

**Zoning Board of Review Application**

**Z-25-2**

Submitted On: Mar 24, 2025

**Applicant**

 Stephen MacGillivray  
 401-965-7406  
 smacgillivray@pierceatwood.com

**Primary Location**

21 BAY VIEW DRIVE  
Jamestown , RI 02835

**Applicant**

I hereby certify that I am the owner/authorized agent of the subject property. I further certify that I am the owner/authorized agent of the developmental rights for this property. By acknowledging this application, the Applicant(s) and Landowner(s) give permission to the City/Town staff and members of the Zoning Board of Review to access the property individually or as a group for purposes of a site inspection.

**Name of Applicant**

Stephen J MacGillivray

**Who is Submitting this Application?**

Attorney

**Owners Name**

Mary Lou Sanborn

**Owner Affidavit**

7967

**Location for Application**

Please Note - The Address and/or Plat/ lot is required to continue with this application

**Property Location Type**

Plat/Lot

Plat

8

Lot

519

**Type of Application**

**Application Type**

Modification Granted by Zoning Enforcement Officer

**Proposed**

Other (Lot coverage, Parking, etc.)

**Propose Other Detail**

**Total Square Footage**

0

**Appeal of Notice of Violation**

**Length in Feet**

0

**Width in Feet**

0

**Number of Stories**

2

**Height Above Grade**

20

**Front Yard in Feet**

30

**Setbacks:**

**Rear Yard in Feet**

5

Indicate the amount of Dimensional Relief being sought from the property boundaries (if none please indicate 0)

**Side Yard in Feet**

**5**

**Corner Side Yard in Feet**

**5**

**Height in Feet**

**20**

**Provision(s) of the Zoning Ordinance (if known)**

**Section 82-304**

**Describe the extent of the proposed alterations and the reasons for the requesting relief**

**This is an appeal of a notice of violation penalizing a screen between residential and commercial uses that is allowed pursuant to Section 82-304.**

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### **Existing Lot Specifications**

**Current Use of Premises**

**Residential**

**Lot Area**

**0.442**

**Lot Frontage**

**193**

**Lot Depth**

**120**

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### **Existing Buildings & Structures**

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### **Applicant Sign off**

**I, the UNDERSIGNED, swear that all information provided in this APPLICATION is to the best of MY knowledge complete and correct in every detail.**

**Digital Signature**

**true**



# 200 feet Abutters List Report

Jamestown, RI  
March 26, 2025



## Subject Property:

Parcel Number: 8-519  
CAMA Number: 8-519  
Property Address: 21 BAY VIEW DRIVE

Mailing Address: SANBORN MARY LOU  
21 BAY VIEW DRIVE  
JAMESTOWN, RI 02835

## Abutters:

Parcel Number: 8-247  
CAMA Number: 8-247  
Property Address: 2 BRYER AVENUE

Mailing Address: EDIE RICHARD & ELIZABETH  
5 FRANKLIN SQUARE  
DEDHAM, MA 02026

Parcel Number: 8-249  
CAMA Number: 8-249  
Property Address: 155 CONANICUS AVENUE

Mailing Address: BOIS STEVEN G  
155 CONANICUS AVENUE  
JAMESTOWN, RI 02835

Parcel Number: 8-258  
CAMA Number: 8-258-C  
Property Address: 150 CONANICUS AVENUE

Mailing Address: EASTERN RESORTS CO LLC  
115 LONG WHARF  
NEWPORT, RI 02840

Parcel Number: 8-258  
CAMA Number: 8-258-C1  
Property Address: 150 CONANICUS AVENUE

Mailing Address: 150 CONANICUS AVE LLC  
PO BOX 412  
NORTH KINGSTOWN, RI 02852

Parcel Number: 8-261  
CAMA Number: 8-261  
Property Address: 37 BAY VIEW DRIVE

Mailing Address: FERGUSON CHRISTINE C  
37 BAY VIEW DRIVE  
JAMESTOWN, RI 02835

Parcel Number: 8-264  
CAMA Number: 8-264  
Property Address: 24 BAY VIEW DRIVE

Mailing Address: GROTHE PROPERTY HOLDINGS LLC  
ATTN: JESSICA BOWN  
480 WASHINGTON BLVD 16TH FL  
JERSEY CITY, NJ 07310

Parcel Number: 8-265  
CAMA Number: 8-265  
Property Address: 30 BAY VIEW DRIVE

Mailing Address: GRUBB DAVID & CAROLINE E TE  
465 LONG RIDGE ROAD  
BEDFORD, NY 10506

Parcel Number: 8-267  
CAMA Number: 8-267  
Property Address: 40 BAY VIEW DRIVE

Mailing Address: CONANICUT YACHT CLUB  
PO BOX 257  
JAMESTOWN, RI 02835-0257

Parcel Number: 8-338  
CAMA Number: 8-338  
Property Address: CONANICUS AVENUE

Mailing Address: TOWN OF JAMESTOWN  
93 NARRAGANSETT AVENUE  
JAMESTOWN, RI 02835

Parcel Number: 8-494  
CAMA Number: 8-494  
Property Address: 31 BAY VIEW DRIVE

Mailing Address: 31 BAY VIEW DRIVE REALTY TRUST  
C/O ARTHUR LEONARD  
263 N WASHINGTON DRIVE  
SARASOTA, FL 34236-1419



www.cai-tech.com

3/26/2025

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

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# 200 feet Abutters List Report

Jamestown, RI

March 26, 2025

Parcel Number: 8-527  
CAMA Number: 8-527  
Property Address: 180 CONANICUS AVENUE

Mailing Address: BETTENCOURT MARK T ET  
BETTENCOURT KRISTEN SHEA  
2 SAYLES ROAD  
HINGHAM, MA 02043-2678

Parcel Number: 8-544  
CAMA Number: 8-544  
Property Address: 11 HARBOR STREET

Mailing Address: LYNCH GEORGE P JR TRUSTEE  
11 HARBOR STREET  
JAMESTOWN, RI 02835

Parcel Number: 8-545  
CAMA Number: 8-545  
Property Address: 13 HARBOR STREET

Mailing Address: MCINTYRE JERRY L & CHRISTINA W  
57 NEWPORT STREET  
JAMESTOWN, RI 02835

Parcel Number: 8-579  
CAMA Number: 8-579  
Property Address: 170 CONANICUS AVENUE

