

# PLANNING COMMISSION AGENDA

CHAIRPERSON:  
Chris Gomez



VICE CHAIRPERSON:  
Marvin Hansen

COMMISSIONERS: Mary Beatie, Chris Gomez, Marvin Hansen, Sarrah Peariso, Adam Peck

**MONDAY, NOVEMBER 9, 2020**

**VISALIA CONVENTION CENTER**

**LOCATED AT 303 E. ACEQUIA AVE. VISALIA, CA**

**WORK SESSION MEETING TIME: 6:00 PM**

**REGULAR MEETING TIME: 7:00 PM**

**Citizens may appear at the Planning Commission meeting in person and will be asked to maintain appropriate, physical distancing from others and wear a mask or face shield pursuant to the Governor's Executive Orders and public health guidance during the COVID-19 situation.**

**1. CALL TO ORDER WORK SESSION**

**WORK SESSION ITEM**

- A. Agriculture Mitigation Program and Feasibility Study Kick-Off Presentation and Discussion, City Staff and Consultant (Provost and Pritchard Consulting Group, and VRPA Technologies, Inc.).

**ADJOURN TO REGULAR MEETING**

**2. CALL TO ORDER REGULAR MEETING –**

**3. THE PLEDGE OF ALLEGIANCE –**

4. **CITIZEN'S COMMENTS –** This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. You may provide comments to the Planning Commission at this time, but the Planning Commission may only legally discuss those items already on tonight's agenda.

The Commission requests that a five (5) minute time limit be observed for Citizen Comments. You will be notified when your five minutes have expired.

**5. CHANGES OR COMMENTS TO THE AGENDA –**

6. **CONSENT CALENDAR -** All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.

- a. Update on the In-Shape Health Club Temporary Conditional Use Permit No. 2020-51 operations and use of outdoor speakers.

7. PUBLIC HEARING – Paul Bernal, City Planner  
 Conditional Use Permit No. 2020-27: A request by CleVR Escape to allow an escape room and virtual reality arcade in the D-MU (Downtown Mixed Use) zone. The site is located at 205 West Main Street (APN: 094-326-018). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Environmental Document No. 2020-57.
  
8. PUBLIC HEARING – Josh Dan, Associate Planner
  - a. Tentative Parcel Map No. 2020-06: A request by Donahue Schriber Realty Group to subdivide two parcels into four parcels within the Orchard Walk Specific Plan area. The project is located in the C-MU (Commercial Mixed-Use) zone. The project is located on the northwest corner of North Dinuba Boulevard and West Riggan Avenue. The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15315 and 15332, Environmental Document No. 2020-59.
  - b. Conditional Use Permit No. 2020-25: A request by Donahue Schriber Realty Group to facilitate Tentative Parcel Map 2020-06 by creating two lots with no public street access, and parcels with less than the minimum five (5) acre size requirement in the C-MU (Commercial Mixed-Use) zone. The project is located on the northwest corner of North Dinuba Boulevard and West Riggan Avenue (APN: 000-013-376). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15315 and 15332, Environmental Document No. 2020-59.
  
9. PUBLIC HEARING – Cristobal Carrillo, Associate Planner  
 Conditional Use Permit No. 2020-23: A request by the Foundation for the Least, Last, & Lost to establish a group counseling facility with ministry and social service coordination services in the D-MU (Downtown Mixed-Use) zone. The project site is located at 400 North Church Street (APN: 094-272-008). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Environmental Document No. 2020-55.
  
10. PUBLIC HEARING – Josh Dan, Associate Planner  
 Variance No. 2020-08: A request by Rebecca Falcone to allow a variance from the standard 30-foot front yard setback required in the R-1-12.5 (Single Family Residential, 12,500 sq. ft. minimum site area) zone. The project is located at 2545 West Border Links Drive (APN: 089-100-010). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301.
  
11. CITY PLANNER/ PLANNING COMMISSION DISCUSSION –
  - a. Next Planning Commission Meeting is Monday, December 14, 2020.

The Planning Commission meeting may end no later than 11:00 P.M. Any unfinished business may be continued to a future date and time to be determined by the Commission at this meeting. The Planning Commission routinely visits the project sites listed on the agenda.

For Hearing Impaired – Call (559) 713-4900 (TTY) 48-hours in advance of the scheduled meeting time to request signing services.

Any written materials relating to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Office, 315 E. Acequia Visalia, CA 93291, during normal business hours.

