

CITY OF NEWTON

IN BOARD OF ALDERMEN

PROGRAMS AND SERVICES COMMITTEE REPORT

WEDNESDAY, JUNE 17, 2015

Present: Ald. Sangiolo (Chairman), Baker, Leary, Blazar and Hess-Mahan

Absent: Ald. Kalis, Norton and Rice

Also Present: Ald. Albright and Johnson

City Staff Present: Bob DeRubeis (Commissioner, Parks & Recreation Dept.), Seth Bai (Veteran's Services Officer), Jennifer Price (Principal, Newton North High School), and Officer John Panica (Newton Police Dept.), Karyn Dean (Committee Clerk)

#31-15 PROGRAMS & SERVICES COMMITTEE proposing an ordinance to limit the use of leafblowers. [01/26/15 @ 2:20PM]

ACTION: **HELD 5-0**

NOTE: Ald. Sangiolo explained that she wanted the Committee to learn of other municipalities experiences with crafting leaf blower regulations, and to hear more from those in the landscaping business, to assist in the continuing work on the leaf blower ordinance. Fred Lebow, who served as the Noise Bylaw Committee Chairman for the Town of Brookline, joined the Committee. Chris Steele and Steve Heller, of Newton's Economic Development Commission also joined the Committee to share information they collected by interviewing several landscaping professionals in the City. Ald. Sangiolo has also called the Town of Arlington to invite a representative and she hopes someone will join the Committee at its July 15th meeting. Representatives from the landscaping community have also been invited for the July 15th meeting. She anticipates continuing the discussion through September and perhaps October and anticipates input from the City's Parks & Recreation and Public Works Departments.

Mr. Lebow addressed the Committee. He explained that he was a Brookline Town Meeting member for 18 years and also served on the advisory committee for 23 years. He is an electrical and mechanical engineer, did the sound system at Fenway Park and has done a lot of work in acoustics. There is a noise by-law in Brookline, but a number of citizen complaints led them to compose a booklet with suggestions for reducing noise pollution and being a good neighbor, which is attached. He explained that decibels are not added like typical numbers. For example, combining 75dB and 80dB add up to 81.2 dB, not 155dB (see attached chart).

The town had a 2-year ramp up period to the by-law to allow people the opportunity to replace machines that would not qualify as commercial leaf blowers have an average life span of 2 years. Many manufacturers have machines available from 65-67dB. Taking noise measurements with a meter by a local police officer or inspector outside does not typically provide an accurate reading. The equipment now has manufacturers labels permanently affixed which state the dB level of the machine measured from 50 feet, which is the industry standard. Brookline requires that a leaf blower measure 67db or less and must indicate as such by either a manufacturers label or a sticker issued from the town after testing. If a machine did not have a manufacturer's label,

the town could conduct a test at their garage for a small fee. Mr. Lebow set up a test area that would provide an accurate environment for a reading which would be taken 50 feet of the machine. In the field, police officers could simply look at the machine to see if it had a town sticker or a manufacturer's sticker that was within the allowed dB level. This made enforcement much simpler.

Seasonal restrictions were imposed and use of gas leaf blowers was allowed only between March 15-May 15, and September 15-December 15. Use of electric leaf blowers was not restricted. Mr. Lebow was not entirely supportive of the seasonal ban because he felt leaf blowers were useful for removing small amounts of snow in the winter and other debris year-round. He noted that lawnmowers are louder than leaf blowers. He also felt that the yards that were cared for without leaf blowers did not look as well kept as those that did.

Overall, however, he felt that the ordinance has been working very well and the number of leaf blower noise complaints has gone down significantly. Ultimately, the ordinance has to be as simple as possible to enforce.

Committee Questions/Comments

A Committee member said he has heard that the golf courses would like to have an exemption. Many of them use electric lawnmowers near the edges of the property that abut residential lots. They avoid leaf blowers close to homes as much as possible. It was asked if Brookline had an exemption for large non-residential properties. Mr. Lebow said that the Town is exempt from the by-law. Ald. Sangiolo responded that there is a large parcel exemption in Brookline. Mr. Lebow said it's not much of a problem because there are not many residential lots close to the course.

It was asked what sort of complaints still come in to the town on leaf blowers. Mr. Lebow suggested calling Captain O'Leary at 617-730-2200 with the police department for an accurate record of complaints.