Mailing Address: ROACH LLC  
64 GREEN LANE  
JAMESTOWN, RI 02835

Parcel Number: 8-591  
CAMA Number: 8-591  
Property Address: 12 DAVIS STREET

Mailing Address: PECKHAM DONNA ET SALISBURY  
DEBORAH  
116 EAST SHORE ROAD  
JAMESTOWN, RI 02835

Parcel Number: 8-611  
CAMA Number: 8-611  
Property Address: DAVIS STREET

Mailing Address: PECKHAM DONNA ET SALISBURY  
DEBORAH  
116 EAST SHORE ROAD  
JAMESTOWN, RI 02835

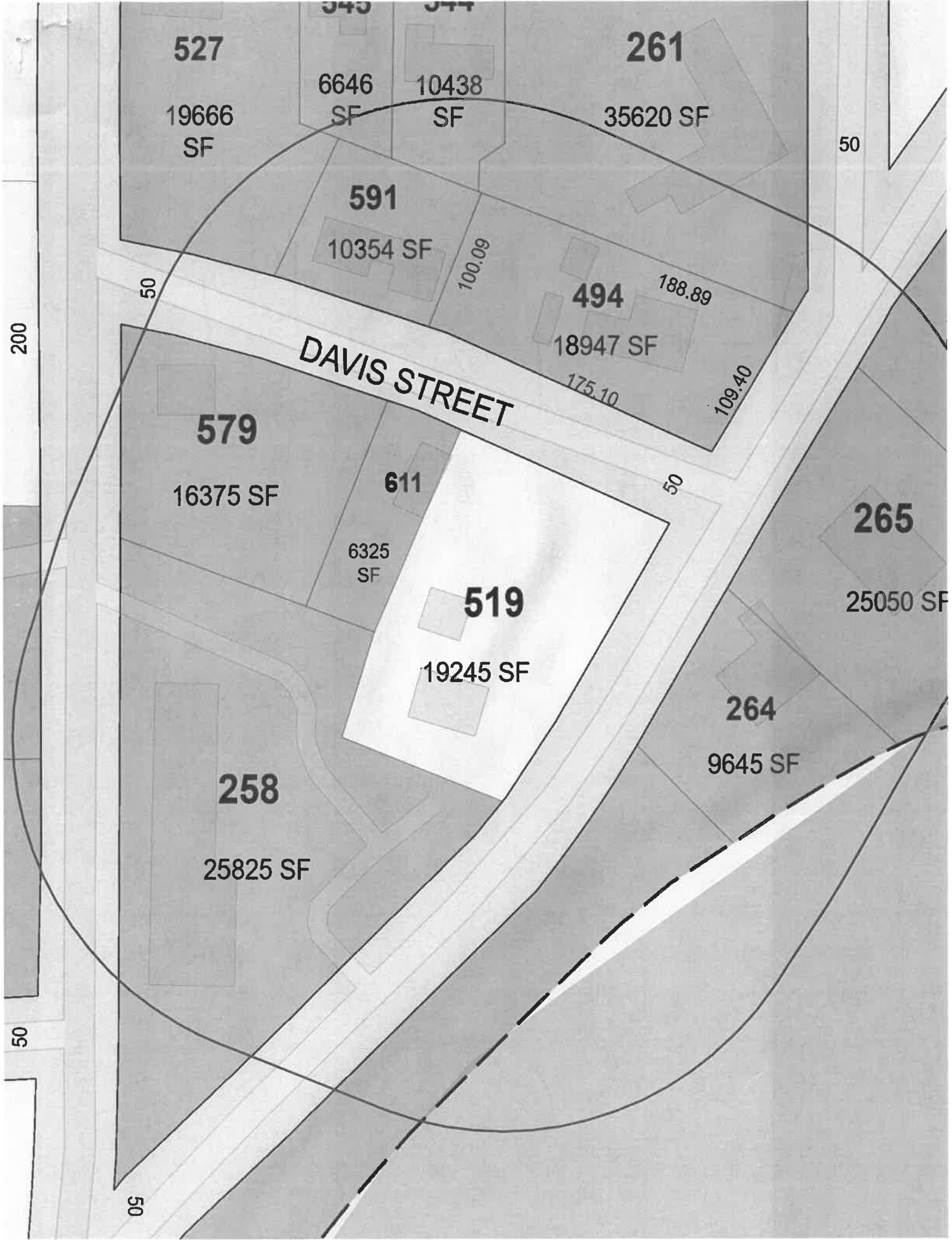


[www.cai-tech.com](http://www.cai-tech.com)

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3/26/2025

Page 2 of 2



Latest Version 3/27/25 10:52pm

Application of Mary Lou Sanborn, whose property is located at 21 Bay View Drive, Jamestown, RI and further identified as Lot 519 on Tax Assessor's Map 8, to appeal a Notice of Violation issued on 1/31/25 referencing a purported violation of Sec.'s 82-602.2 and 82-407.

Applicant/Appellant appeals this Notice of Violation pursuant to Sec. 82-408 so that she can complete construction of a screen pursuant to Sec. 82-701. Said property is located in Zone R20 and contains .442 acres.

TOWN OF JAMESTOWN  
ZONING BOARD OF REVIEW

received  
2/25/25  
P.3

**Appeal of Notice of Violation/Decision of Zoning Officer<sup>1</sup>**

Zoning Board of Review;

Jamestown, R. I.

Date: February 24, 2025

Gentlemen:

The undersigned hereby appeals to the Zoning Board of Review from a decision of the Zoning Officer, which decision is attached.

Appellant: Mary Lou Sanborn

Address: 21 Bay View Drive, Jamestown, RI 02835

Owner: Mary Lou Sanborn

Address: 21 Bay View Drive, Jamestown, RI 02835

Lessee: N/A

Address: N/A

1. Location of premises: No. 21 Bay View Drive

2. Assessor's Plat: 8 Lot: 519

3. Dimensions of lot: frontage N/A ft. depth \_\_\_\_\_ ft. Area \_\_\_\_\_ sq. ft.

4. Zoning Districts in which premises are located: Use: Residential Area \_\_\_\_\_ Height \_\_\_\_\_

5. How long have you owned above premises? N/A

6. Is there a building on the premises at present? Yes

7. Size of existing building N/A

Size of proposed building or alteration \_\_\_\_\_

8. Distance of proposed bldg. or alteration from lot lines: N/A

front \_\_\_\_\_ rear \_\_\_\_\_ left side \_\_\_\_\_ right side \_\_\_\_\_

9. Present use of premises: Residential Home

10. Proposed use of premises: N/A

<sup>1</sup> The Appellant was informed that there is not a form available for an appeal of the Notice of Violation and that she should use the form Application for A Variance/Exception. That form has been modified where appropriate to make it suitable for this appeal.

Location of septic tank & well on lot \_\_\_\_\_

Give extent of proposed alterations N/A

11. Number of families for which building is to be arranged: N/A

12. Have you submitted plans for above to Inspector of Buildings? N/A

Has the Inspector of Buildings refused a permit? \_\_\_\_\_

13. Provision or regulation of Zoning Ordinance or State Enabling Act under which application for exception or variance is made:

N/A

14. State the grounds for the appeal in this case:

Pursuant to Section 82-408, please consider this form as an appeal of the attached Zoning Violation dated January 31, 2025 (the "Violation"). The Violation details a purported violation of Section 82-602.2 or a "departure[] from yard regulations" with respect to "[f]ences and walls not exceeding six feet in height...in any yard." The Violation likely refers to the screen between 21 Bay View Drive, zoned for residential use, and JB's On The Water, a property being utilized for a nonresidential use. However, Section 82-304 permits the "[s]creening of residential areas" by a "solid wall, opaque fence, or compact planting screen not less five feet in height" when the residential area is located adjacent to a nonresidential use. Here, 21 Bay View Drive is adjacent to a JB's On The Water, a nonresidential use property and Ms. Sanborn appropriately utilized a screen between the two properties in compliance with Section 82-304. Accordingly, Ms. Sanborn appeals the Notice of Violation.

Ms. Sanborn asks that the Jamestown Zoning Board dismiss the Violation as she was in compliance with all applicable zoning ordinances, and, alternatively on the following grounds:

1. The Jamestown Zoning Ordinances, as they pertain to the type of screen in question are impermissibly vague, particularly Section 82-602.2 and Section 82-304 e., such that a penalty cannot be imposed.
2. Violation was in contravention of constitutional, statutory, regulatory and/or ordinance provisions.



3. Violation was made upon unlawful procedure.
4. Violation was affected by other error of law.

Therefore, Ms. Sanborn has suffered and will continue to suffer, serious irreparable harm to her property if the Board does not dismiss the Violation.

Respectfully submitted,

Mary Lou Sanborn, by her Attorney,

/s/ Stephen J. MacGillivray

Stephen J. MacGillivray, Esq.

PIERCE ATWOOD LLP

One Citizens Plaza, 10<sup>th</sup> Floor

Providence, RI 02903

Telephone (401) 490-3430

Fax (401) 588-5166

smacgillivray@PierceAtwood.com

Dated: February 24, 2025



# Office of Code Enforcement

Zoning  
Building Codes  
Minimum Housing  
Property Maintenance

93 Narragansett Avenue  
Jamestown, Rhode Island 02835-1199  
401-423-9803

To: Mary Lou Sanborn  
21 Bay View Drive  
Jamestown, RI 02835

31 January 2025

## VIOLATION NOTICE

Subject Property: 21 Bay View Drive  
Assessors Plat 8 Lot 519

The above referenced property is in violation of the Towns Ordinance in that you have constructed a fence that does not comply with the town's ordinance.

