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Symmes Neighborhood Advisory Committee Minutes 02/14/2005

MINUTES

SYMMES NEIGHBORHOOD ADVISORY COMMITTEE (SNAC)

MEETING of February 14, 2005 ; Town Hall Annex, 1st Floor Conference Room

SNAC MEMBERS PRESENT (alphabetical order): Sandi Bourgeois, Terry Dash (Chair), Greg Jackmauh, Paul Morrison.

OTHERS: Deborah Dill, Ron Spangler

7:03 Call to Order.

- ARB is meeting upstairs at the same time as we are; Greg goes upstairs to the ARB meeting to monitor progress (he returns when they go into Executive Session).

7:05 Ron Spangler from the Town's Noise Committee is present to discuss a proposed amendment to the Town's By-Laws on noise control.

- Ron notes that he is a new member of the Noise Committee, and that further historical perspective could be gained by speaking with John Fitzmaurice from that Committee. The Noise Committee's motivation stems from noise issues that arose for neighbors during the redevelopment at the corner of Scituate and Gray Streets.
- They recognize we are sensitive to noise issues with the work that will be done at Symmes. So, they would like to discuss and have the understanding that there are common goals, and support for each other's position.
- They propose a new by-law for noise abatement with an eye toward limiting construction noise. The warrant article has been submitted. It is noted that Frank Ciano is the chair of the Noise Committee; noted also that the Noise Committee reports to the Selectmen – the Selectmen know of the warrant article and the motivation behind it.
- Ron notes that he did receive comments on his 1/18/05 draft of the article from a couple of SNAC members.
- They are looking to better quantify limits on noise. He notes that vibration limits are hard to enforce. "L10 levels" should be included in addition to maximum sound levels. Perhaps weekend start time could be 9 am, instead of 8 am. Text on siren testing may be removed. Maybe there could be a scale for fines, to get more response from companies (versus individuals). A proposed limit of 85 db at 50 feet from a property line was mentioned; Deborah notes that the distance sounds too close for that kind of noise.
- Terry asks what would hurt the construction co in this? Revoke building permit?

7:44 Deborah asks about NPP vs this new proposed by-law if passed. We propose that the more restrictive one would win out

7:50 Changing subjects, Greg reports that he has spoken with a land use attorney to get some thoughts on the development. The lawyer suggested that a simple appeal of the development could cause a 9 month delay; further, a more robust appeal could delay the work for as long as 2 years. It was further suggested that suits based only on the Construction Mitigation Plan (i.e the NPP) would be unlikely to win in the end. An appeal does not have to be a SNAC responsibility.

8:00 We adjourn temporarily to go upstairs to the ARB meeting as a group. It is noted in that meeting that SRA/Fish will apply for a special permit first for the Medical Office Building (MOB); the intent is to lift the restraints on the MOB use at Special Town Meeting.

8:40 We resume SNAC meeting.

- Terry recalls proposal to have Tom Murray consult and review the NPP; we will propose the idea to the ARB at their 2/28/05 meeting.
- Sandi volunteers to work on some numbers to assist in the issue of the Brattle Street paper street.
- Greg states that the NPP in its current form is a "failed" plan. He restates that he is not clear on what alternatives SNAC has if the NPP remains 'failed' in its final form.
- There was discussion regarding having a SNAC member attend the next Noise Committee meeting. Sandi volunteered to attend the Noise Committee meeting scheduled for Tuesday, 2/15/05 at 7 p.m.

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Draft Minutes for Review: Submitted – Paul Morrison 3/22/05