

February 25, 2024

Borough of Midland Park
Board of Adjustment
280 Godwin Avenue
Midland Park, NJ 07432

Attn.: Jessica Harmon

Via e-mail: jharmon@midlandparknj.org

Subject: Generator Specification Review
Bino Realty, LLC d/b/a Peter's Fish Market
190 Godwin Ave
Block 17, Lot 10

Dear Ms. Harmon:

The Planning Board was provided with specifications for a generator that is proposed as part of 2023 approval for site improvements at the subject property. It should be noted that the provided specifications cover several different models of generator, however the listed sound levels are the same for all listed models. The purpose of this analysis is to determine if the proposed generator would be expected to meet the applicable noise control requirements.

The submitted generator specifications indicate that the generator will produce a sound output of 68dB(A) at 23ft (7 m) (in exercise mode.) On the approved site plan, the proposed generator is shown approximately 49 ft from the nearest property line. Based upon a calculation using the inverse square law for sound output at different distances, I calculate that the sound output measured at the closest property line would be 61.4dB(A). This is a conservative assumption, considering the closest property line is in the north-westerly direction from the generator, and there is a portion of the building between the generator and that property line. The closest property line with a direct line of sight (sound) from the generator is approximately 80 ft in the northerly direction from the generator. At 80 feet, the calculated sound level at the property line would be approximately 57.2db(A).

Midland Park's ordinance (§ 34-19 Performance Standards) has some standards for limits to permissible sound levels, however they make reference specifically to industrial operations. In the absence of a specific municipal ordinance requirement for sound levels from an emergency backup generator being used for emergency power at a wholesale/retail establishment such as this, I referenced the New Jersey Department of Environmental Protection Model Noise Control Ordinance. "Table I" in the NJDEP model ordinance is for "Maximum Permissible A-Weighted Sound Levels When Measured Outdoors". For a residential property neighbor, the maximum allowable sound level is 65dB(A) between 7 a.m. and 10 p.m., and 50dB(A) between 10 p.m. and 7 a.m. Based upon the submitted generator information and my calculation of the approximate anticipated sound levels at the nearest property lines, the proposed generator would meet the NJDEP Model Noise Control Ordinance standards for the daytime time period. (It would not meet the requirement for the night-time period, so the generator exercise time would need to be scheduled for between 7 a.m. and 10 p.m.)

It should also be noted that per section IV of the NJDEP Model Noise Control Ordinance, certain noises are exempt from the noise limitations in accordance with N.J.A.C. 7:29-1.5. One of the exempted noises is from "Emergency electricity generators at an industrial, commercial, or community service facility in use during an electrical outage." As such, if the applicant needs to run the generator during a power outage for backup power for their facility, the noise level limitations referenced above would not apply. This is why the generator specifications reference only the noise levels for the generator in exercise mode (not during a power outage).

In conclusion, the proposed generator should be expected to meet the applicable noise control requirements if installed in accordance with the generator's specifications and in the location shown on the approved site plan.

Feel free to contact me with any questions.

Respectfully submitted,

A handwritten signature in black ink, consisting of a large, stylized initial 'E' followed by a horizontal line that tapers to the right.

Erik Boe, PE, LEED AP

cc: Darryl Siss, Esq. (via email: darryl@trslawfirm.com)
Bruce Whitaker (via email: mcwhitlaw@optonline.com)