**Sec. 82-602.2 Authorized departures from yard regulations.** *The space in a required front, side or rear yard shall be open and unobstructed with the following exceptions: A. Ordinary projections of windowsills, cornices and other structural features may extend not more than 12 inches into the space above a required yard. B. Landscape features such as trees, fences, shrubs and patio may be placed in any yard area. C. In C districts only, an outdoor telephone booth may be located in a front yard area provided it is adjacent to a permitted curb parking area or an off-street parking facility. D. Fences and walls not exceeding six feet in height in any district may be constructed in any yard.*

You are hereby directed to undertake immediate action to remove to comply with the towns Ordinance. Failure to comply with this order within 30 days may result in an assessment of penalties and Fines on Behalf of the Town of Jamestown as per:

**Sec. 82-407. Penalty for violation.** *Any person, group of persons, or corporation that violates any of the provisions of this ordinance [chapter] or any requirement attached to the granting of a Special Use Permit or Variance may be fined not more than \$500.00 for each offense. Each day of the existence of the violation shall be deemed a separate offense. Any such fine shall inure to the Town of Jamestown. Immediately upon notification of any violation, the town shall institute appropriate action to prevent, enjoin, abate or remove such violation.*

You have the right to appeal this notice as per:

**Sec. 82-408. Appeal of a decision of the Zoning Enforcement Officer.** *Any person, group of persons, or corporation aggrieved by a decision of the Zoning Enforcement Officer concerning this ordinance [chapter], may file an Appeal in accordance with the provisions of Article 2 of this ordinance [chapter].*

Respectfully,



Dennis Begin, Zoning Officer

STEPHEN J. MACGILLIVRAY

One Citizens Plaza 10<sup>th</sup> Floor  
Providence, RI 02903

P 401.490.3430  
F 401.588.5166  
smacgillivray@pierceatwood.com  
pierceatwood.com

Admitted in: RI, MA, NY

**HAND-DELIVERED**

March 24, 2025

Town of Jamestown Zoning Board of Review  
Jamestown Town Hall  
93 Narragansett Avenue  
Jamestown, RI 02835

**Re: Mary Lou Sanborn – Appeal of A Notice of Violation**

Dear Town of Jamestown Zoning Board of Review:

Enclosed are documents supporting Mary Lou Sanborn's Appeal of a Notice of Violation filed on February 24, 2025 (a copy of which is enclosed for your reference). Section 82-304 of the Jamestown Zoning Ordinance calls for the "screening of residential areas" by a "solid wall, opaque fence, or compact planting screen *not less than five feet in height*" whenever a residential area is located adjacent to a nonresidential use. Here, JB's on the Water, is a commercial use in a residential area. Pursuant to Section 82-304, Mrs. Sanborn is allowed to screen her property from this use by a means which has only a minimum height of five feet and no maximum height. Because such a screen or wall is expressly provided for in the ordinances, the Zoning Violation must be overturned.

Thank you for your attention to this issue.

Sincerely,



Stephen J. MacGillivray

Enclosures

Cc: Mary Lou Sanborn

#18000735v1

TOWN OF JAMESTOWN  
ZONING BOARD OF REVIEW

received  
2/25/2025  
TJB

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3. Dimensions of lot: frontage N/A ft. depth \_\_\_\_\_ ft. Area \_\_\_\_\_ sq. ft.
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5. How long have you owned above premises? N/A
6. Is there a building on the premises at present? Yes
7. Size of existing building N/A  
Size of proposed building or alteration \_\_\_\_\_
8. Distance of proposed bldg. or alteration from lot lines: N/A  
front \_\_\_\_\_ rear \_\_\_\_\_ left side \_\_\_\_\_ right side \_\_\_\_\_
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Location of septic tank & well on lot \_\_\_\_\_

Give extent of proposed alterations N/A

11. Number of families for which building is to be arranged: N/A

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Respectfully submitted,

Mary Lou Sanborn, by her Attorney,

/s/ Stephen J. MacGillivray

Stephen J. MacGillivray, Esq.

PIERCE ATWOOD LLP

One Citizens Plaza, 10<sup>th</sup> Floor

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Telephone (401) 490-3430

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Dated: February 24, 2025



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Building Codes  
Minimum Housing  
Property Maintenance

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401-423-9803

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21 Bay View Drive  
Jamestown, RI 02835

31 January 2025

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Respectfully,

  
Dennis Begin, Zoning Officer



Sanborn Property

Legend



Google Earth

100 ft

N



## **Acoustifence® – 20' Tall Sound Barrier – Masso's Catering Orchard Garden**

Acoustiblok Inc. was contacted about a noise issue between 2 areas at a wedding venue. A 20' tall by 126' long acoustical barrier was created using Acoustifence and wood framing support structure. The owner stated: "The barrier worked great and we can now have 2 events at the same time."







## Product Name

**AcoustiFence® Noise Reducing Fences**

## For Manufacturer Info:

### Contact:

Acoustiblok, Inc.  
6900 Interbay Boulevard  
Tampa, FL 33616  
Call - (813) 980-1400  
Fax - (813) 549-2653  
Email - [sales@acoustiblok.com](mailto:sales@acoustiblok.com)  
[www.acoustiblok.com](http://www.acoustiblok.com)

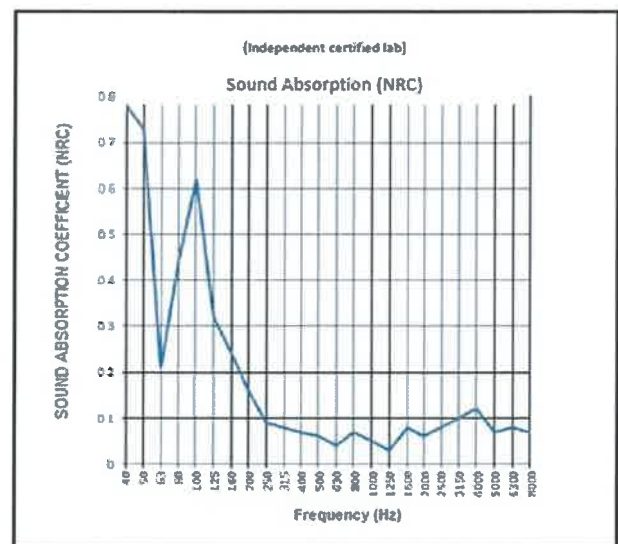
## Product Description

### Basic Use

AcoustiFence was originally developed by Acoustiblok, Inc. for noise isolation on offshore oil rigs, but has since proven successful in many other demanding outdoor settings, such as construction sites, commercial/industrial facilities, and residential communities.

### AcoustiFence Noise Reducing Fences

AcoustiFence is a unique, heavy-mineral filled, barium free, viscoelastic acoustical material that is made in the U.S.A. Unlike fences or shrubs, this material does extraordinarily well in blocking direct sound, and a unique characteristic of the material sets it apart from other sound barriers when dealing with very low frequencies.



## Sound Absorption Test Results

## Benefits:

- Effectively reduces exterior noise
- Easy to install
- Resistant to UV, dirt and water
- Resistant to corrosion, mold and mildew



## Product Data Sheet

### Product Name

#### AcoustiFence® Noise Reducing Fences

##### AcoustiFence Noise Reducing Fences continued...

In frequencies of 50Hz and below, the heavy limp AcoustiFence material actually begins to vibrate from low frequency sound waves. In essence it is transforming these low frequency sound waves into mechanical movement and internal friction energy. Laboratory tests indicate that this transformation process inhibits these lower frequencies from penetrating AcoustiFence, reducing their level by over 60 percent relative to the human ear. In addition, AcoustiFence becomes an absorbent material in these frequencies with test results show an NRC (noise reduction coefficient) as high as 0.78 (with 1.00 being the max). As such it is clear that AcoustiFence not only reduces sound as a barrier, but also acts as an acoustical absorbent material in very low frequencies, as opposed to reflecting those frequencies back like most other barriers. It is worth noting that lead sheets (which are toxic) work in the same manner.

Green AcoustiFence has the same sound deadening properties and features as our original black AcoustiFence. In addition, this new version features advanced reinforced edging and stainless steel cable ties. Made and sourced in the USA, It comes in 6x30 foot sections and is one of the most effective first steps in reducing noise for industrial, commercial and residential projects.

##### Green AcoustiFence

One of Acoustiblok's most popular products, designed as an advanced sound barrier that easily attaches to most types of fencing, is now available in a new green shade that easily blends into the environment. This makes it ideal for landscaping projects, residential home use and any outdoor applications where blending into the natural foliage is a concern.