**APPEAL PROCEDURE**

**THE LAST DAY TO FILE AN APPEAL IS THURSDAY, NOVEMBER 19, 2020 BEFORE 5 PM**

According to the City of Visalia Zoning Ordinance Section 17.02.145 and Subdivision Ordinance Section 16.04.040, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal form with applicable fees shall be filed with the City Clerk at 220 N. Santa Fe, Visalia, CA 93292. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website [www.visalia.city](http://www.visalia.city) or from the City Clerk.

**THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, DECEMBER 14, 2020**

# City of Visalia

## **Memo**



**To:** Visalia Planning Commission

**From:** Paul Bernal, City Planner  
Phone: (559) 713-4025  
E-mail: [paul.bernal@visalia.city](mailto:paul.bernal@visalia.city)

**Date:** November 9, 2020

**Re:** **Update on the In-Shape Health Club Temporary Conditional Use Permit No. 2020-51 operations and use of outdoor speakers. The project site is located at 909 North Demaree Street (APN: 085-212-019).**

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### **Recommended Motion**

Staff recommends that the Planning Commission approve the attached Revised Resolution No. 2020-53A for Temporary Conditional Use Permit No. 2020-51, eliminating conditions that permit the use of outdoor speakers and requiring the use of a headphone system and equipment for outdoor fitness classes. Staff's recommendation is based on the applicant's revised operational plan that eliminates the use of outdoor speakers for fitness classes.

### **Summary**

On October 26, 2020, the Planning Commission approved Temporary Conditional Use Permit (TCUP) No. 2020-51, a request by In-Shape Health Club, LLC, to facilitate the temporary outdoor operation of the fitness club on a limited basis in compliance with State and Local Covid-19 guidelines and to permit the placement of two commercial grade tents on two tennis courts adjacent to the building for their 909 North Demaree Street location.

During the public hearing, testimony was received from surrounding neighbors that noise levels were excessive as a result of the use of outdoor speakers and amplified instruction during fitness classes. After lengthy deliberation amongst the Planning Commission and staff, the Planning Commission approved TCUP No. 2020-51, subject to an additional condition that requires In-Shape to self-monitor decibel levels during fitness class times when the outdoor speakers are in use. The recording and reporting of decibel levels will be made available to staff in a manner consistent with the direction provided by staff. Also, an update on the TCUP operation, including decibel monitoring, will be provided to the Planning Commission at their December 14, 2020 meeting.

### **In-Shape Outdoor Operation Update**

As a result of the public hearing meeting, the applicant submitted an additional supplemental information letter dated October 29, 2020 (see Exhibit "A"). The In-Shape supplemental information letter states that In-Shape has decided to install a headphone system for use during outdoor fitness classes which will eliminate the

use of standalone speakers. The removal of the outdoor speakers will result in a net effect of eliminating the primary noise issue of amplified music and voices during fitness class instruction from occurring on-site during those class times. Per their letter, the headphone equipment will take about a week to receive and set up. A subsequent e-mail was received from Sandra Stephenson dated November 3, 2020, informing staff that the headphone equipment was ordered the week of October 26<sup>th</sup> and should be installed sometime later in the week of November 2<sup>nd</sup> (see Exhibit "B").

In addition to the update regarding the headphone system, the e-mail included decibel reporting information gathered by Andrew Olivas, an In-Shape staff person who spoke at the hearing. Noise level readings using a decibel meter to measure sound was done at four locations which are shown on the Aerial-Notes (see Exhibit "C"). The information provided does identify times when noise levels are excessive; however, with the elimination of outdoor speakers, which is the primary issue of concern, the need to self-monitor noise levels due to the use of outdoor speakers and amplified instruction are no longer necessary. The attached revised resolution does not contain the added condition requiring self-monitoring of decibel levels during fitness class times when the outdoor speakers are in use. Conversely, the TCUP still retains the condition that requires this temporary use to comply with all other City Codes, which includes compliance with the City's Noise Ordinance.

#### **Screening Condition Per Approval of Conditional Use Permit No. 2009-10**

During the Planning Commission meeting, Commissioner Peck requested information related to the screening condition adopted by the Planning Commission's approval of Conditional Use Permit No. 2009-10 on February 23, 2009, a request that allowed for of In-Shape Health and Fitness Club to renovate and expand the existing racquet club at the site.

