>

- One SHA also weights votes by the predicted noise reduction
## Techniques used to Obtain Abatement Viewpoints and Votes

<table>
<thead>
<tr>
<th>Technique</th>
<th>Number of SHAs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailed questionnaires, surveys, etc.</td>
<td>34</td>
</tr>
<tr>
<td>Public involvement, meetings, workshops, etc.</td>
<td>23</td>
</tr>
<tr>
<td>Phone calls</td>
<td>8</td>
</tr>
<tr>
<td>Door-to-door interviews / flyers</td>
<td>8</td>
</tr>
<tr>
<td>E-mail</td>
<td>5</td>
</tr>
<tr>
<td>Website</td>
<td>5</td>
</tr>
<tr>
<td>“Other” outreach techniques</td>
<td>8</td>
</tr>
<tr>
<td>None specified</td>
<td>13</td>
</tr>
</tbody>
</table>
Status

- Final amended Phase 1 report has been submitted
- Final amended NAFRAT spreadsheet tool has been submitted
- Expected to replace current report and tool available on FHWA web site
Likely To Be Incorporated?

Whatcha Talkin’ Bout Jay?
WisDOT tries to hold a PIM no more than 2 years before the project will be let for a noise barrier determined feasible and reasonable.
Written notice of the PIM is sent to each person owning real property or leasing a residence in the following locations:

- Within 500’ in any direction from the noise barrier, or,

- Within the areas directly behind the proposed noise barrier and directly across the highway from the proposed noise barrier where the highest hourly traffic noise level approaches or exceeds the levels in FDM 23-30 Table 2.1.
PIM Notice Versions

➢ One version for those eligible to vote
  • Includes a voting ballot
  • Barrier color and texture comment form
  • Self-addressed stamped return envelope
  • Sent Registered Mail – Return Receipt Requested

➢ One version for those not eligible

➢ Brief notice also published in the newspaper

Session 5
Consideration of Viewpoints of Owners & Residents
2015 Noise Practitioner’s Summit
October 21 - 22, 2015
Who Gets To Vote?

- For each benefited receptor that is an owner-occupied residence, the owner gets one vote.
- For each benefitted receptor that is not an owner-occupied residence, the owner gets one vote and one resident gets one vote.

Session 5
Consideration of Viewpoints of Owners & Residents
2015 Noise Practitioner’s Summit
October 21 - 22, 2015
What Do They Vote On?

Build
or
No-Build
NOISE WALL VOTING BALLOT

There are five noise walls that are eligible to be incorporated into Stage 1 of the Verona Road project if the wall receives the support of benefitting receptors. For a noise wall to be constructed, WisDOT must receive a vote of support from a simple majority of all votes cast by the owners or residents of the benefitting receptors as follows:

- For each benefitting receptor that is owner-occupied, the owner will have one vote.
- For each benefitting receptor that is not owner-occupied, the owner will have one vote and one resident will have one vote.

Proposed Noise Wall #<Noise_Wall_No>

- <Renter_Last_Name>
- <Property_Address>
- <Property_CSZ>

☐ OWNER (I am the Owner of the Property Listed Above)
☐ RENTER (I am a renter in the Property Listed Above)
☐ I Support Construction of the Eligible Noise Wall
☐ I Do Not Support Construction of the Eligible Noise Wall

Please return this ballot with your vote using any of the following options:

1. Submit your ballot by e-mail to mark.vesperman@dot.wi.gov
2. Submit ballot using the self-addressed postage paid envelope included with this ballot by June 18, 2012.

The ballot is due to the Wisconsin Department of Transportation by June 18, 2012.

If you have any questions on the voting process please contact:

Mark Vesperman
Project Manager
Phone: (608) 246-7548
E-mail: mark.vesperman@dot.wi.gov

Una versión en español de este documento está disponible al reverso.
What Do They Comment On?

Color

and

Texture

Session 5
Consideration of Viewpoints of Owners & Residents
2015 Noise Practitioner’s Summit
October 21 - 22, 2015
PIM Handouts

- Project-specific process explanation handout
- WisDOT Noise Barrier Brochure
- Noise barrier aesthetics handout
- Noise barrier color/texture comment form
- Additional ballots

Session 5
Consideration of Viewpoints of Owners & Residents
2015 Noise Practitioner’s Summit
October 21 - 22, 2015
Aerial photos with;
- Noise barrier location & heights
- Receptor identification (addresses)
- Before and after sound levels
- Identification of benefited receptors

Artist’s renderings and/or digital pictures

Barrier effectiveness display

Noise barrier samples

PowerPoint presentation w/Q&A
To Build or Not To Build
That Is The Question

➤ If a simple majority (50%) of those returning ballots vote “Yes”, the barrier will be built.

➤ A non-vote is not counted as “Yes” or “No”.

