

## TOWN OF LEE

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Date: Jan 28 2013

Attendees: J LaCourse, A Lelio, C Murch, T Loureiro

1. LaCourse opened meeting, agenda was to discuss violations and sanctions with respect to Section 21A of the Ordinance.
2. LaCourse noted that after a 1 year grace period of no enforcement of the Section 21A noise limits, enforcement will now begin with the 2013 race season.
3. LaCourse presented research on various municipal sound related Ordinances and their related violation/penalty language. He also cited several Ordinances specific to racetracks, including Arizona Motorsports Park.
4. Group reviewed 2012 racing season data. Murch explained that sound readings were taken in 3 second intervals, and then captured in a file which can be output into Excel. This allows sortable tables to be created showing each instance of "over threshold" dBA readings. LaCourse reminded the group that it would not make sense to penalize the track for a single blip reading over the noise limit threshold. Group discussed how many "over threshold" readings might constitute a violation. General consensus in the group was that (3) three "over threshold" readings within a racing event (event defined by the Ordinance as a racing contest to be contained within a calendar day, to include, but not limited to practice, heat races and feature races) should constitute a violation.
5. LaCourse then reviewed research he had done regarding penalties for noise violations. Penalties researched ranged from \$25 to \$2500 per day or per violation episode. Murch stated that the maximum Ordinance fine in NH is set at \$1,000. Group consensus was that a progressive fine system would make sense, and would hopefully have the effect of mitigating the number of repeat violations.
6. Group suggested the following progressive fine structure for violations as defined above: first violation- \$250 fine; second violation- \$500 fine; third violation- \$750 fine and mandatory appearance in front of the Select Board; fourth violation- \$1,000 fine and possible revocation of racing license.
7. LaCourse outlined next steps: he will draft language regarding dBA violations and penalties, and will distribute to Ad Hoc committee for review. He would like to schedule one more Ad Hoc meeting to review and accept the final violation/penalty language, and then he will present that language to the Select Board for final deliberation and vote.
8. Meeting adjourned.