Staff stated during the meeting that the 2009 CUP resolution in the project file did not include any condition regarding the screening requirement as reflected in the 2009 Planning Commission action agenda. Upon additional research related to the comments received from Commissioner Peck regarding the 2009 Planning Commission Action Agenda, staff was able to locate the February 23, 2009 signed Resolution No. 2009-19 for CUP No. 2009-10. This resolution includes Condition No. 9 that states the following:

**COA 9: That a minimum 10-foot high screening device be maintained along the west and south project boundaries.**

This condition was added in response to the concerns raised by a neighbor that requested a Condition of Approval be included to require some type of visual distortion or blockage of the windows that would also be applicable toward future alterations to the building for the perimeter of the site, and in the event the 10-foot high tennis court screens were ever removed.

Upon review of the plans submitted for the building and site improvements for the In-Shape Health Club, the 10-foot screens around the tennis courts are still in place. The screen material is clearly visible in some of the photos that were provided with the supplemental application materials (see Exhibit "D").

**Attachments:**

- Revised Resolution No. 2020-53A
- Exhibit "A" – Supplemental Information letter dated October 22, 2020
- Exhibit "B" – Sandra Stephenson e-mail dated November 3, 2020
- Exhibit "C" – Decibel Reporting Information
- Exhibit "D" – Photographs of existing screening material

REVISED RESOLUTION NO. 2020-53A

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TEMPORARY CONDITIONAL USE PERMIT NO. 2020-51, A REQUEST BY IN-SHAPE HEALTH CLUB, LLC, TO FACILITATE THE TEMPORARY OUTDOOR OPERATION OF THE FITNESS CLUB ON A LIMITED BASIS IN COMPLIANCE WITH STATE AND LOCAL COVID-19 GUIDELINES AND TO PERMIT THE PLACEMENT OF TWO COMMERCIAL GRADE TENTS ON TWO TENNIS COURTS ADJACENT TO THE BUILDING. THE SITE IS ZONED R-1-5 (SINGLE-FAMILY RESIDENTIAL 5,000 SQUARE FOOT MINIMUM SITE AREA) AND IS LOCATED AT 909 NORTH DEMAREE STREET (APN: 085-212-019).

**WHEREAS**, Temporary Conditional Use Permit No. 2020-51 is a request by In-Shape Health Club, LLC, to facilitate the temporary outdoor operation of the fitness club on a limited basis in compliance with State and Local Covid-19 guidelines and to permit the placement of two commercial grade tents on two tennis courts adjacent to the building. The site is zoned R-1-5 (Single-family Residential 5,000 square foot minimum site area) and is located at 909 North Demaree Street (APN: 085-212-019); and

**WHEREAS**, on October 22, 2020, the project applicant submitted supplemental information and a revised site plan exhibit that depicts the relocation of the “Cardio-Strength” training area from Tennis Court 1 to Tennis Court 4, which is directly to the west of the “Fitness Class” area; and,

**WHEREAS**, the City Planner has determined to refer said Temporary Conditional Use Permit application to the Planning Commission for consideration in accordance with Visalia Municipal Code Section 17.38.070(A); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on October 26, 2020; and,

**WHEREAS**, the Planning Commission of the City of Visalia finds the Temporary Conditional Use Permit is consistent with the City of Visalia General Plan goals, objectives, and policies and Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence presented; and

**WHEREAS**, the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2020-56).

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Visalia makes the following specific findings based on the evidence presented:

1. That the proposed Temporary Conditional Use Permit No. 2020-51, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed Temporary Conditional Use Permit No. 2020-51, as conditioned, is consistent with the policies and intent of the General Plan and the Zoning Ordinance. Specifically, the project will be consistent with the required findings of the Zoning Ordinance Section 17.38.110:

- a) The proposed location of the temporary conditional use is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. The fitness health club has operated in compliance the conditions that were approved with CUP No. 2009-10. The use is determined to be a compatible use in the zoning designation as conditioned.
  - b) The proposed location of the temporary conditional use and the conditions under which it would be operated or maintained, will not be detrimental to the public health, safety, or welfare, and materially injurious to properties or improvements in the vicinity.
3. That the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2020-56).

