

Parks and Recreation Committee Meeting

July 12, 2023

Room 5 Town Hall 10 Central St and Zoom

Town Employees - Cheryl Marshall - Director

Members present: Sean Daly, Olga Hayes Muffin Driscoll, and Karlee Blaisdell

- Multiple Town members present - in person & on Zoom
 - Nicole DelRosario requested to do a recording of the meeting.

Call to order: 5:31 PM

B) June 14, 2023 minutes

1. reviewed and approved
 - a. Muffin motioned to approve minutes, Olga Seconded. All committee members vote to approve.

C) Open Meeting Law

1. Michael D'Ortenzio, Jr from KP Law came to go over all elements of the OML complaint that was filed. Breaking down the Town Lawyers response to each element, and the response taken by them for filing with the state attorney generals.
 - a. In the lawyer's opinion there are no violations to the Open Meeting Laws.
 - b. Minutes are to capture a full scope of things said, not word for word translations of what was said.
 - c. Committees are required to post within an amount of time of approving the minutes, and the Parks and Recreation Committee has been doing such.
 - d. Civil Rights - OML only about how public bodies conduct themselves during meetings and determines that the meetings are open to the public.
 - e. That the meetings were not properly advertised - Pickleball is not in general Laws.
 - f. Posting minutes online - OML does not require minutes to be posted online, but that they need to be made available upon request.
2. The Attorney General can take up to a year to get back about next steps.
3. Muffin moves to have the town send a response to AG, Karlee Second, all members voted yes.

D) Committee Update:

1. Michael Coyne has resigned from the Committee.
 - a. Applications are open.
 - b. Olga Nominated Muffin to take over the committee's representation in the CPC.

E) Pickleball Update:

1. Barry Wyerman from Pickleball Sound Mitigation to answer questions:
 - a. He is an acoustical sound engineer.
 - b. He is also a pickleball player and referee
2. Barry provided a summary of the entire report

- a. The acoustics of pickleballs and the abrupt sound it causes. Noise spreads in all directions, and he created a computer model, in which they took other communities pickleball sound studies to create a model of a 'worst case scenario' (NOT THE AVERAGE PICKLEBALL PLAYER) Stated that sound doesn't change or vary that much due to areas.
 - b. Claiming that noise ordinances are not complete enough to deal with the sound.
 - c. The target of 50 decibels - decibel levels measured with a fast response.
 - d. Blocking the line of sight will also block part of the sound. A 10 ft fence didn't hit the level they said would bring the sound levels down, and recommends raising the fence to 12 feet, saying that said a 20 foot fence would be the best at blocking the noise.
 - e. Also noted that new paddles and balls are being created and these new tools are making the sport quieter.
3. Questions from the Committee members:
- a. The model described Route 127 (a state highway) as a quiet country road, but it is a state highway. Was the sound model having all 6 courts being used at once?
 - i. Background sound is any noise that is competing making the decibel of the event not as loud. The model looked at the noise level of just the pickleball courts and did not factor the background noise of local environments.
 - 1. If there was any noise from elsewhere it might not have pickleball as loud.
 - ii. The model was made off of the closest houses to the courts, with a goal of getting the impact level sound down.
 - b. What other communities in Massachusetts have you worked on? Or have you worked with a community like MBTS?
 - i. They have worked on plenty of sound studies but they tend to be pre-installation studies not post mortem. They have conducted studies in CT, CA, FL, IL.
 - c. How did Pickleball Sound Mitigation develop a study to say that 50 decibels is the target? Our Board of Health said that it was an acceptable level for the State.
 - i. Noise ordinances are outdated and not comprehensive enough for impulsive abrupt short sounds. Some of the more comprehensive noise ordinances have a limit of 50 decibels. Referenced that we should look into other states that have impulsive noise ordinances. Also stated we all hear things differently.
4. Opened up meeting to 2 minute questions from the Public town residences-
- a. Aileen O: 10 Forest St – Supportive of pickleball, stated that when first installed they heard the noise but now they don't hear it daily. Stated to

the committee that they would like to see a sound barrier installed but to not limit or restrict the playing of pickleball.