The Committee asked if the landscaping contractors complained that the town was exempt but they had to follow the by-law. He was not aware of any complaints and he felt it would have been unreasonable to expect the town to keep all its properties clean without the use of leaf blowers.

EDC Comment

Chris Steele from the Economic Development Commission (EDC) asked Mr. Lebow what sort of interaction took place between the town and the landscaping community and what sort of input was solicited from them while they were drafting their by-law. Mr. Lebow said there was no formal interaction, but he received a few calls from landscapers who expressed that a 2-year ramp-up period was fair. There were public meetings so they were aware of the ongoing discussions. Most of the contractors took the new by-law very seriously, but of course, some did not.

Stephen Feller, Chair of the EDC explained that they interviewed several landscapers to get their opinions and views on how the proposed ban would affect their businesses. They also looked at

Arlington, Cambridge and Brookline ordinances. Comparing those communities to Newton's proposal, Newton is the most aggressive in terms restrictions on the seasonal ban, and the only one to propose an eventual total ban. The more difficult issue is understanding how this will impact the landscapers. Of the six companies they spoke to they heard it would be a significant hardship as presented, particularly with a total ban. The landscapers felt the seasonal restriction was too short and it would not allow them time to finish work for all their clients. There are also many uses throughout the season that others may not realize are important to their trade like drying grass after it rains in order to mow it.

Mr. Feller said he was the only small business owner on the EDC and felt a responsibility to look out for the interests of other business owners. He has felt slighted when not engaged in processes that directly affect him. The ultimate recommendation is to encourage a task force which includes the landscapers to develop a plan that could mitigate how the ordinance will affect them. Specifically, the landscapers said they would need to double staff, or cut clients by 2/3 (75 a day to 25 a day), and it would have a significant impact on how the city looks and also on their livelihoods.

Committee Comments/Questions

Ald. Sangiolo asked if the landscapers were interviewed independently. Mr. Steele said they chose names from correspondence that was sent to the Board on this issue. He felt there was a good degree of concordance from all of those interviewed. They will write up some results but do not have a written report at this time and have not reported this to the EDC yet. Mr. Feller said the interviewees asked that their names be kept confidential.

Ald. Hess-Mahan asked if other small business owners were interviewed who have home offices. There are several thousand of those scattered throughout the City and the aldermen hear from them about the negative effects the leaf blower noise has on their businesses. The Committee is trying to balance one set of small business owners against another set of small business owners as well as the overall welfare of the City with this ordinance. He also noted that the task force approach has been tried in the past and it was difficult to get volunteers from all the stakeholders so it never really got much traction. Mr. Steele felt those comments were completely appropriate. He feels that the landscapers are now ready to come to the table.

Ald. Leary asked if the EDC has spoken to any landscapers in Arlington, Cambridge or Brookline to determine what their experience has been. Mr. Feller said they tried to contact one or two but have not heard back from them. Ald. Leary would also like to see some actual data on the costs involved in working without leafblowers and what the economic impact would be to both landscapers and customers. Mr. Steele said it would be ideal to speak to a contractor working in both locations for a fair comparison.

Follow Up

The EDC will provide a written report. A group of landscapers will hopefully come to the July 15th meeting to provide some input. Ald. Sangiolo also hopes to have some representatives from Arlington and Cambridge who had some experience in crafting their ordinances.

The Committee unanimously voted to hold this item.

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#162-15 HIS HONOR THE MAYOR requesting authorization to transfer fifty-nine thousand thirty-two dollars (\$59,032) from Free Cash to the following account in the Parks and Recreation Department to cover costs associated with water, electricity, and repairs to fences damaged in winter storms:

Public Property Repair and Maintenance (0160210-52409).....	\$20,000
Electricity (0160209-5210).....	\$10,000
Water (0160209-5230.....	\$29,032

[06/15/15 @ 3:30 PM]

FINANCE TO MEET

ACTION: APPROVED 5-0

NOTE: Bob DeRubeis addressed the Committee. He explained that \$20K is being requested to replenish the Public Property Repair and Maintenance account due to work that has been done to repair fences that were damaged during the winter. There were numerous fences that were damaged and some had to be addressed immediately. Snow plows, sidewalk plows, contractors, etc. doing snow removal caused the damage. It’s almost impossible to determine which machine or contractor may have caused a particular problem.