**BE IT FURTHER RESOLVED** that the Planning Commission approves Temporary Conditional Use Permit No. 2020-51 on the real property described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. The temporary conditional use permit shall comply with the comments and conditions of the Site Plan Review No. 2020-155.
2. The placement of the two commercial grade tents shall be subject to the Fire Department's tent review and approval permit process prior to placing the commercial grade tents onsite.
3. The temporary conditional use permit shall only be valid for six months from the date of issuance. TCUP No. 2020-51 shall expire on April 26, 2021.
4. The In-Shape fitness club shall operate in accordance with the attached revised Exhibit "A" site plan that relocates the "Cardio-Strength" training area from Tennis Court 1 to Tennis Court 4.
5. That In-Shape shall operate in accordance with the operation statement and supplemental response plans as provided per Exhibits "B" and "C" of the October 26, 2020 Planning Commission staff report, and Attachment 1 of the accompanying memorandum dated October 26, 2020.
6. The In-Shape fitness club outdoor operating hours shall be limited between the hours of 7:00 a.m. to 8:00 p.m. Monday through Friday, and 8:00 a.m. to 4:00 p.m. Saturday and Sunday.
7. That the use of the headphone system shall be required during outdoor fitness classes and the use of outdoor speakers shall be prohibited.
8. That the use of outdoor generators is expressly prohibited.
9. The In-Shape fitness club will add fabric/covering to the wood fence on the health club side along the south boundary of the grassy outdoor area to attenuate sound and prevent visibility.
10. The In-Shape group fitness classes will end no later than 7:00 p.m.
11. The piece of exercise equipment shown in photos 1 and 3 will be relocated. No work-out equipment/machines will be placed within 50 feet of any residential property line that abuts the In-Shape property.



12. All conditions adopted with Resolution Nos. 2009-19 and 2009-20 for CUP No. 2009-10 and Variance No. 2009-01 shall be complied with at all times, unless specified otherwise within the Temporary Conditional Use Permit's conditions of approval.
13. In-Shape employees and customers shall operate using the best practices recommended by local, State, and Federal agencies to reduce the spread of COVID-19:
  - a. Wash your hands regularly with soap and water.
  - b. Clean and disinfect frequently touched surfaces daily. If surfaces are visibly dirty, clean them using detergent or soap and water prior to disinfection.
  - c. Avoid touching your eyes, nose, or mouth with unwashed hands.
  - d. Cover your cough or sneeze with a tissue or your elbow, and wash or sanitize your hands after.
  - e. Avoid close contact with people who are sick.
  - f. Wear a face mask when leaving your home.
  - g. Practice safe social distancing (6 ft. minimum).
  - h. Stay home if you start feeling symptoms of COVID-19, and call 211 or your primary physician.
  - i. Follow guidance from public health officials.
14. Meet all other City Codes, Standards, Regulations, and Requirements.
15. The City Planner may revoke this permit based on documented evidence of failure to comply with any conditions or based on the use attributing to public nuisance issues in the immediate vicinity.

# **Exhibit “A”**

**Supplemental Information  
letter dated October 22, 2020**



October 29, 2020

*Sent via Email to paul.bernal@visalia.city*  
CITY OF VISALIA PLANNING DEPT.  
Attention: Paul Bernal, Principal Planner  
315 E. Acequia Avenue  
Visalia, California 93291

Re: Additional Supplemental Information  
In-Shape Health Clubs, LLC ("In-Shape")  
Temporary Conditional Use Permit no. 2020-51  
909 North Demaree Street – Visalia, California ("Premises")

Dear Mr. Bernal:

Since the Planning Commission hearing on the above-referenced application held earlier this week, In-Shape has decided to install a headphone system for use during outdoor fitness classes which will eliminate the use of standalone speakers. The net effect of this is that no music or voices will be amplified. It will take a week to receive and set up the equipment, so until the new system is implemented, In-Shape will reduce the total number of classes per day. They have already instituted the 7:00 a.m. to 7:00 p.m. schedule. Cardio and strength will be relocated to court 4 after obtaining necessary permits for installation of the tent on that court. In light of this change, we do not believe any conditions relating to decibel readings or self-monitoring of sound are necessary.

A question was raised concerning a condition of the 2009 approval that required screening material along the south and west sides of the tennis courts. This material has been in place as required since 2009 and is clearly visible in some of the photos that were provided with the supplemental application materials.

As a point of follow up to a question you posed concerning moving group fitness indoors when indoor use of the club is allowed, group fitness rooms as they exist now are not large enough to accommodate the equipment and people for a normal class due to social distancing requirements and spacing. It may be that modifications such as wall removals are going to be necessary to enable group fitness inside the building. That is a problem to be solved as we continue to move through the uncharted covid-driven environment.

We look forward to finalizing the Resolution, and thank you for your courtesies and assistance in that regard.

Sincerely,  
IN-SHAPE HEALTH CLUBS LLC

A handwritten signature in blue ink, appearing to read 'Sandra Stephenson', with a long horizontal flourish extending to the right.

