

Town of Brookfield Planning Board
Noise Ordinance Subcommittee
267 Wentworth Rd.
Brookfield, NH 03872

Minutes for 7/21/2009 Meeting

The meeting was called to order by Chair Tom Whelton at 6:35pm.

Committee members in attendance: Tom Whelton (Chair), Rob Collins, Clifton Camp
Committee members absent: Brad Williamson (prior notice of absence given on 7/20/2009)

Members of the public in attendance: Ernie Brown, Bob Lineham, Ed Nason, Jim Murfey

Topic #1: Introduction of subcommittee members and identification of Citizen Volunteers

Chair Whelton opened the meeting by distributing a packet of materials to all attendees which included an agenda the meeting (see attachments). Additionally members of the public that were present were invited to participate as members of the subcommittee. The Chair briefly reviewed the agenda and began discussing the contents of the packet provided. Discussion progressed into a review of available online resources regarding noise ordinances and questions regarding the Town of Brookfield's legal authority regulate noise and various RSA's which do regulate noise.

Topic #2: Statement of Purpose/Committee Charter

The committee began its discussion of the proposed Statement of Purpose/Committee Charter with a review of the proposed language. Two specific concerns were raised and discussed at length. Those concerns were; the proposed date of completion and the how the language could be better worded to address the balance the needs of all community stakeholders.

Mr. Camp voiced his concern that this matter should not be rushed and that ample time was available through the fall to allow the subcommittee to complete its work without rushing proposed amendments to the full planning board for review. After a review of the timeline of the process for reviewing amendments by the full planning board and the dates involved the following motion was made by Mr. Camp

Motion: "to change the date listed in the proposed Statement of Purpose/Committee Charter to October 12th 2009". The motion was seconded by the Chair and discussion ensued.

Discussion of the Motion

Mr. Collins expressed his concerns adjusting the date could lead to problems in the committee achieving its goals by the stated date. Chair Whelton noted that the proposed date had been reviewed by Planning Board Chair Murfey and was appealing as it provided the full Planning Board ample time to review the topic and hold public hearings on any proposed amendments as necessary. The discussion concluded and the question was called by the Chair

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Result: YEA (2) NAY (1)

Following the vote a motion was made by Mr. Camp.

Motion: “to accept the Statement of Purpose/Committee Charter as amended”
The motion was seconded by Mr. Collins and discussion ensued.

After an extensive discussion on how to best word the Statement of Purpose/Committee Charter to properly represent or balance the concerns of various constituencies in the community the Chair requested that the motion be withdrawn so that the meeting could continue. The Chair offered to rewrite the Statement of Purpose/Committee Charter accounting for the suggestions derived in the discussion. The motion was withdrawn.

Topic #3: Discussion of the subcommittee timeline, meeting schedule & required committee activities.

Chair Whelton noted that Mr. Williamson was unable to attend the meeting due to a recurring schedule conflict and requested the subcommittee members to consider an alternate day of the week for the subcommittee to meet. Additionally, the Chair Whelton requested input from the subcommittee members with regard to meeting weekly or bi-weekly. After discussion of the various weekday options and known schedule conflict for the various members Chair Whelton made the following motion.

Motion: “To change the subcommittee meeting schedule to Thursday evening at 6:30pm, bi-weekly, commencing July 30th 2009” The motion was seconded by Mr. Collins.

Result: YEA (3), NAY (0)

Following the vote Chair Whelton noted that since there are four members of the subcommittee a quorum shall consist of three members.

Topic #4: Presentation methods of ideas and/or working documents to the subcommittee.

Chair Whelton requested the attendees turn to the page titled “Presentation & Dissemination of Subcommittee Information” in the packet of materials distributed (see attachments). The Chair read the document aloud to ensure all members of the subcommittee had a mutual understanding regarding how materials should be presented to the group to minimize time loss.

Topic #5: Open Discussion

At this point in the meeting the Chair opened the floor. The Chair explained he had concerns about the meaning of various technical terms related to the topic of noise specifically decibels and the various measuring systems. The subcommittee reviewed the various documents provided by the Chair regarding both the mathematical construct of decibels and the various filters (dbA & dbC) and their purposes. Discussion continued

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with a request from the Chair to Mr. Collins to describe his 'Citizens Proposal' dated 7/13/2009. Mr. Collins explained how he derived the structure and contents of the proposal through the review of ordinances for other municipalities throughout the country. Mr. Collins noted that some municipalities ordinances were vague and others extremely specific. Mr. Collins continued by expressing his concerns about the enforceability of any ordinance through the incorporation of noise level regulations. Discussion continued at length with members of the public citing their concerns and personal experiences of how a noise ordinance could be used against residents or home based businesses. Chair Whelton introduced, for the purposes of discussion, a list of 'Common Sense Ordinance Exemption' items (see attachments). Chair Whelton explained that it seemed appropriate to him to exempt certain common activities that, though noisy, are commonly needed to protect and maintain homes and residents property. Discussion again returned to how an ordinance would be enforced with regard to noise generated by livestock and guard animals.

The Chair ended the meeting with a request for agenda item requests for the next meeting. None were suggested. The Chair requested the following research be completed by the next subcommittee meeting on 7/30/2009.

Tom Whelton – Contact the Towns of New Durham, Ossipee & Middleton to see if they have a noise ordinance and request statistics regarding its enforcement and statistics on noise complaints to the Police. Also re-write the Statement of Purpose/Committee Charter.

Clifton Camp - Contact the Town of Wakefield to see if they have a noise ordinance and request statistics regarding its enforcement and statistics on noise complaints to the Police. Also to see if the Wakefield PD owns a noise meter.

Rob Collins – Investigate which RSA covers barking dogs & investigate what noise meters are on the market for use by a local Police Department.

Ed Nason – (Volunteered for this item only) Contact the Town of Wolfeboro to see if they have a noise ordinance and request statistics regarding its enforcement and statistics on noise complaints to the Police.

There being no additional business the meeting was adjourned at 8:15pm.