



LIGHT AIR NOISE (LAN) Bylaw Committee

Meeting Minutes

Date: 5/28/2019

Time: 7:00-9:00 PM

Location: Conference Room A, Town Hall

Present: Margaret Scarsdale, Mark Little, Vince Premus, Renee D'Argento, Tony Beattie, Pat Kenneally, Sherrill Rosoff

Absent: Ron Karr, Casey Campetti, Harvey Serreze, Joe Radwich

The meeting was called to order at 7:20 PM.

Approval of the minutes of the 5/8 meeting will be deferred; a pdf file will be sent around to committee members before the next meeting. Will take up the 5/8/19 minutes at that time.

Margaret Scarsdale informed the committee that Chief Scott had reviewed the Noise bylaw draft and had two questions that needed clarifying. He wanted to know if the police department will continue to police noise complaints and whether the department would refer ongoing complaints to the Board of Health. Margaret Scarsdale confirmed with him that that would be the procedure. He will be writing a letter regarding his review and support of the Noise bylaw which Margaret Scarsdale will pursue. The Building Inspector is still reviewing the bylaw, and will have his comments by mid-June. Casey Campetti is working with the Planning Board. We are having a hard time scheduling the Pepperell Business Association to present the draft to them. Finally, Tim Brothers has reviewed committee comments so far regarding the Light bylaw and will come to the next scheduled LAN meeting.

Vince Premus had an outline of his comments that captures the spirit of the Noise bylaw; he ran through them for the committee. His comments are targeted to the Board of Health, to look at the bylaw from their perspective. He wants to assure the BOH that if someone brings a complaint to them that it is totally appropriate to use a cell phone app to help with the Board's determination; can use calibrated measurement as a fallback. Mark Little suggested examples

of what a 65 decibel level and what a 10 decibel level is would be helpful. Could have a chart of noise examples as a handout. Nashoba Board of Health is qualified to do calibrated measurements as is, of course, the Mass. DEP.

Discussion ensued about an overlay map of the town to establish base lines of noise around town; the committee had decided it didn't want to address that specifically in the bylaw. Business owners could be proactive and establish a baseline in case they have a change in their business practices. The committee recognized that existing businesses in town that are not changing the scope of their business but might be purchasing new equipment that might change noise levels would benefit from establishing a baseline noise level.

The question arose as to what protocols could the Board of Health follow for a business to establish a baseline and how that gets recorded with the town. Tony Beattie suggested that the Building Inspector could refer an application to the Board of Health if a business owner came to him wanting to expand or improve his/her business.

These implementation questions are outside the bylaw. Implementation details should not be in the bylaw.

Farms are exempt from the bylaw.

Margaret Scarsdale said that three people have commented on the latest Light bylaw version which Tim Brothers has for his latest v.5 draft. We would present each bylaw as a separate warrant at town meeting. Public input meetings would also be separated for each bylaw- two separate nights. Tony Beattie said that he did get the Light bylaw draft to Paula Terassi (conservation) but he has not yet written the value statement.

The committee agreed that we should put together a presentation on each bylaw for Pepperell cable.

Margaret Scarsdale will reach out Tim Brothers; Tim is testifying at the State legislature regarding dark skies legislation and between his legislative and observatory work, his calendar is pretty full.

The meeting adjourned at 8:31 PM.