Sandra Stephenson, Representative

# **Exhibit “B”**

**E-mail dated November 3, 2020**

## Paul Bernal

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**From:** sandra\_ss@comcast.net  
**Sent:** Tuesday, November 3, 2020 9:40 AM  
**To:** Paul Bernal  
**Subject:** RE: Visalia In-Shape #28 - letter re speakers  
**Attachments:** Decibel Summary 10.27-10.29.20.xlsx

Hello, Paul – thank you for providing this information. The new equipment was ordered a week ago today so I expect it will be up and running within a couple of days. The In-Shape corporate team informed me they reduced the number of classes and advised all instructors to be vigilant about noise levels. If that information did not get properly disseminated from corporate to instructors, I apologize for the miscommunication.

I have attached some decibel reading information gathered by Andrew Olivas, the second In-Shape staff person who spoke at the hearing. He used an actual decibel meter to measure sound at four locations which are shown on the Aerial-Notes tab. Each of the dated tabs have the detail for each reading. The Summary tab is a compilation from the dated tabs of just the readings. There are any number of ways these readings can be evaluated but we see that ambient sound in this area generally reaches or exceeds 50 dB. We see from the detail that there is more surrounding activity in the afternoon which could be elevating the ambient readings and, thereby, making it seem like the classes are extra loud.

It would have been helpful if either of these people could have provided the time of day so we could isolate which instructor, but hopefully the new equipment will arrive soon. I have the feeling though that Ms. Worden will not be satisfied until she stops all outdoor fitness completely at this location, and I think she feels very confident in her ability to do that.

I appreciate your staying in touch with me on this. I've asked the team to follow up on the new equipment and will let you know what I find out. I will find out what staffing is right now and see if I can get a contact person who can actually help if needed. I know with staffing being really short right now, some of the managers are working multiple locations and wearing multiple hats.

*Thank you,*  
*Sandra*  
*916.425.5335*

EMAIL CONFIDENTIALITY NOTICE: This e-mail and its attachments are intended solely for the person/s to whom it is addressed. Additionally, this e-mail transmission may contain confidential communications protected by law. If you are not the named addressee, or if this message has been transmitted to you in error, you are directed not to read, disclose, reproduce, distribute, disseminate or otherwise use this transmission. Delivery of this message to any person other than the intended recipient/s is not intended in any way to waive confidentiality. If you have received this transmission in error, please alert the sender by reply e-mail; we also request that you immediately delete this message and its attachments, if any. No part of this e-mail or its attachments may be reproduced or forwarded without prior written permission from sender.

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**From:** Paul Bernal <Paul.Bernal@visalia.city>  
**Sent:** Monday, November 2, 2020 6:26 PM  
**To:** 'Sandra Stephenson' <sandra\_ss@comcast.net>  
**Subject:** RE: Visalia In-Shape #28 - letter re speakers

Good evening Sandra,

Thank you for the updated information.

# **Exhibit “C”**

## **Decibel Reporting Information**

**Notes:**

\*Measurements were taken approx. 90° west from class location & speaker facing direction, and directly south (180° from speaker direction), per commissioners recommendations.

\*Measurements were taken at the residents sidewalk on Nicholas and Tilden, as well as at the property line (abbreviated PL).

\*Measuring A-weighted frequencies (most accurate to human ear) - <https://www.noisemeters.com/help/faq/frequency-weighting/>

\*Extech Instruments Sound Level Meter (Model# 407730) was used to test dB levels - <https://www.granger.com/product/EXTECH-Digital-Sound-Level-Meter-1LYP4>

"PL"=Property Line



Below is a summary of the readings shown in more detail on the 3 dated tabs.

	10/27/2020, A.M.			10/28/20, A.M.			10/28/20, P.M.			10/29/20, A.M.			10/29/20, P.M. 1			10/29/20, P.M. 2		
	Ambient			9-9:30 am (Body Pump, Aqua)			6-6:30 pm (Zumba)			8-8:30 am (Cycling)			Ambient			4-4:30 pm (Cycling)		
	Min	Max		Min	Max		Min	Max		Min	Max		Min	Max		Min	Max	
Nicholas	<40	61.9		55.4	65.5		49.4	66.3		53.9	67.2		47.2	53.6		46.8	55.4	
Tilden	<40	48.2		43.5	62.1		47.1	48.8		52	55		<40	49.5		46.6	57.5	
South PL	43.5	57.8		52.3	57.9		51.2	56.9		52.9	57.3		45.1	51.2		50.7	62.2	
West PL	41.9	47.2		52.9	57		49.4	68.6		54.5	60.5		46.7	51.8		54.7	64.8	