➤ If less than 50% of eligible voters return a ballot, additional outreach is made.
A postcard citing the voting results and build or no-build decision is sent to those people that got PIM notices.

A notice of the build or no-build decision is published in the local newspaper.
Questions?

If you want electronic copies of any of the mailers, handouts or displays, please email me at:

jay.waldschmidt@dot.wi.gov
MnDOT’s Noise Barrier Audit & Noise Policy Review Process

Noise Practitioners Summit October 21–22, 2015

Marilyn Jordahl Larson, P.E.
MnDOT

We all have a stake in A B
Today’s Presentation:

- Response to Noise Barrier Audit
- Updates to the MnDOT Noise Policy
- New and updated guidance documents
- Questions
OLA Recommendations & MnDOT’s Action
Recommendation # 1 – MnDOT should change its procedure for assessing public support for noise barriers on federal projects.

MnDOT’s Action:


- Majority of voting points cast will determine if the wall is built.
Recommendation # 5 – MnDOT should increase transparency in its noise barrier policy decision making.

MnDOT’s Action:

- Review of existing policy by Technical Advisory Committee and Policy Advisory Committee
- Final Vote on draft policy by 6 elected officials and 2 citizens.
- Finalized Draft 2015 MnDOT Noise Policy for review and approval by FHWA, Division Office and DC Headquarters by May 12, 2015.
Updates to the MnDOT Noise Policy
Review of 2011 MnDOT Noise Policy

- Technical Advisory Committee (TAC)
- Policy Advisory Committee (PAC)
Technical Advisory Committee (TAC) membership and role:

- Technical experts and agency staff
- Reviewed topics for policy update
- Recommended and reviewed research items
- Helped to develop proposed policy revisions
<table>
<thead>
<tr>
<th>VOTE</th>
<th>NAME</th>
<th>AGENCY</th>
<th>OFFICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Mel Roseen</td>
<td>MnDOT</td>
<td>Environmental Stewardship</td>
</tr>
<tr>
<td>X</td>
<td>Marilyn Jordahl Larson</td>
<td>MnDOT</td>
<td>Environmental Stewardship</td>
</tr>
<tr>
<td>X</td>
<td>Peter Wasko</td>
<td>MnDOT</td>
<td>Metro District</td>
</tr>
<tr>
<td>4</td>
<td>Lynn Clarkowski</td>
<td>MnDOT</td>
<td>Environmental Stewardship</td>
</tr>
<tr>
<td>X</td>
<td>Lynnette Roshell</td>
<td>MnDOT</td>
<td>Central Office State Aid</td>
</tr>
<tr>
<td>X</td>
<td>Dan Erickson</td>
<td>MnDOT</td>
<td>Metro District State Aid</td>
</tr>
<tr>
<td>7</td>
<td>Laura Nehl-Trueman</td>
<td>MnDOT</td>
<td>Commissioner's Staff</td>
</tr>
<tr>
<td>8</td>
<td>Steve Grover</td>
<td>MnDOT</td>
<td>Materials Laboratory</td>
</tr>
<tr>
<td>9</td>
<td>Amr Jabr</td>
<td>MnDOT</td>
<td>Engineering Services</td>
</tr>
<tr>
<td>10</td>
<td>Phil Forst</td>
<td>FHWA</td>
<td>Minnesota Division</td>
</tr>
<tr>
<td>11</td>
<td>Melissa Kuskie (One MPCA member on each comm.)</td>
<td>MPCA</td>
<td>Air Assessment</td>
</tr>
<tr>
<td>12</td>
<td>Amanda Smith</td>
<td>MPCA</td>
<td>Air Assessment</td>
</tr>
<tr>
<td>X</td>
<td>Andrew Witter OR Jason Orcutt</td>
<td>Anoka County</td>
<td>Metro County</td>
</tr>
<tr>
<td>14</td>
<td>Jason Orcutt</td>
<td>Anoka County</td>
<td>Metro County</td>
</tr>
<tr>
<td>X</td>
<td>Jodi Teich</td>
<td>Stearns County</td>
<td>Out-state County</td>
</tr>
<tr>
<td>X</td>
<td>Mike Eastling OR Kristin Asher</td>
<td>Richfield</td>
<td>Metro City</td>
</tr>
<tr>
<td>17</td>
<td>Kristin Asher</td>
<td>Richfield</td>
<td>Metro City</td>
</tr>
<tr>
<td>X</td>
<td>Ron Wagner</td>
<td>Otsego</td>
<td>Out-state City</td>
</tr>
</tbody>
</table>
Policy Advisory Committee (PAC) membership and role:

➢ Elected and community representatives and agency staff

➢ Reviewed topics for policy update

➢ Provided input on topics to be reviewed

➢ Reviewed and provided comment on proposed policy changes recommended by the TAC
<table>
<thead>
<tr>
<th>VOTE</th>
<th>NAME</th>
<th>AGENCY</th>
<th>OFFICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Marilyn Jordahl Larson</td>
<td>MnDOT</td>
<td>Environmental Stewardship</td>
</tr>
<tr>
<td>2</td>
<td>Peter Wasko</td>
<td>MnDOT</td>
<td>Metro District</td>
</tr>
<tr>
<td>3</td>
<td>Rick Dalton</td>
<td>MnDOT</td>
<td>Metro District</td>
</tr>
<tr>
<td>4</td>
<td>Scott Pederson</td>
<td>MnDOT</td>
<td>Metro District</td>
</tr>
<tr>
<td>5</td>
<td>Ted Schoenecker</td>
<td>MnDOT</td>
<td>Central Office State Aid</td>
</tr>
<tr>
<td>6</td>
<td>Claudia Dumont</td>
<td>MnDOT</td>
<td>District 3 St. Cloud</td>
</tr>
<tr>
<td>7</td>
<td>Amr Jabr</td>
<td>MnDOT</td>
<td>Engineering Services</td>
</tr>
<tr>
<td>8</td>
<td>Erik Rudeen</td>
<td>MnDOT</td>
<td>Government Affairs Office</td>
</tr>
<tr>
<td>9</td>
<td>Phil Forst</td>
<td>FHWA</td>
<td>Minnesota Division</td>
</tr>
<tr>
<td>10</td>
<td>Derrrell Turner OR David Scott</td>
<td>FHWA</td>
<td>Minnesota Division</td>
</tr>
<tr>
<td>11</td>
<td>David Scott</td>
<td>FHWA</td>
<td>Minnesota Division</td>
</tr>
<tr>
<td>12</td>
<td>Melissa Kuskie</td>
<td>MPCA(One MPCA member on each comm.)</td>
<td>Air Assessment</td>
</tr>
<tr>
<td>13</td>
<td>Amanda Smith</td>
<td>MPCA</td>
<td>Air Assessment</td>
</tr>
<tr>
<td>X</td>
<td>Sen. Kari Dziedzic, D</td>
<td>Metro District (Dist. 60–Henn. Co.)</td>
<td>MN Legislature</td>
</tr>
<tr>
<td>X</td>
<td>Sen. David Osmek, R</td>
<td>Metro District (Dist. 33–Henn/Wright Co.)</td>
<td>MN Legislature</td>
</tr>
<tr>
<td>X</td>
<td>Sen. Vicki Jensen, D</td>
<td>Out–state District (Dist. 24–Steele Co.)</td>
<td>MN Legislature</td>
</tr>
<tr>
<td>X</td>
<td>Rep. Sandra Masin, D</td>
<td>Metro District (Dist. 51–A–Dakota Co.)</td>
<td>MN Legislature</td>
</tr>
<tr>
<td>X</td>
<td>Rep. David Fitzsimmons, R</td>
<td>Metro District (Dist. 30–B–Henn/Wright Co.)</td>
<td>MN Legislature</td>
</tr>
<tr>
<td>X</td>
<td>Rep. Mike Sundin, D</td>
<td>Out–state District (Dist. 11–A –Carlton Co.)</td>
<td>MN Legislature</td>
</tr>
<tr>
<td>X</td>
<td>Cordelia Pierson OR Dick Kavaney</td>
<td>Metro Citizen</td>
<td></td>
</tr>
<tr>
<td>X</td>
<td>Dana Weber</td>
<td>Out–state Citizen (Avon, MN)</td>
<td></td>
</tr>
</tbody>
</table>

X indicates the presence of a member from the MN Legislature.
Topics Voted On By TAC and PAC:

1. Voting results required to approve noise barrier
2. Voting points for abutting/non-abutting receptors
3. Proposed barrier design guided by MPCA or FHWA policy requirements
4. Use of visual screens
5. MnDOT Cost Effectiveness values for noise abatement
6. Voting point distribution for renter, owner, owner-occupied units
1. Voting results required to approve noise barrier

- 2015 Draft Noise Policy contains a new procedure for assessing public support:
  - Majority of voting points cast will determine if the wall is built.
  - If first solicitation achieves at least a 50% response rate of total voting points (either yes or no), the decision is based on the simple majority of voting points cast; no further solicitation is required.
  - If not, then a second solicitation of those who did not respond is required.
  - If 25% or greater of all possible voting points have been cast, the decision to construct/not construct is based on a simple majority of voting points cast.
  - If less than 25% of all possible votes are cast, the wall will NOT be constructed.
2. Voting points for abutting/non-abutting receptors

➤ Maintain current Policy provision: double the number of voting points for abutting benefitted receptors.