## Product Name

### AcoustiFence® Noise Reducing Fences

#### Sound Transmission Class (STC)

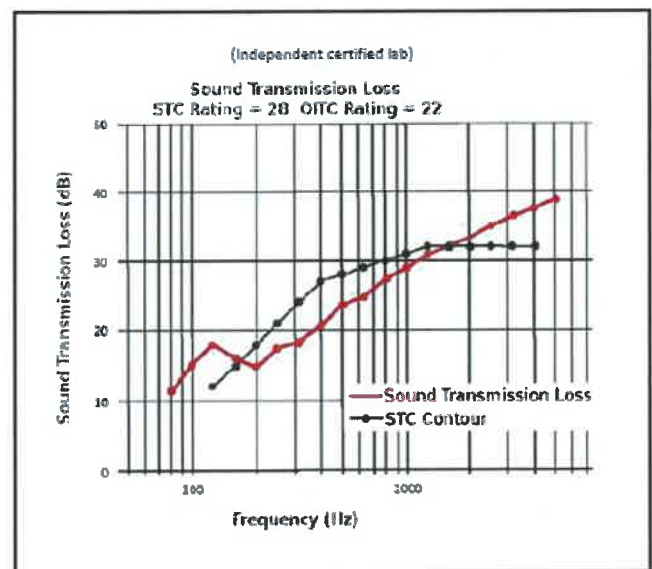
Sound Transmission Class (STC) is a single number that represents the sound blocking capacity of a partition such as a wall or ceiling.

STC numbers are often called out in architectural specifications, to assure that partitions will reduce noise levels adequately. For performance similar to laboratory test numbers, it is necessary to adhere closely to the construction materials and techniques used in the tested partition.

STC is calculated by comparing the actual sound loss measured when 16 test frequencies pass through a partition, with fixed values for each STC level. The highest STC curve that the measured sound loss numbers fit under, determines the STC rating of the partition.

STC calculations emphasize sound frequencies that match the human voice. A high STC partition will block the sound of human speech and block noise that interferes with human speech. To estimate high and low frequency performance, consult the Sound Transmission Loss graph included in STC test reports. Impact Insulation Class (IIC) measure transmitted impact noise and are specified for floor-ceiling assemblies only.

Acoustical test reports for numerous wall and floor/ceiling designs are available from Acoustiblok on request. All our test data is taken directly from independent 3<sup>rd</sup> party laboratories under NVLAP certification.



#### Sound Transmission Loss Test Results



## Product Data Sheet

### Product Name

AcoustiFence® Noise Reducing Fences

### Physical Properties

- Barium free
- Minimum STC 28 per ASTM E90-02 & ASTM E413-87
- Minimum sound attenuation 24 dBA @ 100Hz & 16dBA @ 40Hz
- Size - 6 ft.(1.83m) x 30 ft.(9.14m) x 0.125 in. (.3mm) – 180 ft<sup>2</sup> (16.83m<sup>2</sup>)
- Color - black or green
- High UV resistance
- Heat tolerance: 200°F (93°C) for 7 days, less than 1% shrinkage with no deformation.
- Do not unroll or flex frozen material. Properties not affected by freeze/thawcycles.
- No fungal or algal growth and no visible disfigurement, per ASTM D3273 and ASTM D3274 (rating=10)
- Tensile Strength - min. 510 PSI
- Weight per section: 185 lbs. (84Kg)

#### Material Specifications – Part # “Acoustifence 6x30 Industrial”

Acoustical Rating	STC 28 / OITC 22
Size	6 ft. (1.83m) x 30 ft. (9.14m) x 0.125 in. (.3mm) 180 ft <sup>2</sup> (16.72m <sup>2</sup> )
Weight	185 lbs. (84Kg)
Fastening	Black brass grommets every 6 in. (152mm) along top edge with four grommets spaced along the bottom edge. Commonly installed horizontally.
Color	Black
(This is an industrial product and minor surface blemishes are a possibility.)	



6900 Interbay Blvd.  
Tampa, Florida USA 33616  
Telephone: (813)980-1400  
[www.Acoustiblok.com](http://www.Acoustiblok.com)  
[sales@acoustiblok.com](mailto:sales@acoustiblok.com)

Information herein is, to the best of our knowledge and belief, accurate. However, since conditions of handling and use are beyond our control, we make no guarantee of results and assume no liability for damages incurred by the use of this material/product. All material/products may present unknown health hazards and should be used with caution. Although certain hazards are described herein, we cannot guarantee that these are the only hazards that exist. Final determination of suitability of this material/product is the sole responsibility of the user. No representations or warranties, either expressed or implied, of merchantability, fitness for a particular purpose or any nature are made hereunder with respect to the information contained herein or the material/product to which the information refers. It is the responsibility of the user to comply with all applicable federal, state and local laws and regulations. Specifications subject to change without notice.

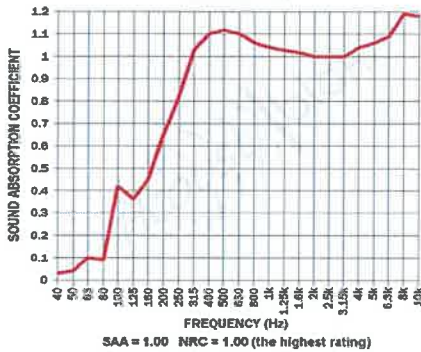


## ARCHITECTURAL SPECIFICATIONS

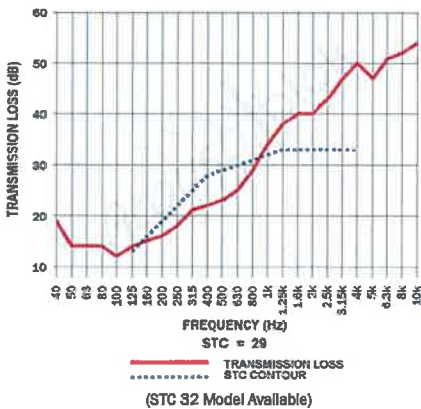
*Acoustiblok All Weather Sound Panels®*

A high STC & NRC hydrophobic sound panel capable of outdoor exposure in full UV and weather. Acoustic ratings: STC 29 and NRC 1.0. Corrosion resistant; 6063-T5 welded frame and 5052-H32 facing, aluminum alloys. UL 723 Class A fire rated, flame spread 0, smoke developed 0. Static Wind Load Tested to 271 mph (188 psf) [436 km/h (91.7 kg/m<sup>2</sup>)].

**SOUND ABSORPTION REPORT**  
RAL - A07 - 180



**SOUND TRANSMISSION REPORT**  
RAL - TL07 - 365 - B



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## HERE ARE JUST A FEW APPLICATIONS OF THE NEW PATENTED HYDROPHOBIC ACOUSTIBLOK ALL WEATHER SOUND PANELS®

Highway Road Noise	Oil Drilling Rigs
Mass Transit	Kennels
Power Generators	Zoos
Industrial noise	Mining operations
AC chillers	Recording studios
Race tracks	Correctional facilities
Compressors	Hospitals
Railroad yards	Restaurants
Subways	Childcare centers
Stadiums	Swimming pool areas
Schools	Gymnasiums
Indoor Arenas	Auditoriums
Airports	Marine
Shooting ranges	Engine test cells



*Now in compliance with EPC codes*



*Panels prevented moving chillers*

Made in U.S.A.  
www.acoustiblok.com  
(813) 980-1400 • sales@acoustiblok.com  
6900 Interbay Blvd. • Tampa, FL 33616  
Saudi Arabia office 011 + 966 1 265 0088  
United Kingdom office 011 + 44 1622 840289

# Acoustiblok®

quieting the world

## ACOUSTIBLOK ALL WEATHER SOUND PANELS®

For serious industrial noise problems, the new patented hydrophobic "Acoustiblok All Weather Sound Panels" not only block sound, but also absorb extreme amounts of noise with virtually no reflections (NRC 1.00). Noise is increasing everywhere as are the new noise abatement mandates from the EPA, the local government and of course OSHA. Additionally, the public is now aware the courts will enforce these mandates regardless of costs. Unlike conventional indoor sound panels, which cannot endure adverse conditions, "All Weather Sound Panels" are engineered specifically to withstand the most rigorous outdoor and industrial environments. Water, sun, hurricane winds, salt air, salt water, dirt, chlorine air, grease, corrosion, mold, and most harsh chemicals are not a problem for this wonderful product. Washable with a hose and soapy water. Easily installed for hundreds of applications. The hurricane panel is tested at over 270 mph [435 km/h]! (An F5 tornado is 261 mph [420 km/h].)