The electricity and water funds are not related to the storms.

The Commissioner noted that there was a perception that the Crescent Street building would be totally offline and that has not happened. The garage is still there and in use and part of the building is being used for lunch and as a break room and electricity is still being used. Electricity in buildings last year was \$89K and this year was cut down to \$84K and the cost of electricity has gone up as well. Therefore, the \$10K is to make up for that \$5K difference and to continue to pay for the power going forward.

The water account needed to be supplemented because the water measurements for the Gath Pool are now much more accurate due to the installation of a new water meter. For a number of years, the department was being undercharged for the water because of an old water meter. It was asked if sewer charges were being assessed when the pool is drained. The Commissioner said he would look into that.

The Committee voted unanimously to approve these funds.

Appointment by His Honor the Mayor

#136-15 SETH BAI, appointed as the Veterans Service Officer, effective May 18, 2015, pursuant to Section 3-3 of the City of Newton Charter. [05/27/15 @ 4:08PM]

ACTION: APPROVED 5-0

NOTE: Seth Bai addressed the Committee. He served 10 years as a U.S. Marine and then took the post of Veterans' Service Officer in Seekonk for 6 years. When he started there, the case load for veteran's receiving benefits was 8 and he increased that to 38 through word-of-mouth and through their Senior Center activities. There were also a rolling total of 126 federal cases pending for VA benefits, which is a good thing. These are cases that apply for VA benefits once their service has been fulfilled.

Mr. Bai started his position in Newton about a month ago and has had a few meetings with the Mayor. The files in the office are quite backlogged. He was been reviewing files from 1979-1983 which are scheduled for destruction if the veteran is deceased and no longer has any relatives living in the City. He is averaging about 4-6 walk-in clients a day and scheduling appointments every day. The word has gotten out that there is a new Veteran's Agent so people are showing up and he is very busy. Going forward, he was told by the Mayor that the Senior Center is being revitalized as the Veteran's Center as well. He will be conducting meetings there the first Tuesday of each month.

Committee Questions/Comments

A committee member asked what sort of outreach he has been doing or plans to do. Mr. Bai explained that he is focusing on the Veteran's Center as people can walk in to meet him there; he is conducting later office hours at City Hall on Tuesdays; and he is working through the Massachusetts Fallen Heroes 501c(3) organization which gives him data on Newton residents affiliated with them. The American Legion, the Jewish Veterans and the Gold Star Mothers are all groups he has been in contact with. Overall, he has found that the grassroots level works best. As he meets and helps people, they call their friends and more come in or call. He has been focusing on the office, however, in the past month because it had been left unstaffed for several months and desperately needs to be organized and brought up-to-date.

A committee member noted that letters have been sent out to veterans about the Senior Center meetings and some do not attend because they are not in the "senior" category as yet. Hearing from a friend is more likely to be effective for those veterans. The Board of Aldermen and the Council of Aging have some questions about using the Senior Center in conjunction with Veteran's activities because of the capacity of the building to meet all those needs. Perhaps there could be another location for Veteran's programming. The senior population is growing rapidly in the City and the Senior Center building already seems to be overloaded with their current programming.

Mr. Bai said he was not sure there was another option at this point in time. There are three categories of veterans, in his view: the recently discharged; 35-50 year olds; and those going into their senior years. Given that veterans are more appreciated these days, the military personnel are doing a great job of reaching out to their adjustment officers before they're discharged. Typically the younger veterans need employment and schooling and so might see him once or twice a year. The 35-50 year old veterans are inside their career field, raising families, and are interested in what sort of benefits they might be entitled to. The older population, which is the group that come to the Senior Center primarily, enjoy the camaraderie of what the Center offers. There is potential for about 70 veterans to utilize the Veterans Office at the Senior Center, and if their family and friends are included it could go up to about 100.

Long term, the Senior Center location is sustainable for that older group for morale, recreation and welfare. He's not sure about the younger veterans but the Mayor is doing a great job bringing in youth and vitality with the speakers and the vendors.

Committee members said they would like to see both the Senior Center and the Veterans' Center thrive and determine the best way to do that. This could be a bigger discussion at budget next year.

