



# **POLICY FOR CONSTRUCTION OF NOISE BARRIERS IN RESIDENTIAL AREAS**

Effective Date: October 31, 2006

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## **I. Introduction**

The New Jersey Turnpike Authority (the “Authority”) has reviewed and reexamined its current Policy for Construction of Noise Barriers in Residential Areas (the “Policy”) to consider appropriate modifications and updates that reflect current state-of-the-practice criteria and procedures. The Policy was developed to set forth the circumstances under which noise barriers should be considered for construction at Authority expense along residential areas in proximity to the Authority Roadway System. This Policy clarifies and updates the criteria to be used for determining eligibility for noise barrier consideration, as well as the criteria to be used to identify the appropriateness of actual noise barrier construction. Although the Authority is not bound by State or Federal law to construct noise barriers, the Authority’s Board of Commissioners has determined that residential areas located in proximity to New Construction or Widening Projects that meet identified eligibility criteria set forth herein should appropriately be considered for the construction of noise barriers. This Policy supersedes any and all previous noise barrier policies adopted by the Authority.

## II. Definitions

- A. Authority Roadway System. The Authority Roadway System includes the New Jersey Turnpike travel lanes, ramps, toll plazas and other Turnpike facilities used to carry traffic from milepost 0.0 south of Interchange 1, to and including the I-95 section of the Turnpike at milepost 122.0, including: 1) both the eastern and western alignments above Interchange 15E; 2) the Newark Bay – Hudson County Extension; and 3) the Pearl Harbor Memorial Turnpike Extension. The Authority Roadway System also includes the Garden State Parkway travel lanes, ramps, toll plazas and other Parkway facilities used to carry traffic from milepost 0.0 to milepost 172.4.
- B. New Construction or Widening Project. A New Construction or Widening Project is any construction project that results in a new roadway or the widening of any portion of the Authority Roadway System.
- C. Roadway. Roadway consists of travel lanes, ramps, toll plazas or other Authority Roadway System facilities used to carry traffic, excluding parking areas, service areas, shoulders, and any other Authority facilities not used primarily to carry traffic.
- D. Home. A Home is any house, dwelling unit, structure or building used, and intended for use as a permanent residence or permanent place of habitation for one or more individuals or families, regardless of the form of ownership.
- E. Existing Homes. Existing Homes are those homes which either: (1) physically exist at the time of the Announcement of the New Construction or Widening Project by the Authority; or (2) have received a building permit or are part of a development that has received final subdivision or site plan approval prior to the Announcement of the project, and where that permit or approval is valid and in full force and effect at the time of the Announcement of the project. An Existing Home consists of the actual structure and does not include any attachments thereto.

- F. Design Year. The Design Year is the year identified and used as the basis of operational design for a New Construction or Widening Project. The Design Year is chosen on a project-specific basis.
- G. Benefit. A Benefit of noise barrier construction is considered to occur whenever the exterior of a home receives at least a three (3) dB(A) Leq noise level reduction. Any home that meets either or both of the criteria defining a noise impact in Section III.A of this Policy and that will receive a 3 dB(A) Leq noise level reduction, is considered to count as one full benefit credit. Any home that does not meet either of the criteria defining a noise impact in Section III.A of this Policy but that will receive a 3 dB(A) Leq noise level reduction is considered to count as one-half benefit credit.
- H. Announcement. The Announcement of any New Construction or Widening Project shall consist of a written notice published in two (2) newspapers of general circulation within the area of the New Construction or Widening Project. The written notice shall contain the following information: (i) a clear indication of the Authority's intention to undertake the project; (ii) a brief description of the project; and (iii) the location of the project, including the municipality and county. An Announcement may take the form of: (i) a legal notice or (ii) a formal article/press release issued by the Authority satisfying the above requirements. The Announcement of any New Construction or Widening Project shall be issued at any time prior to or during the initiation of the design phase of the project.

### **III. Criteria for Construction of Noise Barriers**

- A. The Authority shall only consider construction of noise barriers as part of a New Construction or Widening Project. In order for noise barriers to be considered, either of the following conditions must be met:

1. Noise levels must be projected by the Authority to exceed 66 dB(A) Leq in the Design Year during the peak noise hour at the exterior of Existing Homes located in proximity to the Authority Roadway System.
  2. Noise levels must be projected by the Authority to increase by at least 10 dB(A) Leq from the existing year-of-study condition (baseline) to the Design Year during the peak noise hour at the exterior of Existing Homes located in proximity to the Authority Roadway System.
- B. Should either of the above conditions be met, the Authority shall consider the construction of a noise barrier. Actual construction of a barrier shall be conditioned upon the proposed noise barrier meeting all of the following conditions:
1. A reduction of ten (10) dB(A) Leq below noise levels projected to exist during the Design Year of the New Construction or Widening Project is the design goal to be considered for any proposed noise barrier when reasonable and cost-effective. However, a reduction of five (5) dB(A) Leq below noise levels projected to exist during the Design Year of the New Construction or Widening Project is the minimum reduction to be achieved for any proposed noise barrier. This minimum reduction must be capable of being achieved at the exterior of the Existing Home(s) located adjacent to the New Construction or Widening Project.
  2. The construction cost of the proposed noise barrier must not exceed \$50,000 per dwelling unit to receive Benefit.
  3. Construction of the proposed barrier must be feasible from an engineering perspective in the sole opinion of the Authority.

4. The height of the barrier shall not exceed eighteen (18) feet, unless the Authority's Executive Director determines that extraordinary circumstances justify a higher barrier in a particular case.
5. Any other factors or procedures deemed necessary or appropriate by the Authority's Executive Director.

#### **IV. Noise Analysis Procedure**

Although no Federal funds are anticipated for any noise barrier construction resulting from determinations made in accordance with Section III of this Policy above and, therefore, compliance with Federal Highway Administration (FHWA) noise abatement requirements and procedures are not specifically required, it is the Authority's intent to conduct noise analyses under this revised Policy in general accordance with FHWA's procedures established for residential areas in 23 CFR Part 772 and the document entitled *Highway Traffic Noise Analysis and Abatement: Policy and Guidance* (1995).

#### **V. Public Involvement**

- A. A Public Hearing and comment period conducted pursuant to, and in accordance with the requirements of Executive Order No. 172 shall be conducted by the Authority for any New Construction or Widening Project prior to construction of same, including any noise barriers proposed to be included as a part thereof.
- B. The Authority shall request a formal resolution of the governing body of any municipality within which noise barriers have been deemed eligible pursuant to this Policy. The Authority shall not construct any noise barrier without the support of the local governing body, as evidenced through the adoption of a formal resolution. The Authority shall request a formal resolution of the governing body with the transmittal of engineering plans depicting the proposed location and height of the proposed noise

barrier(s). Engineering plans shall be transmitted by the Authority to the municipal clerk of the affected municipality. A formal resolution in support of the construction of any noise barrier must be provided to the Authority within four (4) months of the Authority's request for same.

## **VI. Land Use Planning**

The Authority encourages the use of rational local land use planning within general proximity of the Authority Roadway System. The Authority's Executive Director has the discretion to encourage municipalities located along the Authority Roadway System to implement effective land use controls which consider noise levels generated by roadway traffic in its subdivision and site plan approvals process.