*Community pumping station noise resolved while maintaining accessibility for service and cooling.*



*Simply installed between 3" H-Beams.*



Even with a block wall enclosure, a Florida school's upgraded AC chillers created a serious noise problem. Acoustiblok Sound Panels provided a cost effective solution, reducing SPL by 24.9 dB at the school property line.



Unlike a solid wall, the panels absorb all sound that would normally be reflected off the car body back into the Washington DC community.



Chiller noise in retirement center was unacceptable to tenants until panels were installed: A tremendous savings over moving them.

© Acoustiblok Inc. Specifications subject to change without notice.



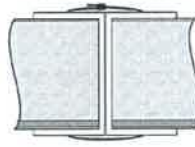
As communities become denser and traffic noise increases, there is a real need to reduce the noise levels in residential areas.

#### MODULAR DESIGN FOR FAST INSTALLATION AND EASY REMOVAL / PORTABILITY / STORAGE

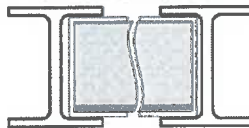
CUSTOM T-BAR ASSEMBLY  
ACOUSTIBLOK PART # TBARHP



STEEL WIRE TIE FOR TEMPORARY OR PERMANENT INSTALLATION  
ACOUSTIBLOK PART # SST14



CAPTIVE INSTALLATION BETWEEN ALUMINUM H-BEAMS  
ACOUSTIBLOK PART # 2ALUMIBEAM



*Panels also attach directly to existing walls or fences*

Other outdoor noise abatement methods currently available require very expensive, large, and permanent fixtures. Acoustiblok All Weather Sound Panels® have extreme advantages over all others. They are **hydrophobic**, stocked in 5 standard sizes (4'x4') (4'x6') (4'x8') (4'x10') (4'x12') and 2.4" thick, making them easy to install or move to other locations. UV, exhaust emissions, and water have virtually no effect on them. These panels are UL 723 Class A fire rated, with flame spread and smoke developed of zero. The panels can withstand winds up to **270 mph**.



Simple, easy to erect noise suppression. Self supporting panels, all environments, NRC 1.00 (highest absorption rating).



Install directly to standard framing, fencing or structure surface. Simple fastening through welded mounting eyelets.



Panels can easily be erected or removed without skilled labor or special tools.

AWSP TRI 01052011



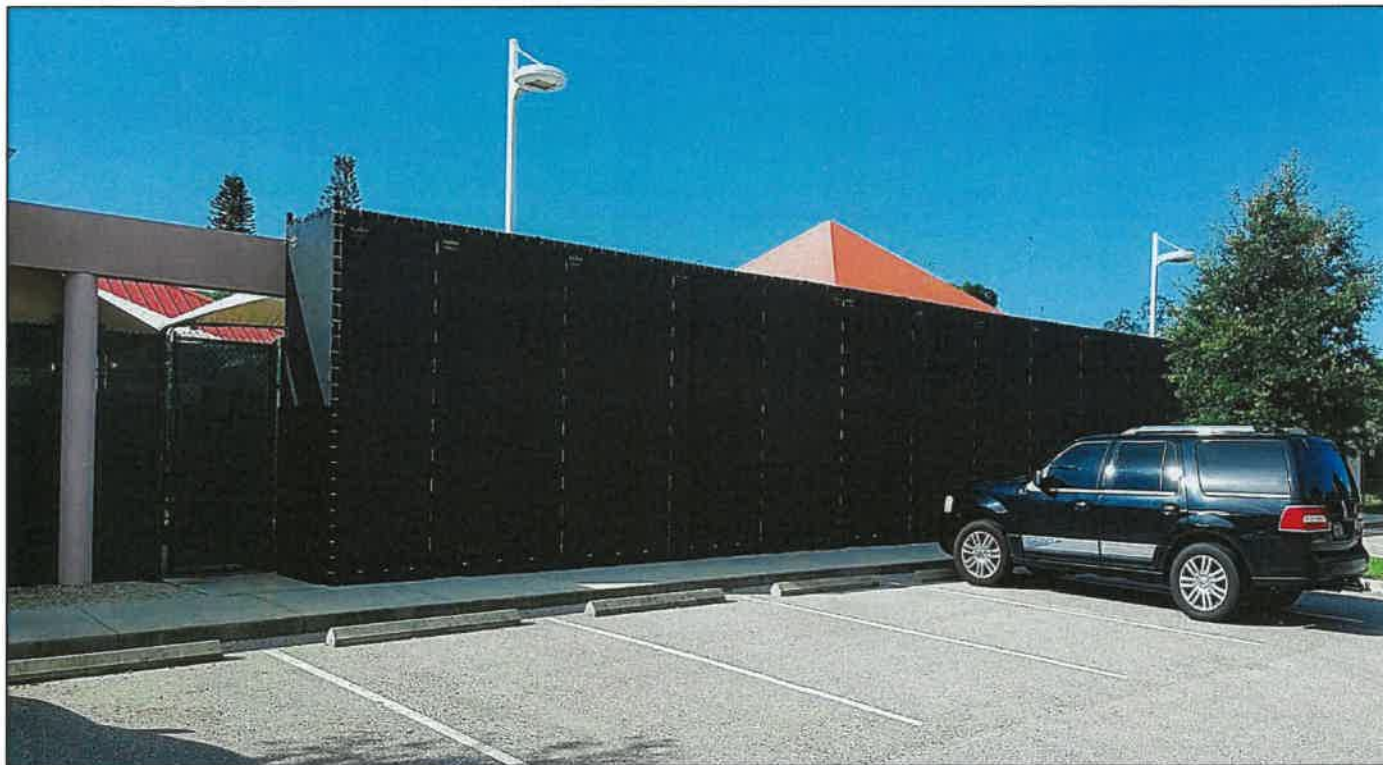




## **Black (Patented ) AcoustiFence® – Bayside Pet Resort, FL – Commercial**



AcoustiFence outdoor sound-deadening barrier was the ideal solution for Bayside Pet Resort in Osprey, Florida; they been receiving on-going complaints about their “guests” from nearby businesses and residential neighbors. Predominately, the loud dog barking (a single dog barking can reach 80-90 decibels; a group 95-115 decibels). Acoustiblok’s renowned 1/8-inch thin AcoustiFence material was selected because of a unique characteristic that sets it apart from other sound barriers when dealing with a wide range of acoustic frequencies; the heavy very limp AcoustiFence material actually vibrates from sound waves. In essence, it’s transforming these sound waves into mechanical movement creating inaudible internal friction energy. According to the pet resort, the installation of the AcoustiFence Curtains onto the chain-link fencing went up easily without any problems, and more importantly, there have been no further noise complaints. Acoustiblok has been working with US military kennels for many years to keep their specially chosen military dogs in training calm and better able to focus on their learning with our innovative sound mitigation products. AcoustiFence (STC 27, 28 & 30) is made and sourced in the USA, enviro-friendly, low-maintenance, portable, UV-resistant and 100% recyclable. So acoustically ingenious the US Patent Office awarded Acoustiblok a 20-year patent on AcoustiFence and the material was just tested at Hurricane Engineering/Test Lab to withstand up to a 200-mph wind load.







# ACOUSTIFENCE INSTALLATION SUGGESTIONS

## ACOUSTIFENCE® INDUSTRIAL AND INDUSTRIAL CURTAIN

### READ ALL INSTRUCTIONS BEFORE INSTALLATION

#### INCLUDED MATERIALS:

AcoustiFence Industrial Fence by linear foot, stainless steel ties, installations instructions.