The Committee welcomed and thanked Mr. Bai and the Chair told him to feel free to communicate with the Committee relative to any concerns or needs. The appointment was approved unanimously.

Appointment by His Honor the Mayor

#135-15 LISA DADY, appointed as the Director of Historic Newton, effective February 25, 2015, pursuant to Section 3-3 of the City of Newton Charter. [05/27/15 @ 4:08PM]

ACTION: **APPROVED 5-0**

NOTE: Ms. Dady met the Committee during the budget discussions earlier in the year. The Committee had the opportunity to review her resume as well and unanimously approved the appointment.

A public hearing was held on the following item:

#9-15(2) WABAN AREA COUNCIL petitioning the Board of Aldermen pursuant to Article 9, Section 9-3 and 9-4, of the City of Newton Charter, to expand the area represented by the Waban Area Council to include:

1. Warren Road (both sides), Kippy Drive (both sides) and 1238-1299 Beacon Street;
2. 75-149 Winslow Road and 73-89 Puritan Road;
3. The portion of the Newton Cemetery Corporation within the area council's catchment area boundaries and the portion of Cold Spring Park that abuts the Newton Highlands Neighborhood Council portion of the Park. [04/24/15@ 12:54PM]

ACTION: **APPROVED 5-0 Part 1. and Part 2.**
NO ACTION NECESSARY 5-0 Part 3.

NOTE: Sallee Lipshutz, a member of the Waban Area Council (WAC) joined the Committee. She explained that the petition is based on feedback after the first election for officers of the WAC two years ago. Some neighbors went to the voting location only to find they could not as they were not included in the WAC or any other area council. She felt this left some people disenfranchised and there was some confusion with which streets would belong to the WAC or the Newton Highlands Area Council.

Cold Spring Park and the Newton Cemetery were included because she felt the whole City should be divided into one area council for another and that no land should be unaccounted for.

She felt that if there were an issue with the park or the cemetery, the residents should have some jurisdiction over that to help ameliorate any problems. The Newton Highlands Area Council expansion which was recently approved, includes a shared buffer zone on upper Winslow Road. Those residents can choose one or another of the area councils when they go to vote. It also included part of Cold Spring Park, so the WAC would like to include the remaining land of the park.

Chris Steele of the Economic Development Commission noted that the borders for the original catchment area for the WAC were developed as a best guess by looking at the 02466 zip code outline and the outlines of the Newton Highlands catchment area. He agreed this petition came out of the desire of these residents to be included in the WAC.

Committee Questions/Comments

A Committee member asked if anyone from the WAC had contacted the Commissioner of Parks & Recreation, Bob DeRubeis about including Cold Spring Park, or contacted anyone from the Newton Cemetery Corporation about including them in the area council and whether they actually wanted to be included.

Ms. Lipshutz said she had not spoken to either Commissioner DeRubeis or any representative from the Cemetery. She felt that because there were no residents in either parcel from whom to collect signatures it was not necessary. The Committee wondered why “representation” of these parcels would be needed as no one lived there. Ms. Lipshutz said the WAC would represent the residents who live nearby these parcels and there may be issues with which the WAC could help such as noise, or leaf blower issues and these parcels are part of a neighborhood. It was pointed out the WAC could do that nonetheless. It was felt that representing those parcels in this petition should not have been done without their expressed interest or permission.

Public Comment

Mary Ann Buras, President of the Newton Cemetery and Sarah Goldberg, a member of the board of the Newton Cemetery addressed the Committee. They stated they were never contacted and did not know about the WAC's intention to include them. The cemetery's board has not had a chance to discuss this nor did they have any conversation with any member of WAC to determine what the value or responsibilities of membership might be. Ms. Goldman mentioned that if this is about being neighborly, it would have been nice to have been contacted. They would consider a conversation going forward. Ms. Lipshutz apologized for not contacting them saying she honestly had not thought of it.

Ald. Hess-Mahan moved to break this item into three parts and the Committee agreed:

1. Warren Road (both sides), Kippy Drive (both sides) and 1238-1299 Beacon Street;
2. 75-149 Winslow Road and 73-89 Puritan Road;
3. The portion of the Newton Cemetery Corporation within the area council's catchment area boundaries and the portion of Cold Spring Park that abuts the Newton Highlands Neighborhood Council.

