

Lisa and Roland Gaujac, the initiators of the Petition to change the zoning regarding Event Facilities in the West Charlotte Village District would be amendable to a recommendation of the Planning Commission to the Selectboard to change the language of the proposed ordinance as set forth below and for the Selectboard to revise the language of the petition as set forth below in the warning for a Town wide vote on the proposal:

A. Add new subsections in Section 10.2—Definitions:

“Event Facility: Any lot or structure where events take place on a regular basis involving the gathering of individuals assembled for the common purpose of attending an event. Such events or gatherings may include:

- community or civic events; or
- celebrations or ceremonies (such as weddings, funerals, receptions, parties, etc.); or
- entertainment performances (such as concerts, plays, etc.); or
- private or public functions (whether held by profit or not for profit or governmental entities);
- banquets or food and drink service, including alcoholic drinks; or
- similar activities to the foregoing.

The events may occur entirely within a structure, outside of a structure on the lot, or both inside and outside of the structure and on the lot. The facility owner operator may or may not charge fees for the use of the facility and the services provided at the facility.”

“DbA: The sound pressure level and decibels as measured with a sound level meter using A-weighting. Sound loudness or amplitude is measured on a logarithmic scale in units called decibels, represented by the symbol “dB” A weighting is a frequency response adjustment of a sound level meter that conditions the output signal to approximate human response. To account for intermittent sounds over time, a weighted average sound level called the “equivalent continuous” sound level (Leq) is often used. Leq averages sound pressure rather than decibels, and results in weighting the levels of loud and infrequent noises.

When DbA is used in these land use regulations it shall refer to a “DbA Leq (5 minutes), which means the established maximum sound level should not be exceeded when averaged over a five minute period.

Exterior sound levels shall be measured at the property line of the property generating the sounds. Where practical, the microphone of the sound level meter shall be positioned three to five feet above the ground and away from reflective services.

B. Amend Table 2.1 (B)—Allowed by Right Use (No Permit Needed) in the West Charlotte Village District (underline added):

“6. “Event Facility” is a use by right without any permit needed for such use provided Conditional Use Approval under Section 5.4 and Site Plan approval under Section 5.5 shall be required for (i) an Event Facility use of any structure or parcel of land not currently used as an existing Event Facility; or (ii) any substantial physical improvement or alteration to any existing structure or to a parcel of land currently used as an existing Event Facility.”

C. Amend Section 3.12 (A) (1) Performance Standards (underline added):

No use, under normal conditions, shall cause or result in:

noise in excess of 70 decibels (DbA), or which otherwise represents a significant increase in noise levels in the vicinity of the use so as to be incompatible with the surrounding area; or within the Commercial/Light Industrial District, noise in excess of 75 decibels (DbA) provided noise or sound emanating from the following sources and activities are not subject to the noise performance standard:

- (a) Sound sources associated with usual and customary outdoor property maintenance (e.g. lawnmowers, edgers, blowers, pool pumps, power tools, chain saws, or other such equipment, etc.), provided that such activities do not take place between the hours of 9:00 p.m. and 7:00 a.m. There is no time limitation with regard to snow removal equipment.

- (b) Sound sources associated with usual and customary trash or recycling collection, fuel oil and gas deliveries, and similar services.