#### REQUIRED SAFETY EQUIPMENT:

Gloves and safety glasses

#### REQUIRED INSTALLATION EQUIPMENT:

**For Reinforced Fence with Grommets on Chain Link Fence:** stainless steel ties (supplied), 2 extension ladders (long enough to extend past the top of fence structure), pliers, metal cutting snips, shovel, utility knife.

**For NON-Reinforced Without Grommets For a Wood or Other Solid Fence Structure:** 2 extension ladders (long enough to extend past the top of fence structure), power drill with proper bits, fasteners, washers, shovel, wood strips for perimeter of fence, utility knife.

#### NUMBER OF PEOPLE:

2-3

#### TIME REQUIRED:

20-30 minutes per 30 ft of installation

#### CLEANING MATERIAL:

Rinse with a mild dish soap and water solution then completely rinse with water to gently clean fence after installation and periodical to keep fence clean.

Use "Goof off" products to easily remove sap, paint, oil, grease and other environmental blemishes.

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## RECOMMENDATIONS

- **Prevailing winds** – Attach the Acoustifence material so that it lies against the chain link fence or other structure, facing the main direction of the wind for added security. In high wind environments, it is highly recommended that you employ extra reinforcement. I.e. adding a second chain link fence to create a sandwich type fit.
- **Use only stainless steel ties if using grommets to secure (outdoor)** - Plastic and other ties may become brittle and break prematurely. When using stainless steel ties, band ALL ties loosely during installation unless otherwise instructed. After all ties are loosely applied, snug each tie with the same tension.
- **Hot surfaces** - In some geographical areas of intense sun light, the black version of AcoustiFence may reach very high temperatures and should be painted with a white or other lightly tinted exterior acrylic latex paint to prevent serious burns from touching and to keep the material from sun fade. Do not use elastomeric paint.
- **Nails or screws** – Using nails or screws alone to support the non-reinforced AcoustiFence will cause tears in the material. Always use washers to extend surface pressure around the head of the hardware, or sandwich the material between two surfaces to help to resolve this (recommended).
- **Use of ladders** - If using extension ladders, follow all manufacturers warning and safety procedures. Do not place any part of the ladder
- **Trimming ties** – Don't trim the ties until the entire curtain and all of the ties are secure. The ties may need to be snugged a little and you will need the tail of the tie to do so.
- **Stapling** – Acoustifence can be stapled to a solid structure such as a wood fence or a wood frame. Limit air pressure to between 60 - 80 psi if using a pneumatic stapler. Using full psi will discharge the staple completely through the material. Always test the pressure of the stapler and staple in a non-conspicuous area before hanging the fence. Do not let the staple crown pierce the material.
- **Structural requirements** - Consult a structural engineer for structural requirements as needed.
- **Customized fence sections** – If application required a custom size fence, either horizontal or curtain style, grommet locations may differ from this installation suggestion guide. A drawing representation is available upon request.

## PREPARATION

- **Relax material** – Unroll the material and allow it to relax before installation. DO NOT drag the AcoustiFence material as this will scratch or mar the surface. Place the material in direct sunlight or, if the weather is below 60°F, place it indoors at room temperature for several hours. Cold temperatures will reduce flexibility during installation. Do not allow material to crease or fold.
- **Clean area around fence structure** - Clean area where fence will be installed. Remove any foreign objects that might otherwise make it difficult to attach fence, i.e. old nails or screws, tree limbs, rocks, etc.
- **Base (footer) of fence** - After complete installation, the footer edge of the fence will need to be covered to seal all air gaps and to create an acoustical seal. Depending on the actual length of fence and in-field installation, the Acoustifence might have to be buried or a material built up to close all gaps.

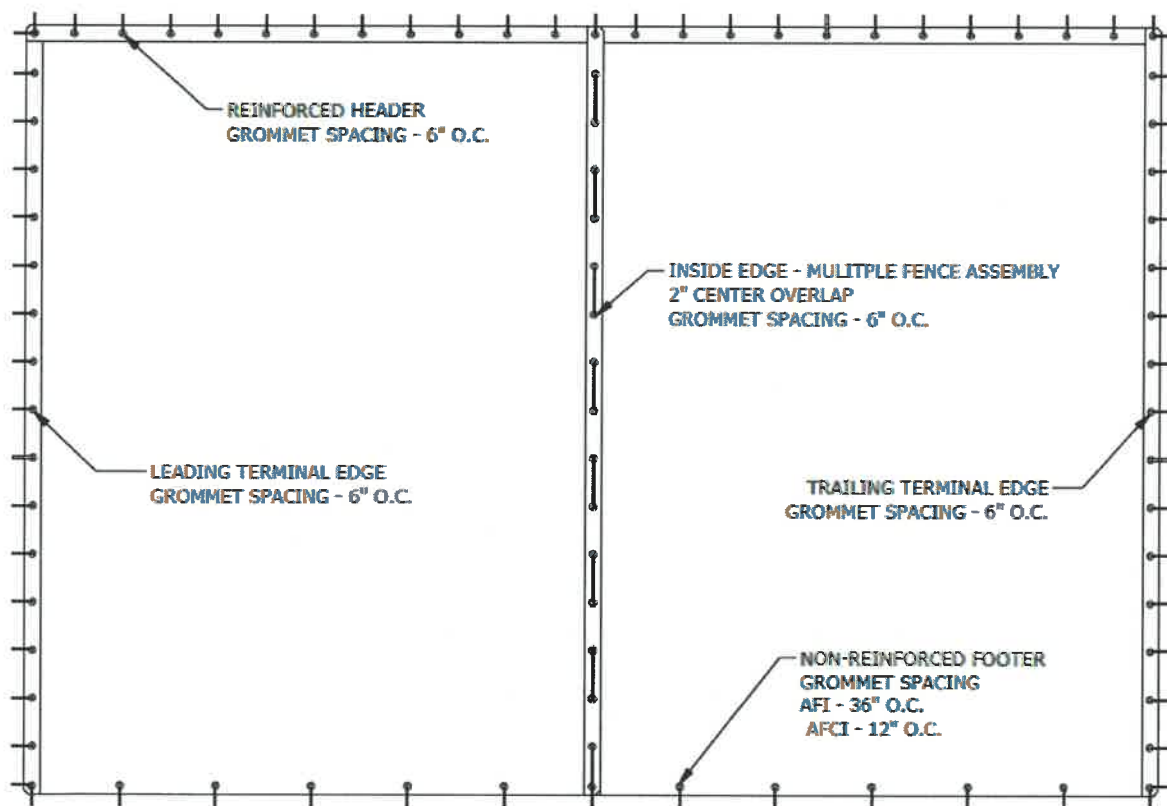


Figure 1-Stainless Steel Tie Orientation

### Secure the Header

Secure the header ties around the rail ONLY. Do not include the chain link fence. This will allow the installer to pull the fence taught (horizontally) as required for the entire installation. Each grommet gets one fastener. Corner grommets get two ties. DO NOT release all the material weight on corner grommets alone.



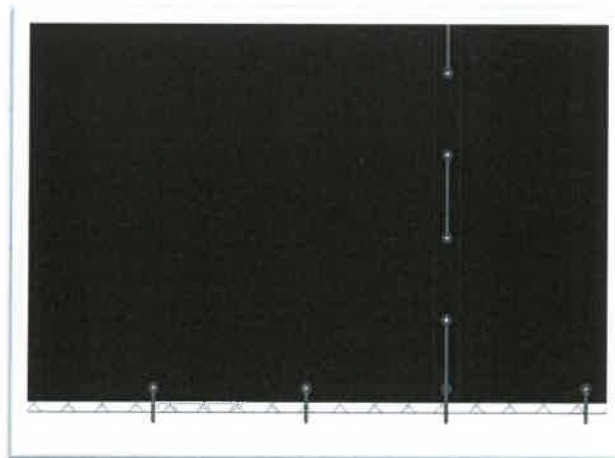
#### 1. Secure First Terminal Edge

Loosely fasten all the leading terminal edge grommets (first fence only) to the chain link fence or post as shown in Figure 1. When all ties have been applied, tighten fasteners using the staggered method. Each grommet gets one tie secured in a horizontal direction. If a single curtain application, both side edges are considered a terminal edge.



