



U.S. Department
of Transportation
**Federal Highway
Administration**

Illinois Division

July 5, 2018

3250 Executive Park Dr.
Springfield, IL 62703
(217) 492-4640
www.fhwa.dot.gov/ildiv

In Reply Refer To:
HPER-IL

Ms. Diane O'Connor
2800 Rolling Meadows Drive
Naperville, Illinois 60564

Subject: Noise Abatement Inquiry
95th Street Extension, Naperville, Illinois

Dear Ms. O'Connor:

We received your letter dated May 29, 2018, concerning the noise analysis performed on the 95th Street project near your property at 2800 Rolling Meadows Drive in Naperville, Will County, Illinois, Contract No. 61A30, Section 01-00181-00-FP. Your letter specifically questions why a noise analysis was not conducted for the homes in your subdivision and why a noise wall will not be constructed along the north side of 95th Street at the Brook Crossing Estates Subdivision to mitigate noise from the roadway.

The Federal Highway Administration (FHWA) is an agency within the U.S. Department of Transportation that supports State and local governments in the design, construction, and maintenance of the Nation's highway system and various Federal and tribal owned lands. When State and local governments use Federal funding for transportation projects, they must follow applicable Federal requirements, including 23 Code of Federal Regulations Part 772 (23 CFR 772) "Procedures for Abatement of Highway Traffic Noise and Construction Noise". The Illinois Department of Transportation's (IDOT) noise policy contained in Chapter 26-6 of their Bureau of Design and Environment Manual meets the requirements of 23 CFR 772. The policy was approved by FHWA and is applied uniformly statewide. The policy requires that on federally funded projects, a noise analysis is conducted for "Type I projects", which includes where new roads are added or extended.

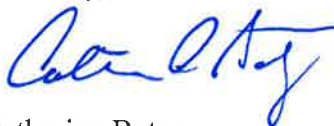
In 2008, the 95th Street project proposed the construction of a new road on new alignment to extend 95th Street to Kings Road. Under our policy, this extension was considered a Type I project, therefore, a noise analysis was required between the major crossroads. A noise study was conducted on the section between Naperville/Plainfield Road at the west end and Boughton Road at the east end. The study determined if traffic noise impacts occur on 95th Street between Plainfield/Naperville Road and Boughton Road and, if noise impacts were identified, an evaluation would be made to determine if feasible and reasonable noise abatement options could satisfactorily reduce noise levels. Unfortunately, your property is located west of the Naperville/Plainfield Road intersection; therefore, was not evaluated for noise impacts. Please note that property value is not an influencing factor in the noise barrier feasibility and reasonableness determination.

The project files contain documentation showing that several public meetings were held regarding the project and consideration of the noise walls. The Will County Division of Transportation actively engaged the City of Naperville and the Village of Bolingbrook in this process. The project files include a letter dated March 2, 2009, from the City of Naperville supporting the noise study methodology and findings.

After reviewing the project files and the noise study and discussing the project with the Will County Division of Transportation and IDOT, we believe the study was conducted in accordance with the approved policy, and the study limits were correctly established.

Should you have additional questions, please contact Mr. Jeff Ronaldson, P.E., Director of Transportation at the Will County Division of Transportation (815) 727-8476 or Craig Cassem, P.E., at FHWA (217) 492-4623.

Sincerely,



Catherine Batey
Illinois Division Administrator

ecc: Mr. Jeff Ronaldson, Director of Transportation, Will County Division of Transportation
Ms. Justine Sydello, Deputy Secretary, IDOT
Mr. Omer Osman, Deputy Secretary, IDOT
Ms. Erin Aleman, Office of Planning and Programming, IDOT
Mr. Paul Loete, Office of Highways and Project Implementation, IDOT
Mr. Jack Elston, Bureau of Design and Environment, IDOT
Ms. Maureen Kastl, Bureau of Local Roads and Streets, IDOT
Mr. Scott Stitt, Bureau of Design and Environment, IDOT
Mr. Anthony Quigley, Region 1 Engineer, IDOT
Mr. William Raffensperger, Bureau of Local Roads and Streets, IDOT

May 29, 2018

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MAY 31 2018

US Federal Highway Administration
3250 Executive Park Drive
Springfield, IL 62703

FHWA

To whom it may concern:

CONTRACT # 61A30 ILLINOIS FEDERAL AID PROJECT

As a homeowner of the Brook Crossing Estates subdivision, Naperville, Illinois 60564 I would like to file a formal complaint against the Will County which received Federal funding for the above mention road/bridge construction. Will County contracted the noise analysis for only selected more expensive subdivisions; this is truly an inequity of services and a violation of the **Federal Highway Act**.

