**Harwich Ad Hoc Noise Containment Committee Meeting Minutes**

**November 12, 2019**

**Members present**: Angela McNamara, Bob Cohn, Cyndi Williams, Frances Rich, Walter Mason, Heather Skowronek.

**Others present**: Police Chief David Guillemette, Deputy Kevin Considine

Angela called the meeting to order at 5:30 pm and gave ground rules: meeting was to be 1 hour long.

**Old Business**:

Minutes from Oct 29th were approved.

**Harwich Port Measurement of 150’**:

Heather and Angela did a walk through to assess 150’ perimeter around downtown. Measured across from Melrose, Heather & Angela were called out by a person affiliated with the property. They found that the 150 foot southern perimeter ended at the awning in the Melrose parking lot. Perks and the Port close are together and extends to personal property. Angela says sound does travel. We can plug into controllers, but people are going to hear it and it will be an issue.

**New Business**

Music Noise Controller: We need to discuss noise controller information from Mr. Nickerson (do we like it or not). Should be added to the Agenda.

Angela did not hear back from CCCC Media Specialist

Angela hasn’t heard back Bill Rockwell (Sound Engineer)

Plainly Audible definition is in town counsel’s hand. Angela’s hopes to have definition of plainly audible by next meeting.

**Letters:**

Angela read a letter from Sarah Powell and her Husband: Angela’s reply to Sarah’s letter - people need to keep emotions in check. Cyndi’s reply to Sarah’s letter - the Chamber does host an annual sidewalk sale (this was the 4th). Cyndi feels the lack of leaves did not buffer music. Cyndi said she called the complaining party and apologize for the noise. Cyndi said it was not Perks fault, it was the Chamber’s music not Perks.

Bob asks to discuss Tom and Lonnie Cosmer letter: Walter’s reply to the Cosmer’s letter - in the past the Wychmere was used more than it is today. Angela mentions that the noise will travel.

Before discussing Mary Albis’ letter, Cyndi points out that the Claddagh is a previous business and there is a new establishment under new ownership.

The committee discusses Mary Albis’ letter and suggestions:

Bob asks the committee’s thoughts regarding outdoor music at 4-8pm: Walter says the music generally starts at 7pm, generally 7-10pm because bands can be running late. However, the outdoor music is 6-10pm. Angela says - people have said it’s the volume, not the time. The committee discusses music getting quieter later, rather than the band ramping up their last songs. We discuss turning it down between 9-10pm. Someone suggests all outdoor music on Wednesday being done at 9pm. It’s reminded that all businesses want to fix this, it should tone down. We are not discussing changing the hours.

The committee discusses limiting the music on certain nights.

* Sunday, Monday and Tuesday - acoustic only (Harwich Unplugged)
* Wednesday - music until 9pm. (Cyndi suggests and removes the suggestion of only having stroll bands perform on Wednesday).
* Thursday, Friday and Saturday - amplified music with containment.

The committee discusses the idea of acoustic music 7 nights a week as too limiting.

Speakers on the ground is acceptable and good idea. Everyone seems to agree.

Bob asks, what does house sounds system mean. Walter says musicians must plug into a house system, controlled by the employee of the business. Businesses are looking into it. The committee discusses recommending a house system is a good idea as long as it’s affordable.

The committee discusses the location of speakers and musicians within the establishment should be up to the establishment as long as the volume is down.

A member of the committee asks for the actual violations for Port and Perks.

Police Chief David Guillemette says one warning one violation for Perks. The Port has one warning.

Bob suggest that the neighbors need to work with the business. Bob asks if there is a role for the neighbors. Bob continues to say, we need to add communication to the list, Bob discusses the frustration of not getting a call through to the right person at business, hosts/hostesses wouldn’t help. Figure out a better way to get communication and responsiveness.

Angela says, Sarah at Perks is very responsive.

Walter suggests the idea that business should be required to give contact numbers #.