#### 2. Secure Base

Secure bottom grommets to the base of the fence structure. Secure each footer as the curtain is hung. If curtain is longer than fence structure, lie on ground and follow Step 5 for securing instructions.



#### 3. Install Additional Curtains

Secure the header of the second curtain using the ending grommet of the first curtain creating the 2" overlap. Keep all curtains taught as the end of one curtain is secured with the beginning of the new curtain to reduce wrinkles while installing. Repeat as necessary for each additional curtain.

#### 4. Ending Terminal Edge

Fasten the SS Ties as shown in Figure 1 for the trailing terminal edge orientation.

#### 5. Bury and Trim

When the fence is completely installed, follow the recommended base (footer) of fence recommendations. This step will vary depending on the ground surface of fence and surrounding area. Once all ties have been properly snug according to location, trim and dispose of SS tie ends according to local and regional waste laws.



There are many ways to hang Acoustiblok Industrial Curtains on a solid structure. Please visit our website at [acoustiblok.com](http://acoustiblok.com) for installation suggestions from other satisfied customers.

### 1. Secure the Header

Prepare wall – Make sure wall is free from objects that may pierce material. While attaching the header to the structure, maintain support on remainder of fence. If using a fastener application (screw/washer or staple) do not leave more than 2ft<sup>2</sup> without a fastener. If using framework (as shown above) be sure to secure all fence edges with the framework.



### 2. Secure the Edges

Permanently attach both edges to structure. Be sure all air gaps are sealed to block sound and noise through fence.



### 3. Secure the Footer

Permanently attach bottom edge to structure.

## 8 FT DOUBLE FRAMED FULL PRIVACY - PICKET FENCE



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Legal Disclosure:

IN NO CASE SHALL ACOUSTIBLOK INC. BE LIABLE FOR INCIDENTAL, CONSEQUENTIAL OR INDIRECT DAMAGE TO PRE-EXISTING FENCE STRUCTURE SYSTEMS AND/OR PROPERTY DAMAGE RESULTING FROM THE ATTACHMENT OF PRODUCT PURCHASED HEREUNDER. ENSURING THE ADEQUACY OF THE STRENGTH AND STABILITY OF THE STRUCTURE SYSTEM IS ENTIRELY THE RESPONSIBILITY OF THE INSTALLER. THE PURCHASER SHALL ASSUME ALL SUCH RISKS. THE EFFECTIVENESS OF ALL ACOUSTIBLOK® PRODUCTS, INCLUDING ACOUSTIFENCE®, MAY BE INFLUENCED BY A NUMBER OF FACTORS INCLUDING BUT NOT LIMITED TO; THE CONNECTIONS USED, THE METHOD OF BINDING/TYING, SEALING SEAMS, THE WEATHER CONDITIONS AND THE MANNER OF USE OR APPLICATION. ALL OF WHICH ARE BEYOND THE CONTROL OF ACOUSTIBLOK, INC.

THE INSTALLATION GUIDE FOR THIS PRODUCT SHOULD BE FOLLOWED CAREFULLY. IT IS IMPOSSIBLE TO ELIMINATE ALL OUTDOOR NOISE WITH USE OF THIS, OR ANY PRODUCT. THE FIRST STEP IN REDUCING ANY OUTDOOR NOISE IS ADDING A SOUND BARRIER BETWEEN YOU AND THE NOISE, SUCH AS ACOUSTIFENCE, THAT IS AS HIGH AND WIDE AS POSSIBLE. THE DISTANCE AND ELEVATION OF THE BARRIER THAT IS PLACED BETWEEN THE NOISE SOURCE AND LISTENER IS KEY TO OBTAINING THE GREATEST REDUCTION RESULT. OTHER OBJECTS, SUCH AS TREES, BUILDINGS AND MOVING VEHICLES, CREATE SOUND REFLECTIONS THAT CAN ALSO CHANGE THE RESULTS. WITH ALL SOUND PROOFING PRODUCTS, IT IS MORE DIFFICULT TO ACHIEVE A NOISE REDUCTION RESULT OUTDOORS THAN IT IS INDOORS. THE RESULTING STC SCORES FROM AN OUTDOOR INSTALLATION WILL BE LESS THAN A LABORATORY STC TEST RESULT, DUE TO THE MANY VARIABLES FOUND IN AN OUTDOOR ATMOSPHERE.

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Information herein is, to the best of our knowledge and belief, accurate. However, since conditions of handling and use are beyond our control, we make no guarantee of results and assume no liability for damages incurred by the use of this material/product. All material/products may present unknown health hazards and should be used with caution. Although certain hazards are described herein, we cannot guarantee that these are the only hazards that exist. Final determination of suitability of this material/product is the sole responsibility of the user. No representations or warranties, either expressed or implied, of merchantability, fitness for a particular purpose or any nature are made hereunder with respect to the information contained herein or the material/product to which the information refers. It is the responsibility of the user to comply with all applicable federal, state and local laws and regulations.



This MANU-SPEC® utilizes the Construction Specifications Institute (CSI) *Project Resource Manual* (PRM) including *MasterFormat™*, *SectionFormat™* and *PageFormat™*. A MANU-SPEC is a manufacturer-specific proprietary product specification using the proprietary method of specifying applicable to project specifications and master guide specifications. Optional text is indicated by brackets [ ]; delete optional text in final copy of specification. Specifier Notes typically precede specification text; delete notes in final copy of specification. Trade/brand names with appropriate symbols typically are used in Specifier Notes; symbols are not used in specification text. Metric conversion, where used, is soft metric conversion.

This MANU-SPEC specifies an outdoor sound isolation fence membrane. These products are manufactured by Acoustiblok, Inc. Revise MANU-SPEC section number and title below to suit project requirements, specification practices and section content. Refer to CSI *MasterFormat™* for other section numbers and titles.

## SECTION 09 80 00 ACOUSTIC TREATMENT

### PART 1 GENERAL

#### 1.01 SUMMARY

##### A. Section Includes:

1. Sound isolation fence membrane, for chain link fence and or metal frame structures...

Specifier Note: Article below may be omitted when specifying manufacturers proprietary products and recommended installation. Retain Reference Article when specifying products and installation by an industry reference standard. If retained, list standard(s) referenced in this section. Indicate issuing authority name, acronym, standard designation and title. Establish policy for indicating edition date of standard referenced. Conditions of the Contract or Section 01 42 19 - Reference Standards may establish the edition date of standards. This article does not require compliance with the standard but is merely a listing of references used. Article below should list only those industry standards referenced in this section. Retain only those reference standards to be used within the text of this Section. Add and delete as required for specific project.

#### 1.02 REFERENCES

##### A. ASTM International

1. ASTM C423 Standard Test Method for Sound Absorption and Sound Absorption Coefficients by the Reverberation Room Method.
2. ASTM D3273 Standard Test Method for Resistance to Growth of Mold on the Surface of Interior Coatings in an Environmental Chamber.
3. ASTM D3274 Standard Test Method for Evaluating Degree of Surface Disfigurement of Paint Films by Microbial (Fungal or Algal) Growth or Soil and Dirt Accumulation.
4. ASTM E90-09 (2016) Standard Test Method for Laboratory Measurement of Airborne Sound Transmission Loss of Building Partitions and Elements.
5. ASTM E413-16 Classification for Rating Sound Insulation.

Specifier Note: Article below includes submittal of relevant data to be furnished by Contractor, either before, during or after construction. Coordinate this article with Architect's and Contractor's duties and responsibilities in Conditions of the Contract and Section [01 33 00 - Submittals Procedures].

#### 1.03 SUBMITTALS

- A. General: Submit listed submittals in accordance with Conditions of the Contract and Section [01 33 00 - Submittal Procedures] [ ].
- B. Product Data: Submit product data, including manufacturer's SPEC-DATA® sheet, for specified products.
- C. Samples: Submit 8 inch × 10-inch (203 × 254 mm) samples of each product specified.
- D. Quality Control Submittals:

1. Manufacturer's Instructions: Manufacturer's installation instructions.

Specifier Note: Article below should include prerequisites, standards, limitations and criteria which establish an overall level of quality for products and workmanship for this section. Coordinate article below with Division 01 Quality Assurance Section.