- b. Nicole D.: 8 Forest St– The Sound study had 2 other options for sound; to fully enclose it or to move the courts. Sound barriers only work if it blocks the line of sight. Also stated that the wall has 2 gated door entrances. Was the sound study aware of the doors? Also wants to know when did the town purpose pickleball courts?
 - i. Sound model did not include gates open, needs to be fully sound mitigated with the barrier and gaps can't be left. The sound wall is only effective if its solid without holes.
- c. Kim Louge - 142 Summer St.--Is not against players but the sound is very annoying-likening the sound of pickleball to the backing up of a truck. Wouldn't it have been better to do a study before installing courts? During a game it averages 12 pops per minute, over 4000 pops with all 6 courts being used.
 - i. People playing hear the noise the loudest, the sound does travel and slowly start dissipating as it travels. Of those 12 pops per minute not all are full force shots.
- d. Allison - 42 Forest ST-- Not unbearable but the sound can be annoying. The sound does make it hard to concentrate. She wants to address compassion/empathy. Can we limit the hours? Demographically are they less of our town members coming from other neighborhoods? Stating they weren't the type people we want to attract to our town and that it has affected our lives, and walking around the neighborhood you hear the sound.
- e. Stacy L: Lived on Forest St, but has moved down closer to Masconomo St– Lived close to the courts prior to moving, stating that most of the neighbors have been okay with the sound. There are others that would agree with that statement not present.
- f. MaryEllen E: 6 Forest St– Windows closed they cannot hear the sound. It is only a summer sport, and it gets busy in the mornings but also drops off mid day due to sun heat. People come and go but not all day. Doesn't want a big ugly barrier and wants to know the solutions we have looked into.
- g. Johanna R: Windemere Court Ext– The noise is bothersome to some. At what point does the sound be deemed unacceptable? As a tax payer wants the mitigation tied to an actual law enforcement instead of just a subjective 'annoying' sound.
 - i. Barry answered - intermittent sound is more bothersome than constant.
- h. Kerry B: 5 Big Rock Rd– Proposals are not adequate and are unreasonable to be spending this money when the courts are already in and in use.

Thinks it is a personal responsibility to change personal homes for sound vs the town spending. Does not want a bubble installed on the courts.

- i. Elizabeth H: 11 Forest– 20k was approved for mitigation, 1k used on sound study from Pickleball Sound Mitigation. 19k left from CPC pre-approved funds. Is that enough?
 - j. Laura T: 4 Forest St– Lives directly across the street and really does not want the sound mitigation to look bad.
5. Barry closing remarks: It is all or nothing, this cannot be a piecemeal approach and will not work if all actions aren't taken.
 6. Overview of pickleball timeline presented - we note that pickleball has waves of use, and a knee jerk reaction was not what was wanted. Was prior to having set hours set from Dawn to Dusk, leading to variable start and end of play. Was then set to 8am-8pm (summer hrs) with gates locked after 8 pm. One option was to enclose the courts, Bubbles to do so cost over 500k and WOULD NOT STOP SOUND. We have no options to move the courts as we do not have any other space in town for them. Parks and Recreation did not do outreach about the installation because it was already a predetermined park location and the changes were happening within the area already deemed for Park use. Did Parks and Recreation know all of the impacts of Pickleball prior to courts going in, no, but we did the best to our ability with a new sport. By the town meeting in 2021 Pickleball courts going in were public knowledge.
 - a. Michael: KP LAW– Massachusetts doesn't have specifics when it comes to certain things leaving it to a local decision.
 7. Muffin made a motion to make our recommendations to the Board of Selectmen. (They will discuss and decide if they accept our recommendations.)
 - a. RECOMMENDATION: raise the fence to 12 feet, with a clear sound mitigation sheet installed. Recommend the quieter paddles to players. And reaching out to the Manchester Friend of Trees to add some trees for aesthetics.
 - b. Olga seconded the motion, all members voted in favor.
 - c.

F) Netcast Church Special Event:

1. A Thursday event at Masconomo Park, made note of no promise of parking. 30-50 people are set to attend.
 - a. Olga moved to approve, Muffin seconded, all members voted to approve.

G) Manchester Memorial PTO Carnival:

1. had a change in date for event, moving to August 30th.

H) Next Meeting

1. Tentative Meeting set for August 9th at 5:30 pm.

Meeting adjourned at 6:48 PM

Respectfully submitted by Karlee Blaisdell