He would like to approve Parts 1 and 2; and vote No Action Necessary on Part 3. The Waban Area Council was in agreement and will take the opportunity to speak to the stakeholders in the Park and in the Cemetery and docket those again if necessary. They would like to move forward with the residential addresses as those neighbors have expressed the desire to be able to vote in the upcoming election.

The Committee voted to approve Parts 1 and 2 and voted No Action Necessary on Part 3. and the public hearing was closed.

#126-15 ALD. JOHNSON, ALBRIGHT, NORTON AND SCHOOL COMMITTEE
MEMBER ALBRIGHT requesting a discussion with the Newton School Department, Newton North High School principal, and the Newton Police Department regarding ways to address the student smoking issue at Newton North High School. [05/11/15 @ 9:30AM]

ACTION: **HELD 4-0 (Ald. Baker not voting)**

NOTE: Ald. Albright explained that a resident on Dexter Road has frequently complained about students from Newton North High School smoking in front of his house. An ordinance prohibiting smoking within a 900 foot perimeter of the school, which includes Dexter Road, has been in effect for a few years. While the ordinance has contributed greatly to reducing smoking around the school, it has pushed some students to other areas.

Principal of Newton North, Jennifer Price, noted that there has been a dramatic decrease in smoking at the high school and the impact of the ordinance has been incredible. Prior to the ordinance, there were 30-50 students smoking on Elm Road or on Blythedale Road and perhaps some other locations as well. Ms. Price said she has had multiple conversations with the resident on Dexter Road, Mr. Vasilios. They were able to identify the students in front of his house, speak to them and their parents, and she does not believe they have been back to his house since then. This has not been a situation with students in front of his house consistently and persistently. When the school gets a call about students smoking, they send a campus aide who often arrives after the students have moved on, unfortunately. She is very respectful of this process, feels they have made tremendous strides and feels like this an overreaction to a small number of students smoking. She does not feel this is a massive issue.

Problem Areas

Ms. Price believes that the actual problem is at the Senior Center where students do congregate to smoke as it lies just outside the 900-foot perimeter. There have been numerous conversations with the City about putting cameras there to identify students who are smoking but that has not happened, but the school works very cooperatively with the Senior Center. This tends to be most problematic at the lunch hour and right after school. Also, there are some kids there who are no longer current students. There are 4 campus aides to monitor the parking lots and the smoking.

She also noted that there is a house across the street from the Senior Center that looks abandoned. Students congregate there as well. Officer Panica said there have been issues there in the past and the Police Chief is aware of it. Washington Park is also a problem from time to time.

Committee Questions/Comments

Ald. Hess-Mahan said he regrets not voting to raise the smoking age to 21 when it was before the Board now that he has heard some statistics and how helpful it has been in other communities.

He recalls that there was some patrolling around the school in the past. Ms. Price said they did patrol and warnings and tickets had been issued and it was an ongoing cycle. That is why she asked for this ordinance to begin with. She understands that some students still try to sneak smoking closer to the school especially in the colder weather because they are addicted to nicotine. Still, the numbers are very small, especially compared to the enormity of the problem before the ordinance. They will never be able to completely eliminate all student smokers around the school or the neighborhoods. There are some very hardcore smokers who also have other issues and problems as well.

It was asked if smoking marijuana was also a problem. Officer Panica said it is both and they do directed patrols in those problem areas and there has been enforcement. Ms. Price said if they come into school under the influence or in possession of a controlled substance, they are eligible for expulsion under Massachusetts General Law.

Committee members wondered if e-cigarettes have become problematic. Ms. Price said they have re-written their own handbooks to include vapers as unallowable in school. They have not had a problem with violations so far, but she has noticed an uptick in the use of vaper products and they are often being used by the same students who use cigarettes.

Public Comment

Mr. Vasilios of 12 Dexter Road addressed the Committee. He said he sent an email to some Board members, but did not provide a copy to the Committee Clerk. He read the email, which in summary stated that he would call the school to have aides come to stop students from smoking in front of his house. The school secretary, however, does not send an aide or they come too late and each day more kids show up in front of his house. He felt he would have to have confrontations with them which was very uncomfortable because his son attends the school. He has send pictures of the kids and the school responds that they identified the students and they have been spoken to and fined, however, the problem persisted. He felt the ordinance brought an unjust consequence to his end of Dexter Road. The school informed he they would step up the enforcement on Dexter Road. But this just pushes the problem further down to bother other residents. Private Ways were supposed to be contacted and signs erected because campus aides do not enforce on private ways, but he did not see any signs and no notice was sent to people who live within the 900-foot perimeter. How will people know they could be violating an ordinance? What kind of lesson is this for students if it is not enforced. The ordinance is ludicrous in the way it is written and enforced. Perhaps it should be students only if other people are not going to be informed.

