

**Town of Lee Ad Hoc Racetrack Committee Meeting Minutes
November 9, 2016**

Attendees: Cary Brown, Bill Callen, Dave Cedarholm, Tom Dronsfield, Tom Loureiro

Tom Loureiro provided an overview of the draft sound monitoring procedures he prepared (see draft as Attachment A).

Committee members generally agreed that the description of the monitoring location is adequate. Cary Brown briefly described the location of the access path to that monitoring location, noting that the path can be accessed from Route 125, just south of the Speedway. He further noted that he had spray painted a tree located at the entrance point blaze orange.

Tom Loureiro agreed to reach out to the Town's sound monitoring consultant, Eric Reuter, to obtain guidance on appropriate equipment settings to be used when monitoring Speedway events. The committee members otherwise agreed that we would monitor all Speedway events, turning on the monitor prior to the commencement of activities and collecting data through the end of racing activities at the end of the night. Following each Speedway event, the recorded data would be reviewed by the Town's Chief of Police to determine whether any violations had occurred. Tom L asked whether it was possible to post the data following each Speedway event to the Town's website. The general consensus was that it might be difficult to do so but that the data should be available should any party request to review it.

The subcommittee discussed maintenance of the sound meter. Cary will provide Tom L with contact information for the company we recently used to calibrate the Town's sound meter. Tom L will reach out to the company to get guidance on how frequently we should have the meter's serviced and related information, which can be included in the monitoring procedures.

The subcommittee then discussed how to define a violation. Tom Dronsfield noted that records start times for all heats and races during events, so it will be possible to correlate captured sound data with those heats and races following events. Given our ability to distinguish between heats and races in this manner, Tom D suggested the following definition of a violation:

A violation shall occur if, during any race, race data identified three distinct instances in which the meter recorded sound in excess of 97 dB.

Tom D further suggested that data from preliminary heats not be used for purposes of defining a violation. The rationale for this distinction is that this would give the Speedway personnel the opportunity to identify problematic vehicle during the heats and take corrective action prior to a race.

The subcommittee turned to the topic of penalties. First, the subcommittee discussed whether penalties should apply from the first violation. Tom D suggested that we should the first violation should result in a warning, after which penalties should apply. Further, he suggested that we should distinguish between vehicle classes when tallying violations for penalty purposes.

Concerning the dollar amount assessed as penalties, the subcommittee discussed a few options. Initially, Dave Cedarholm suggested that penalties start with the first violation. Tom D suggested that we look at the dog ordinance as a model, which provides for penalties starting at \$25 for the first

violation, \$50 for the second and so on. Dave Cedarholm stated that he thought more substantial penalties were appropriate, starting at \$100. Tom L suggested a compromise, specifically, that we allow for two or three warnings, prior to imposing penalties, and suggested we start with \$50 and increase in \$25 for each subsequent violation.

The subcommittee discussed separating the sound monitoring process into two pieces for drafting purposes. Specifically, we will prepare a warrant article that would amend the existing sound ordinance. That warrant article would reference a separate set of monitoring procedures (described to follow), as well as the definition of a violation and a description of penalties. Separately, we would prepare a detailed monitoring procedures document, which would spell out monitoring details, including the monitoring location, the type of meter to be used, equipment maintenance, appropriate technical settings for the meter, and similar details.

EXHIBIT A

Sound Ordinance Addendum

DRAFT

Monitoring Location

The monitoring station is located proximate to the Lee USA Speedway property line immediately to the south of the racetrack. Access to the monitoring station is via the Lee USA Speedway property. A path through the woods to the monitoring station has been cleared of brush and trees, and is marked with surveyor tape [we should mark more permanently with spray paint or similar].

A 21-foot-long telescoping pole has been set into the ground at the monitoring location. The Meter (as defined below) shall be attached to the top of this telescoping pole prior to full extension. Once the pole has been fully extended (a red line marked on the last telescoping section shall be used to confirm full extension), the Meter will be at an approximate elevation of 21 feet from the ground at this location.

Equipment and Maintenance of Equipment

Sound monitoring will be conducted using a data-logging sound level meter that meets or exceeds the International Electrotechnical Commission's (IEC) 61672 Class 2 standard (the "Meter"). That Meter will be calibrated by [description] in March of each year and may, at the discretion of Town officials, calibrated at other times during the Speedway's season of operation.

Monitoring Methodology

For purposes of this Addendum, the term, "Event" shall have the meaning provided in the Racetrack Ordinance [add citation].

The Meter shall be powered up and set in place on the monitoring pole, as described above, prior to each Event and shall continue to collect sound data for the duration of the Event. Specifically, the Meter will be set to record continually, at XX intervals, throughout the Event [describe settings.]

All monitoring data will be captured on a removable SD Card, which card will be removed and the data downloaded after each Event.

Collection and Posting of Monitoring Results

Monitoring data will be posted in unedited form [describe format; chart, table, etc.] to the Town's website within two business days of each Event. The monitoring data will also be reviewed by the Chief of Police or the Chief's delegate within two business days of the Event to determine whether any Violations occurred during the event.

Violations and Penalties

To Come.