



LIGHT AIR NOISE (LAN) Bylaw Committee

Meeting Minutes

Date: 3/12/19

Time: 7:00 - 9:00 PM

Conference Room A, Pepperell Town Hall

Meeting was called to order at 7:10 PM

Attending: Margaret Scarsdale, Vince Premus, Tony Beattie, Mark Little, Ron Karr, Joe Radwicz, Harvey Serreze, Renee D'Argento, Sherrill Rosoff, Pat Kenneally

Absent: Tim Brothers, Casey Campetti, Max Gordon

Meeting came to order at 7:10 pm.

Work Session:

Meeting Minutes for 2/26/19 were approved.

Meeting began by Vince Premus reviewing the difference between relative and absolute approaches to measuring noise level as discussed at the previous meeting. Various cellphone apps can be used to measure the relative levels of noise with the advantage of being simpler to enact and enforce. An absolute approach requires calibrated instrumentation that will be a far more expensive proposition given we are most concerned about noise levels in residential areas, not so much commercial and industrial. He further suggested that it will be up to the Board of Health (BOH) to apply the noise bylaw with discretion. Renee D'Argento reminded the group that the noise bylaw really addresses persistent noise that becomes a public nuisance.

Renee also recommended the committee consider adding a value statement at the beginning of the bylaw addressing the importance of a noise bylaw for the general wellbeing of the town. Harvey Serreze liked the idea of a value statement; Renee mentioned that World Health Organization research can be cited regarding the recognized health hazards of excessive noise levels.

Harvey Serreze recommended including representatives of the Police Department and the Board of Health in one of the LAN committee meetings prior to a final draft.

Ron Karr supported that idea, noting that when the Noise Bylaw is presented at the Fall town meeting, the committee can assure town residents that the BOH, Board of Selectmen (BOS), and Police Department have reviewed and support the bylaw language.

Tony Beattie asked whether the bylaw should contain language around process resolution between neighbors before a disagreement reaches the BOH. Discussion ensued. Vince Premus cited as an example Maynard's experience with Digital Equipment in which the area's ambient noise around Digital's building increased significantly but the town had no bylaw in place to address abutters' complaints. Vince Premus didn't think this bylaw has as much to do with neighbor's complaints against each other as noise levels between abutting zoning districts.

The committee decided to incorporate a value section in the bylaw.

Committee discussion moved to considering exceptions due to extreme weather conditions that might affect the hours of operations for construction workers such as roofers. Should the bylaw contain language to address this issue or should the committee leave it to the discretion of the BOH? Discussion ensued as to whether language regarding heat extreme exceptions for construction workers was needed if the activity was not persistent. Harvey Serreze suggested the BOH could make exceptions for instances of extreme weather conditions. He suggested that the committee view its effort more as creating a framework; future issues and/or concerns can be addressed by amendments.

A clean copy reflecting the agreed upon edits to the bylaw draft will be distributed to the committee for its consideration next week.

The meeting adjourned at 8:50 pm.