Mr. Vasilios distributed some pictures of students smoking. Ms. Price noted that some of the students in the photos graduated one or two years ago. One or two of the photos are from this winter.

He asked if the ordinance applied to students only, or any person on the street; what the fines are; and who issues the fines. The ordinance does apply to all persons. The students receive a warning, then a \$50 fine and the subsequent fines are \$100 each. They are issued by school campus aides as charged by the Department of Health in Newton. A parent visitor who might be found smoking is given a verbal warning which is usually enough to solve the problem.

Mr. Vasilios wondered if signage should be erected to alert people to the ordinance. No signs are currently posted. Ms. Price said the school gives the perimeter map to the students and lets them know of the ordinance. She is not sure how the general public may have been notified. Mr. Vasilios said the residents within the perimeter zone should be notified that they would be breaking the ordinance if they were smoking on the street or sidewalk. Ms. Price felt sending a letter now to residents would be very confusing since the ordinance was passed many years ago. The ordinance was created with the focus on high school students. There does not seem to be a problem with groups of adults congregating in the perimeter zone, or outside people's homes, smoking. She felt it would be extremely awkward, and time consuming for campus aides to enforce the ordinance for adults who are outside the school community.

Ald. Hess-Mahan noted that there are no smoking signs posted around the Boys and Girls Club and the Horace Mann School. Ald. Leary felt there should be a simple to enforce ordinance prohibiting smoking on all public streets. Others felt enforcement would be impossible. Ms. Price said some groups of students go onto a parent's porch to smoke because it's not on a public street.

Follow Up

The ordinance does state that signage will be posted so the Department of Public Works will be contacted to initiate that process. It needs to be determined what should be on the sign. The map would probably not be readable, but perhaps the streets could be listed. Ald. Hess-Mahan sent some photos of no smoking signs at Horace Mann which are attached.

Ald. Johnson suggested that the signs could perhaps be put up by the beginning of the next school year, the students and the parents could be informed with the new handbook, and residents within the perimeter could be notified with a mailing. A mailing list and labels can be generated through the GIS system. Notice in The Tab and on the City website will be helpful to inform the general public, as well.

#34-13 ALD. DANBERG, ALBRIGHT, BLAZAR, RICE, LINSKY AND CROSSLEY
requesting a prohibition on polystyrene-based disposable food or beverage
containers in the City of Newton if that packaging takes place on the premises of
food establishments within the City. [01/03/13 @ 11:01 AM]

ACTION: **HELD 3-0 (Ald. Baker and Sangiolo not voting)**

NOTE: It is the Chair's intention to take public comment on this item. Ald. Danberg explained that she has a plan to ask businesses what they think about this ordinance and what they are doing now. Ald. Leary noted that other establishments have made the switch. She has been collecting alternative products to polystyrene and will bring them to the next meeting. Over the summer, she hopes to do some canvassing of the businesses. It costs considerably more to

recycle polystyrene than it does to just dispose of it: \$7500 vs. \$90. Economically, it makes sense to remove as much of this product from the waste stream in Newton as possible.

Chris Steele of the EDC thought it was a good idea to canvass the businesses as a city like Newton does need a sense of buy-in on these kinds of issues.

There was no public comment. The Committee voted to hold this item.