In Illinois, Chapter 26-6 of IDOT's Bureau of Design and Environmental (BDE) Manual outlines the IDOT Noise Analysis policy. The policy states that:

- "Special efforts shall be made in the development of a project to comply with Federal and State requirements for noise control; to consult with appropriate officials to obtain the views of the affected community regarding local noise requirements, noise impacts, and abatement measures; and to mitigate highway related noise impacts, where feasible and reasonable. The reasonableness evaluation for noise abatement will include the solicitation of viewpoints from benefited receptors.

A noise analysis was conducted for the homes of Breckinridge and Timber Creek which are considerably more expensive homes compared to the Brook Crossing Estates; however, the road is much closer to our homes. In fact, the road, 95th Street is fourteen (14) from my yard. The homes that were provided with receptors to measure the noise level eighteen (18), twenty-eight (28) and seventy (70) feet from the roads. There is an inequity in which homes were included in the noise analysis,

The six (6) homeowners in Brook Crossing Estates that have been impacted by the construction project have tried unsuccessfully to have this matter rectified since August 2017 when we discovered that our subdivision was not getting a sound wall as the more expensive subdivisions. The bridge directly behind our homes was widened and longer. We've been told that we are at the end of the project so it doesn't matter. It matters greatly to us because of the increased traffic, and the resulting noise, pollution, and safety concerns, has negatively impacted our health and the value of our homes.

Inequity of Services:

- The more expensive neighborhoods, (Breckinridge and Timber Creek subdivisions) received a noise cancellation study, while Brook Crossing Estates did not. Even though there is more traffic on 95th Street west of Naperville/Plainfield Road than on the east side of the road and the speed limit east of Naperville/Plainfield road is 40 miles an hour with multiple stop signs; while the speed limit west of Naperville/Plainfield Road is 45 miles an hour with no stop signs.
- Based on the finding of the noise analysis a sound wall was erected for Breckinridge and Timber Creek. The closest homes in those subdivisions are eighteen (18) and twenty-eight (28) feet from the road. In addition, the home located at 832 Pueblo Court and eight (8) surrounding

homes are seventy (70) feet from 95th Street. They were provided with noise receptors to monitor the noise level. All have five (5) foot high earth berm. Brook Crossing Estates' homes are fourteen (14) feet from the road and directly behind the bridge.

- Breckinridge and Timber Creek have experienced an increase in their property value since the noise barrier wall was erected. The homes in Brook Crossing Estates have experienced a decrease in property value.

I would like to stress that we understand the noise, dust and inconvenience of the construction project which is now in the second year; however, no reasonable explanation has been provided as to why a noise wall barrier is not erected behind our homes. I must note that several Naperville City Council members have visited our homes and have agreed that the noise level is just as loud on the west side of Naperville/Plainfield Road as it is on the east side of Naperville/Plainfield Road and are puzzled as to why a noise analysis was not conducted for our homes. A comment at one of the last year's Naperville council meetings was that it was Will County's decision and Will County has said, "what is done is done". This is not an acceptable response. Plus, the Will County's engineer stated that there is not room to install a noise barrier wall. Will County needs to mitigate highway related noise impact as stated in the Illinois, Chapter 26-6 of IDOT's Bureau of Design and Environmental (BDE) Manual outlines the IDOT Noise Analysis policy.

The Brook Crossing Estates' homeowners have meet with Will County Board Member, Charles Maher several times and Will County's project engineer to no avail.

This project has benefited the commuters at the expense of the Brook Crossing Estates due to the inequity of services provided.

I would appreciate a follow up with Will County regarding this complaint.

Sincerely,



Diane O'Connor
Brook Crossing Estates Homeowner
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Naperville, IL 60564
(630) 253-4173
dianemoconnor@aol.com