Frances adds, that hopefully this will not be a future a problem anyway.

Police Chief David Guillemette responds to Walter asking the police’s role: the chief said I think the time to intervene is before the complaint process, he can’t do anything but dispatch an officer. A suggestion was made for the dispatcher to call the business before an officer is sent.

Bob says people don’t like to complain to the establishments. Bob suggests a system technology to send complaints to the venue. A system that tracks the call. Committee members are concerned about abuse. Bob doesn’t think there would be abuse. Bob will show us the technology at some point in the future.

Frances agrees that communication is important, people are reluctant to call the business and police.

Angela says that our report should include communication, and the business owner would have to comply with the complaint, however, a windy day could still create an alert even though the business is in compliance.

The committee suggested a list of instruments that should not be included in outdoor entertainment:

* No drums
* No horns
* No cow bell.

Heather mentioned the option to dampen the drums, or play with rods or brushes in lieu of drumsticks.

The committee discussed limiting the number of performers to two. Bob said there could be a group of singers, maybe a quartet.. The committee discussed have an exception on Wednesday nights, to not limit the number of performers. The committee reiterates, no drums, no cow bells, no horns, but then says maybe drums.

The committee discusses the need for comments from the residents and businesses. We need to get the opinion of the residents.

Frances asks about music at rental homes sometimes used as a wedding location. The conversation turns to music at Wychmere or Wequassett, Walter and Cyndi feel that this does not apply to them as they are wedding venues. The conversation returns to the issues of house rentals, Walter says they are covered by the regular noise bylaw, since they do not have an entertainment license.

Deputy Considine says, (regarding noise complaints at rentals) they go to the location and tell the offender to turn the music down and he says typically they do.

Walter reiterates, the private end is the police issue. We can only make suggestions for the licensed establishments.

Deputy Considine says if a venue has a license, then our plan could pertain to them (wedding venues too). Cyndi disagrees. Deputy Considine suggests checking with the BOS.

Frances asks about the speed of violations and penalties, is it outside of us? Can we suggest violations and penalties? Steve is looking into the violation process. Angela can ask the liaison if the committee has a speed of penalty say.

Next Meeting is scheduled for Dec 3rd @ 5:30pm

Next Secretary - Sarah or, if not, Walter.

Frances requests commentary from residents at the beginning. Angela says it's better to hold public comments until the end, so we don’t have to try to get business done fast.

The committee discusses adding the list of suggestions to the agenda in order to make them available to the public for opinions.

They items are as follows:

* Not to change the current hours of music
* Acoustic music only 3 nights out of the week (Sun, Mon, Tues)
* Limit band size to 2-players for outdoor music
* Cut off music at 9pm on Wednesdays
* Exclude horns, cowbells and drums from outdoor music
* Require a house sound system for venues
* Speakers on the ground.

Frances asks about the speaker arrangement for the house speakers. Walter explains that the benefit of multiple speakers is that you don’t have to turn the music up as load if the speakers are located throughout the venue. Walter reiterates the possible cost issue.

Angela discusses the 150’ parameter and the need for legal opinion for plainly audible. Angela will sent out the plainly audible results from counsel when she received them.

Committee will need resident feedback by Dec 3rd. Angela reiterates that she will post the suggestions in the agenda.

Cyndi said she can try to talk to business for feedback.

The Sentry Music Noise Control will be on Agenda for next meeting

Angela will send out the preliminary agenda for the next meeting.

Frances asks what else will we put on the agenda. The Cape Cod Community College media participation. Walter and Angela think a sound technician is good. But it may not be needed. Mr Rockwood is local sound technician.

Bob wants to put forward and idea, a paper from Rutgers that covers an explanation for plainly audible and decibel. Angela thinks we shouldn’t add it to the agenda. Plainly audible has to be provided by the town counsel. The Rutgers doc can not provide a definition for us.

Meeting adjourn