Meeting adjourned

Respectfully Submitted,

Amy Mah Sangiolo

Landscaping & Grounds-Keeping



Use equipment in good repair with functional mufflers, with the lowest decibel rating possible. Electric equipment is often quieter than gas-powered equipment. The Town regulates what hours landscaping equipment can be used, as well as the maximum decibel levels of noise permitted. Call the Police

Department at 617-730-2222 for current restrictions. For reviews and more information about types of leaf blowers and lawn mowers, which are large contributors to landscape-related noise, visit the following website:

<http://www.consumersearch.com>

General



External noise may be masked by a white noise generator. This background noise sounds like the noise from an unused TV channel. Further information is provided in the following link:

www.naturestapestry.com/whitenoise2.html

If you are unable to resolve noise issues yourself, the following Town Departments may regulate noise control issues, depending on the type of issue: Building (617-730-2100), Health (617-730-2300), Police (617-730-2222)

Additional Resources on Noise and Health

¹ World Health Organization. 2001. Occupational and Community Noise. <http://www.who.int/mediacentre/factsheets/fs258/en/>

American Speech-Language Association. 2007. Noise and Hearing Loss. <http://www.asha.org/public/hearing/disorders/noise.htm>

U.S. Environmental Protection Agency. 1981. Noise Effects Handbook. <http://www.nonoise.org/library/handbook/handbook.htm>

World Health Organization. 1999. Guidelines for Community Noise. <http://www.who.int/docstore/peh/noise/guidelines2.html>.

Noise Pollution Clearinghouse <http://www.nonoise.org>

The information provided in this brochure is for guidance purposes only. Each noise impact is usually assessed on a case by case basis. The Town of Brookline assumes no responsibility for the implementation of any of these recommendations. The activities noted above may not be violations of the Town Noise Control By-Law. While some example products are given, the Town does not endorse any particular product or supplier.

Town of Brookline
Noise By-Law Committee

Suggestions for Reducing Noise Pollution

Be a Good Neighbor!



Typically not seen as a threat to health by the general public, noise pollution is increasingly receiving attention as a quality of life issue. Noise has been associated with poor attentiveness, reading performance, and problem solving; hearing impairment; communication interference; sleep disturbance; cardiovascular and psychological problems; and changes in social behavior.¹

In recent years, the Town of Brookline Board of Selectmen and the Police, Health, and Building Departments have received various noise complaints from individuals residing in, working in, or visiting the town. In 2006, a significant number of the complaints reported to the police department were noise-related. To assist Brookline citizens in finding ways to minimize excessive community noise without involving Town authorities, the Town offers the following suggestions.

To see a copy of the Town Noise Control By-Law, visit:
<http://www.townofbrooklinemass.com/townclerk/By-law/ARTICLE%208.15.doc>

#31.15

Loud Music from Stereos in Abutting Residences

Low frequency speakers are one of the worst offenders of noise pollution. Sub-woofers and low frequency speakers should be moved from the floor and placed on a foam pad or matting, such as a double layer of rugs. Place speakers as far away as possible and oriented away from abutters. Acoustic panels may also assist in reducing noise. Further information is provided in the following link:

<http://www.illbruck-sonex.com/products.php>

**Loud Music from Instruments**

Heavy wall drapes or acoustic panels installed where instruments are played may help reduce music volume. Further information is provided in the following link: <http://www.illbruck-sonex.com/products.php>

Drums: Consider purchasing practice drums or pads, which are made of rubber or another sound-absorbing material and will allow you to practice without producing excessive noise.



Pianos: Loud piano music may be reduced by putting heavy padding under the legs of the piano. An electronic keyboard can be used in place of a piano for practicing.

Electronic Instruments: Speakers connected to electronic instruments can be replaced by head phones. You can also adjust the instrument volume control. Acoustic panels may also assist in reducing noise to abutters.

Party and Outdoor Events

As a part of a good neighbor policy, you can limit the noise at party events by keeping the noise indoors and as low as possible. Loud music and other excessive noise should also be kept as low as possible and away from abutters. Suggest to your guests that they leave quietly and to be considerate of the neighbors. Loud music and other excessive noise may be cited as a violation of the Town of Brookline Noise Control By-Law. Please visit the following link to review the regulation: www.town.brookline.ma.us/TownClerk/By-law/ARTICLE%208.15.doc

**Athletic and Recreational Activities**

Brookline Recreation Department regulations limit engagement in loud outdoor athletic activities, such as basketball, to daytime hours. Please be sure to follow posted time restrictions for all town playgrounds and athletic fields. Be considerate of your neighbors. If you are planning to construct a basketball court outside your own home, keep in mind that some ground surfaces are better at minimizing noise than others; the more shock-absorbing the material, the better the sound absorption. The following links give some examples of possible surfaces:



sporteksurfaces.com; www.tracklite.com; www.bostonrhino.com

Noise from Heavy Walking from an Overhead Apartment#31-15

Using area rugs or installing other acoustical barriers like wall to wall carpet or cork flooring may reduce noise from walking in shoes. Removing shoes may also minimize this noise. Consider setting up a meeting with your neighbors to discuss and find solutions to noise issues.

