

DRAFT

Minutes of Meeting of the Greensboro Noise Ordinance Committee January 26, 2015

Present: Lenny Schiavone, Erwin “Junior” Salls, Jr., Susan Wood, Anne Harbison, 'Cilla Bonney-Smith, Peter Romans, Tom Anastasio.

Also Present: Charlie McAteer, Bethany McAteer

The meeting was opened at 7:06 p.m. by Peter.

Minutes of the January 13th meeting approved unanimously as written.

Sue presented an email response she received from Catherine Donnelly of the Lakeview Inn. The response gives Ms. Donnelly's perspective on a Greensboro Noise Ordinance. Sue's original email asked Ms. Donnelly to contact her to discuss any potential impact on the Lakeview Inn business and to get Ms. Donnelly's thoughts about noise in the village. A copy of the Donnelly response is attached.

'Cilla stated that she wants to “go back to square one” and not have a noise ordinance. She noted that she enjoys the loud music from the Lakeview Inn and doesn't understand why it's a problem. Lenny noted that 'Cilla lives considerably further from Lakeview than he does. Junior agreed with 'Cilla and characterized a noise ordinance as “penalizing the town.” He further stated that “in his neighborhood, you just talk to your neighbor.” Sue noted that the village is both residential and commercial and a balance must be maintained between those uses.

Peter said that police and other reports make it clear that noise at the Lakeview Inn is not the only problem; complaints to the police have been made from lakeshore locations as well. He further made the point that noise is perceived by more than a few Greensboro residents as a large enough problem that it has been included in DRB conditional use permits for the GAAR theater and for the Yoga facility. Charlie McAteer objected to this characterization of why GAAR's conditional use permit contains a prohibition on outside amplified sound and on use of the facility for wedding receptions.

Sue called for the Committee to focus on what is to be discussed at Town Meeting. She said that Town Meeting will provide a good indicator of whether residents want a noise ordinance. She said that if there is sufficient support for an ordinance (not necessarily a majority – for example 40% would be indicative) a further town meeting should be scheduled to work out the details. Sue stated that, since the Town Meeting vote is not binding on the Selectboard, she is willing to have Lenny's draft ordinance presented even though she does not agree with every detail of the draft..

Junior suggested that the town should enforce mediation rather than have an ordinance. Discussion by the Committee on how this might be implemented, how it could have an effect on noise issues, and whether it would be binding on the parties involved led to rejection of the idea by all other Committee members. Anne said it would open a “big can of worms.” Peter said it would end up being expensive because legal involvement would be inevitable. Sue said that it would necessarily be “after the fact”

and might not have an impact on future events unless it had the force of an ordinance.

The Committee discussed the salient points of Lenny's draft. Lenny pointed out that it differs from his previous draft (and is closer to Megan's draft) in that it allows all construction noise between 6am and 9pm, the prohibition against more than one noise permit (to allow otherwise prohibited noise) a year is deleted, and the prohibition against noise permits for commercial enterprises is deleted.

Lenny moved that the Secretary prepare a brief extract of the draft ordinance (now to be called a "sample ordinance") for attendees at Town Meeting. The Secretary will also write an article for the Hardwick Gazette, the Greensboro Association website, the Town website, and for distribution at Town Meeting; the article will explain the sample ordinance. The motion was seconded by 'Cilla and adopted unanimously by voice vote. The Secretary will email the extract and the article to Committee members. Unless one or more Committee members objects, the Chair will publish the materials.

The Committee deems its work done; no further meetings are envisioned.

Meeting adjourned at 8:13 pm

Respectfully submitted: Thomas Anastasio, Committee Secretary

Susan Wood

From: Catherine Donnelly <cwdlakeview@gmail.com>
Sent: Thursday, January 15, 2015 5:41 PM
To: Susan Wood
Subject: Re: Greensboro Noise Ordinance

Hello Susan:

Thank you for your message. When we began operations at the Lakeview, we were asked if we would be willing to respect the "unwritten" Greensboro rule of no outside noise after 11 pm. We have faithfully followed that rule, and insist that weddings wind down at 10:30, with no outdoor noise after 11. If the town wanted to formalize the "unwritten" rule, I would have no problem with that. I just worry, however, about whether a noise ordinance is really needed. From the perspective of the Lakeview, we hosted 4 wedding this year with outdoor music. The rest of the time, the Lakeview operates in a very low impact way. I do not think our business could function by being any more low impact. In fact, if anything, I get the sense the community would like to see us doing more. We are constantly asked when we are planning on opening the restaurant-not a day goes by in the summer when we are not asked this question.

I think the logistics associated with a noise ordinance and its enforcement would be very difficult and costly to the community. I would prefer to see us discuss what we can do to make Greensboro vibrant. Those wishing for quiet and solitude can find this all over the Northeast Kingdom, including many parts of Greensboro. I think it is bit unrealistic to think that Greensboro's village district would be a constant place of quiet and solitude. The Lakeview Inn itself does not make noise; it is a building. It is people who use the Lakeview who make noise, and they are almost exclusively members of the Greensboro community. The community needs to decide if Greensboro will be a place where occasional celebrations can be enjoyed, or if they would prefer a community of quiet.

It is very interesting to me that some of the same individuals who have written comments on the Greensboro Association website opposing noise from the Lakeview are the same individuals who have actually attended many events at the Lakeview. How curious? We have generously opened our doors to the Greensboro community and sponsored events which have been inclusive to all. In fact, I bet the vast majority of Greensboro community members have attended one or more events at the Lakeview. From my perspective, Greensboro was a much more vibrant place when the Highland Lodge was running at full capacity. When the Lodge closed its restaurant, I think the community really lost a valuable resource. I welcome Circus Smirkus and GAAR as neighbors, believing these are organizations who will help shape the Greensboro of the future. Perhaps the real issue in Greensboro is not really about noise, but about change which is hard for many.

I'd be very happy to speak with you, but this will give you a general idea of my perspectives.

Thanks for reaching out,

Best regards,

Cathy Donnelly