➤ Further clarification on abutting/non-abutting receptors.
Abutting Receptor – Qualifying Scenarios

Scenario 1

Scenario 2

Scenario 3

Scenario 4

Scenario 5

Scenario 6

Note: The extent of inset of a noise barrier from the right-of-way line is irrelevant with regard to the determination of abutting or non-abutting status of a property.

Definitions:

A - Receptor is considered to be **abutting** the Type I roadway project.

N.A. - Receptor is considered to be **not abutting** the Type I roadway project, (“non-abutting”).

Empty Lot – Lot is vacant and no building permit has been issued.
3. Proposed barrier design guided by MPCA or FHWA policy requirements

- Must adhere to applicable State and/or Federal noise standards
- Wording covers any legislative action on Minn Statute 116.07

4. Use of visual screens

- No obligation to provide a visual, non-acoustical screen for benefitted receptors that have rejected reasonable and feasible noise abatement.
5. MnDOT Cost Effectiveness values for noise abatement

- Keep $43,500/benefitted receptor (based on historical costs)
- Provides greatest opportunity for MN residents to consider reasonable and feasible noise abatement
- Greater opportunity for MnDOT to comply with MN State Noise Standards

6. Voting point distribution for resident, owner, owner-occupied units

- Current voting distribution is appropriate; Policy unchanged
Other Notable Noise Policy Changes/Updates:

- Assigning receptors to trails increased to 1 receptor/200’ of frontage
- Updated sample solicitation envelope, ballot and letter
- Updated examples of resident/owner point assignment
- Assigning receptors in cemeteries
- Determining worst noise hour
- How to analyze reflective noise
New and Updated Guidance Documents

New:

- How to analyze existing barriers
- How to determine physical limits of the noise analysis

Updated:

- Environmental document flow charts
- Additional examples of resident/owner point assignment
MnDOT’s 2015 Noise Policy & Guidance Documents:

http://www.dot.state.mn.us/environment/noise/index.html

Questions?

Thank You!
The noise abatement survey letter briefly explains the project and the noise impacts and provides a graphic or explanation of where the abatement will be located. The abatement survey letter must also explain the likelihood of abatement (see “Statement of Likelihood”, section 7.7).

The residents are then polled to see if they want abatement. If less than 50 percent of the benefited residents and property owners respond to the survey, a second survey will be sent out to the benefited receivers who did not respond to the first survey. The result of the second survey, combined with the results of the first survey, will be considered the opinion of the benefited receivers, even if less than a 50 percent response is obtained.

Percent yes is calculated as follows:
Percent yes = (total yes votes) / (total of yes and no votes returned) x 100
Votes from those responding to the noise abatement survey will be counted according to the following manner:

• Each **property owner** gets one vote.

• Benefited residents in multi-unit complexes (such as apartments) get one **collective vote** after those individual votes are tallied. A collective vote results in one yes vote or one no vote.

• The **property owner** of the multi-unit complex gets one vote.
• In the case of condominium complexes where some of the units are owner-occupied and some are rented, the owner-occupied unit gets one unique vote, the renters get a collective vote, and the offsite owners get one vote each.

• For mobile home and trailer parks, each resident gets a unique vote and the property owner gets one vote.

• A renter of a single-family property gets one vote and the owner gets one vote.
Session 5 - Questions

- Runkle, IL: Jails and prisons? Retirement homes with residents of various stages of cognition?
- Any way for receptors to vote on various heights of barriers (we think NO as this is a slippery slope…)?
- Hanf, MI: Benefiting units’ abatement approval vote during final design.
- Jordahl-Larson, MN : How do you consider wall impacts on first row residents not eligible to vote?
Session 5 - Questions

- Moch, ND: NDDOT is interested in methodology for completing this polling and the timeframe required during project development.
- Limage, NJ: What to do if residents do not want noise walls?
- For the states where Type II projects are nonexistent, what can we do?
- Reeves, TX: During public hearings, all proposed noise abatement is presented and documented via court reporter. Is it really necessary to conduct a noise workshop when noise walls are proposed along the main lanes and not along the right of way line, directly adjacent to benefitted receivers?
Session 5 - Questions

➤ Helm, MT: How can we streamline the balloting process?
➤ Alcala, OH: How are uninhabitable residential bldgs treated?
➤ Shellenberger, PA: What documentation of voting is required to be included in the Noise Report.
➤ Fikel, ID: If a project gets delayed long enough then would a poll taken 5 years ago still apply? When TNM 3.0 is in use, the noise report would have to be re-done so if a noise wall is warranted, then polling would have to be reinitiated.
Session 5 - Questions

- Should you/how should you weight votes by row, impact status, noise reduction, type of receptor (owner-occupant, off-site owner (SFR or multifamily residences, apartment buildings), resident, renter, mobile homes, condos)?
- How many times should you solicit a vote?
- How do you treat or count non-responses?
- Should you decide base on a percentage of all eligible votes or on a percentage of only received votes? What if there is a low response rate?