Street Noise

If you live on a noisy street, windows may be upgraded to a higher acoustic transmission loss. Further information and examples of sound-reducing window suppliers are provided in the following links:

<http://www.soundproofwindows.com>

<http://www.soundproofwindowtreatments.com>

Construction Noise

Communicate with surrounding apartments as to how long the construction noise will take place. Be considerate of your neighbors. Contractors must be aware of any building permit requirements for when work is and is not allowed.

Unless a waiver has been issued, the Noise By-Law does not permit excessive noise from construction activities between the hours of 7pm and 7am Monday through Friday, and between the hours of 6pm and 8:30am on weekends and holidays. For more regulations, visit the Town of Brookline Building Department website at <http://www.townofbrooklinemass.com/building/>. For acceptable noise (decibel) levels, see the Noise Control By-Law.

**Heating, Ventilation and Air Conditioning (HVAC) Units**

External Mechanical Equipment: External air conditioning may be subject to the Brookline Noise By-Law. Enclosing the unit with an acoustic barrier may reduce unwanted noise. Fan speeds may be able to be adjusted to a lower speed depending on your particular unit. In some instances, the unit may require servicing by a qualified technician to reduce noise.

Window Air Conditioners: Lower the fan speed on window air conditioner units. Make sure the window unit is not vibrating from improper mounting. In some instances, the unit may require servicing by a qualified technician to reduce noise. If enclosing a unit with an acoustic barrier, be sure to check with the manufacturer's specification on clearance distances. The motor may overheat if designed improperly.

If you are purchasing new equipment, it is highly recommended that you consider buying equipment with the lowest possible decibel level. Equipment can also be placed as far away as possible from neighbors to reduce noise.

COMBINING LEVELS OF UNCORRELATED NOISE SIGNALS

To combine the levels of uncorrelated noise signals use the chart in Fig. 2-10.

To Add Levels

Enter the chart with the numerical difference between the two levels being added (top of chart). Follow the line corresponding to this value to its intersection with the curved line; then move left to read the numerical difference between the total and larger difference between the total and larger levels. Add this value to the larger level to determine the total.

Example: Combine 75 dB and 80 dB. The difference is 5 dB. The 5-dB line intersects the curved line at 1.2 dB on the vertical scale. Thus the total value is $80 + 1.2$, or 81.2 dB.

To Subtract Levels

Enter the chart with the numerical difference between the total and larger levels if this value is less than 3 dB. Enter the chart with the numerical differ-

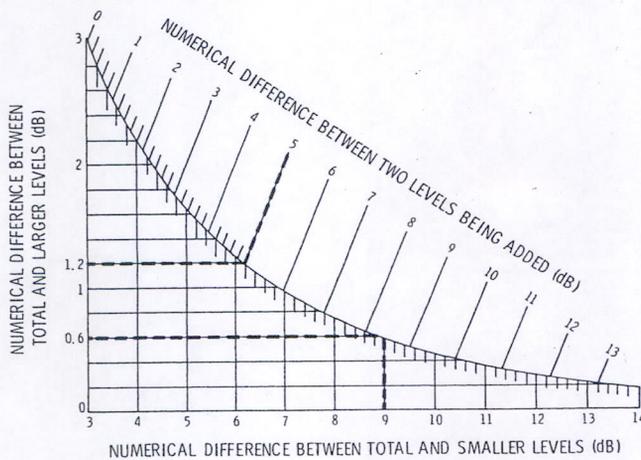


Fig. 2-10. Chart used for determining the combined level of uncorrelated noise signals.

ence between the total and smaller levels if this value is between 3 and 14 dB. Follow the line corresponding to this value to its intersection with the curved line, then either left or down to read the numerical difference between total and larger (smaller) levels. Subtract this value from the total level to determine the unknown level.

Example: Subtract 81 dB from 90 dB. The difference is 9 dB. The 9-dB vertical line intersects the curved line at 0.6 dB on the vertical scale. Thus the unknown level is $90 - 0.6$, or 89.4 dB.