#### 1.04 QUALITY ASSURANCE

- A. Regulatory Requirements: In accordance with Section [01 41 00 - Regulatory Requirements] [\_\_\_\_\_].
- B. Installation: In accordance with manufacturer requirements.

#### 1.05 DELIVERY, STORAGE & HANDLING

- A. General: Comply with Section [01 61 00 - Common Product Requirements] [\_\_\_\_\_].
- B. Delivery: Deliver materials in manufacturer's original, unopened, undamaged containers with identification labels intact.
- C. Storage and Protection: Store materials protected from exposure to harmful environmental conditions and at temperature and humidity conditions recommended by the manufacturer.

### PART 2 PRODUCTS

Specifier Note: Retain article below for proprietary method specification. Add product attributes, performance characteristics, material standards, and descriptions as applicable. Use of such phrases as "or equal," "or approved equal" or similar phrases may cause ambiguity in specifications. Such phrases require verification (procedural, legal and regulatory) and assignment of responsibility for determining "or equal" products.

#### 2.01 ACOUSTIC TREATMENT

Specifier Note: Paragraph below is an addition to CSI *SectionFormat* and a supplement to MANU-SPEC. Retain or delete paragraph below per project requirements and specifier's practice.

- A. Manufacturer: **Acoustiblok, Inc.**

1. Contact: 6900 Interbay Boulevard, Tampa, FL 33616; Phone: (813) 980-1400; Fax: (813) 849-6347; E-mail: [sales@acoustiblok.com](mailto:sales@acoustiblok.com); website: [www.acoustiblok.com](http://www.acoustiblok.com). Technical Contact: [shawn@acoustiblok.com](mailto:shawn@acoustiblok.com)

#### 2.02 MATERIALS

Specifier Note: Retain products below to conform to project requirements. If more than one product is retained, create designators and coordinate with drawings.

- A. **AF-6 (Acoustifence)**. Sound Isolation fence membrane:
  1. Thickness: 0.125" ± 0.03" (3 mm ± 0.76 mm)
  2. Weight: 1 psf (4.89 kg/m<sup>2</sup>)
  3. Heat tolerance: 190°F (87.77°) for 7 days, less than 1% shrinkage with zero deformations.
  4. Freeze tolerance: -0°F (-17°C). Do not unroll or flex frozen material. Properties not affected by freeze/thaw cycles.
  5. Grommated Edges: *Horizontal Sections*- 8" o.c. (Top), 6" o.c. (Sides), 26" o.c. pair sets 6" from the bottom, *Vertical Sections*- 8" o.c. (Top), 6" o.c. (Sides), 26" o.c. pair sets 6" from the bottom. Custom spacing upon request.
  6. Acoustical Properties:
    - a. Sound transmission coefficient (STC) of 28 when tested in accordance with ASTM E90-09 (2016) and E413-16.
  7. Fungal Growth: Rating of 10, no fungal or algal growth, no visible disfigurement when tested in accordance with ASTM D3273 and D3274.
  8. Tensile Strength: Up to 510 psi (3516 kPa) when tested in accordance with ASTM D5034.
  9. Color: Black or Green
  10. Barium free
  11. UV tolerant
- B. **AF-6i & AF-8i (Acoustifence)**. Sound Isolation fence membrane:
  1. Thickness: 0.120" ± 0.03" (2.5 mm ± 0.76 mm)
  2. Weight: 1 psf (4.89 kg/m<sup>2</sup>)
  3. Grommated Edges: *Horizontal Sections*- 8" o.c. (Top), 6" o.c. (Sides), 26" o.c. pair sets 6" from the bottom, *Vertical Sections*- 8" o.c. (Top), 6" o.c. (Sides), 26" o.c. pair sets 6" from the bottom. Custom spacing upon request.
  4. Acoustical Properties:
    - a. Sound transmission coefficient (STC) of 27 when tested in accordance with ASTM E90-09 (2016) and E413-16.

5. Fungal Growth: Rating of 10, no fungal or algal growth, no visible disfigurement when tested in accordance with ASTM D3273 and D3274.
6. Tensile Strength: Up to 1100 psi (3516 kPa) when tested in accordance with ASTM D5034.
7. Color: Black ONLY!
8. Barium free
9. UV tolerant

C. **AF-8iH (Acoustifence).** Sound Isolation fence membrane:

1. Thickness: 0.375"  $\pm$  0.03" (9.5 mm  $\pm$  0.76 mm)
2. Weight: 1.5 psf (7.33 kg/m<sup>2</sup>)
3. Grommeted Edges: *Horizontal Sections*- 8" o.c. (Top), 6" o.c. (Sides), 26" o.c. pair sets 6" from the bottom, *Vertical Sections*- 8" o.c. (Top), 6" o.c. (Sides), 26" o.c. pair sets 6" from the bottom. Custom spacing upon request.
4. Acoustical Properties:
  - a. Sound transmission coefficient (STC) of not less than 30 when tested in accordance with ASTM E90-09 (2016) and E413-16.
5. Fungal Growth: Rating of 10, no fungal or algal growth, no visible disfigurement when tested in accordance with ASTM D3273 and D3274.
6. Tensile Strength: up to 1100 psi (3516 kPa) when tested in accordance with ASTM D5034.
7. Color: Black ONLY!
8. Barium free
9. UV tolerant

## 2.03 ACCESSORIES

Specifier Note: Retain accessories below to conform to project requirements.

- A. Fasteners: 14" Stainless Steel Ties, 250lb rating, included with membrane purchase
- B. Grommet Plugs: push snap plugs to fill grommet holes, not included, must be purchased

## 2.04 PRODUCT SUBSTITUTIONS

- A. No substitutions permitted.

## PART 3 EXECUTION

Specifier Note: Paragraph below is an addition to CSI *SectionFormat* and a supplement to MANU-SPEC. Retain or delete paragraph below per project requirements and specifier's practice.

### 3.01 MANUFACTURERS INSTRUCTIONS

- A. Compliance: Comply with manufacturers product data, including product technical bulletins, product catalog installation instructions and product carton instructions for installation.

### 3.02 EXAMINATION

- A. Site Verification of Conditions: Verify that substrate conditions, for substrates previously installed under other sections, are acceptable for product installation in accordance with manufacturer's instructions.

### 3.03 CLEANUP

- A. Proceed in accordance with Section [01 74 23 - Final Cleaning] [\_\_\_\_\_].
- B. Upon completion and verification of performance of installation, remove surplus materials, excess materials, rubbish, tools and equipment.

**END OF SECTION**

## Suzanne Enser

---

**From:** ROBERT PECKHAM <rpeckham4@cox.net>  
**Sent:** Wednesday, April 9, 2025 4:06 PM  
**To:** Suzanne Enser  
**Subject:** Mary Lou Sanborn application  
**Attachments:** IMG\_9413 2.HEIC; IMG\_9849 2.HEIC; IMG\_9850 2.HEIC; IMG\_9846.HEIC

**CAUTION:** This email originated from outside the Jamestown email system. Please do not click links or open attachments unless you recognize the sender and determine the content is safe.

Our family owns a vacant lot west of the Sanborn property. As you know she was denied a permit to build a 20 foot high fence to block the view of the Bay Voyage Hotel in March of 2023. She has now decided she will build a 20 high fence and now call it a screen. Mrs. Sanborn can call it what she wants but it is a fence. We have heard that she is building the fence to protect some new Arborvitae's she has planted . Protect them from what ? If she's protecting them from the weather she had the fence posts installed on the wrong side of the Arborvitae's. I know of no weather or dangerous objects that are coming from the Bay Voyage. When the posts were being installed I asked the contractor what he was doing and he advised they are building a (barrier) so Mrs. Sanborn doesn't have to see the Bay Voyage. A 20 foot high screen would be like a sail and would be flopping around creating noise and would be dangerous for the property around that area. She bought this property knowing the Bay Voyage was there . We can not allow people to start erecting 20 foot high fences or screens because they don't like their neighbor. This fence will further block the view of the waterfront that my Dad , Donald Richardson has enjoyed for over 60 years. We respectfully ask that you deny this request and make her remove the posts . I have enclosed some pictures of fence posts. Bob and Donna Peckham and Family

1.