Ambient Range	21.9	Highest Ambient Reading	61.9	Highest Class Reading	67.1 (Body Pump, Aqua)	Delta (Class High-Ambient)	5.3	Lowest Class Reading	46.8 (Cycling)	Delta (Low Class-Ambient)	-15.1
Nicholas	8.2		49.5		62.1 (Body Pump, Aqua)	12.6		43.5 (Body Pump, Aqua)	-6.0		
Tilden	14.3		57.8		62.2 (Cycling)	4.4		50.7 (Cycling)	-7.1		
South PL	5.3		51.8		68.6 (Zumba)	16.8		49.4 (Zumba)	-2.4		



Tuesday 10/27/2020 @ 1:30pm-2pm (No Classes - Base line during day)			
	<u>Min</u>	<u>Max</u>	<u>Sounds observed</u>
Nicholas:	<40	61.9	Traffic on Demaree & Nicholas. Dogs barking.
Tilden:	<40	48.2	Demaree Traffic and dogs barking.
S. PL	43.5	57.8	Demaree Traffic, Dogs, People working out on Ct.1, Landscaping equipment, ice machine.
W. PL	41.9	47.2	Demaree Traffic, Dogs, People working out on Ct.1, Landscaping equipment, ice machine.

Wednesday 10/28/2020 @ 7am-7:30		Cycling Class w/ 0 Participants	Sounds observed
Min	Max		
Nicholas:	50.7 62.4	Traffic on Demaree, Goshen, Chinowith and Nicholas. Neighbor starting car.	
Tilden:	50.1 61.3	Traffic on Demaree, Goshen, and Tilden. Trash pick up in Chinowith Square.	
S. PL	52.2 59.9	Traffic on Demaree and Goshen. People working out on Ct.1.	
W. PL	53.2 63.4	Traffic on Demaree and Goshen. People working out on Ct.1. Landscaping equipment, sprinklers from nearby neighbor.	

Wednesday 10/28/2020 @ 9am-9:30		Body Pump & Aqua w/ 6 participants total (2 stereo systems)	Sounds observed
Min	Max		
Nicholas:	55.4 65.5	Yard equipment. Unable to hear anything else.	
Tilden:	43.5 62.1	Yard equipment and traffic on Tilden.	
S. PL	52.3 57.9	Traffic, Instructor voice, people working out on Ct.1. Music from class.	
W. PL	52.9 57	Traffic, Instructor voice, music from class, people playing tennis on court 2&3.	

Wednesday 10/28/2020 @ 6-6:30pm		Zumba Class w/ 12 Participants	Sounds observed
Min	Max		
Nicholas:	49.4 66.3	Traffic on Demaree and Nicholas, tennis, and instructor.	
Tilden:	47.1 48.8	Instructor voice, music, tennis, and traffic.	
S. PL	51.2 56.9	Instructor, class music, tennis, and people working out on Ct. 1.	
W. PL	49.4 68.6	Instructor, class music, tennis on court closest to test site.	

Thursday 10/29/2020 @ 8am - 8:30		Cycling Class w/ 0 Participants	No Classes, Ambient Noise
	Min	Max	Sounds observed
Nicholas:	53.9	67.2	Traffic on Demaree and Nicholas, garbage trucks
Tilden:	52	55	Traffic, contractor working on neighboring house/crane. Garbage truck.
S. PL	52.9	57.3	People working out on Ct.1, garbage truck, tennis on nearby courts.
W. PL	54.5	60.5	Music from class, instructor, tennis

Thursday 10/29/2020 @ 2pm-2:30pm		No Classes, Ambient Noise	
	Min	Max	Sounds observed
Nicholas:	47.2	53.6	Traffic on Demaree
Tilden:	<40	49.5	Traffic on Demaree
S. PL	45.1	51.2	Traffic on Demaree and people working out on Ct.1
W. PL	46.7	51.8	Traffic, Tennis and people working out on Ct.1

Thursday 10/29/2020 @ 4-4:30pm		Cycling Class w/ 8 participants	
	Min	Max	Sounds observed
Nicholas:	46.8	55.4	Demaree Traffic, instructors voice, and people working out on Ct. 1.
Tilden:	46.6	57.5	Traffic, Dogs barking across street, instructors voice.
S. PL	50.7	62.2	Tennis on Ct. 3, Instructor voice, music from class
W. PL	54.7	64.8	People working out on Ct. 1, instructor voice, music from class

# **Exhibit “D”**

**Photographs of existing  
screening material**



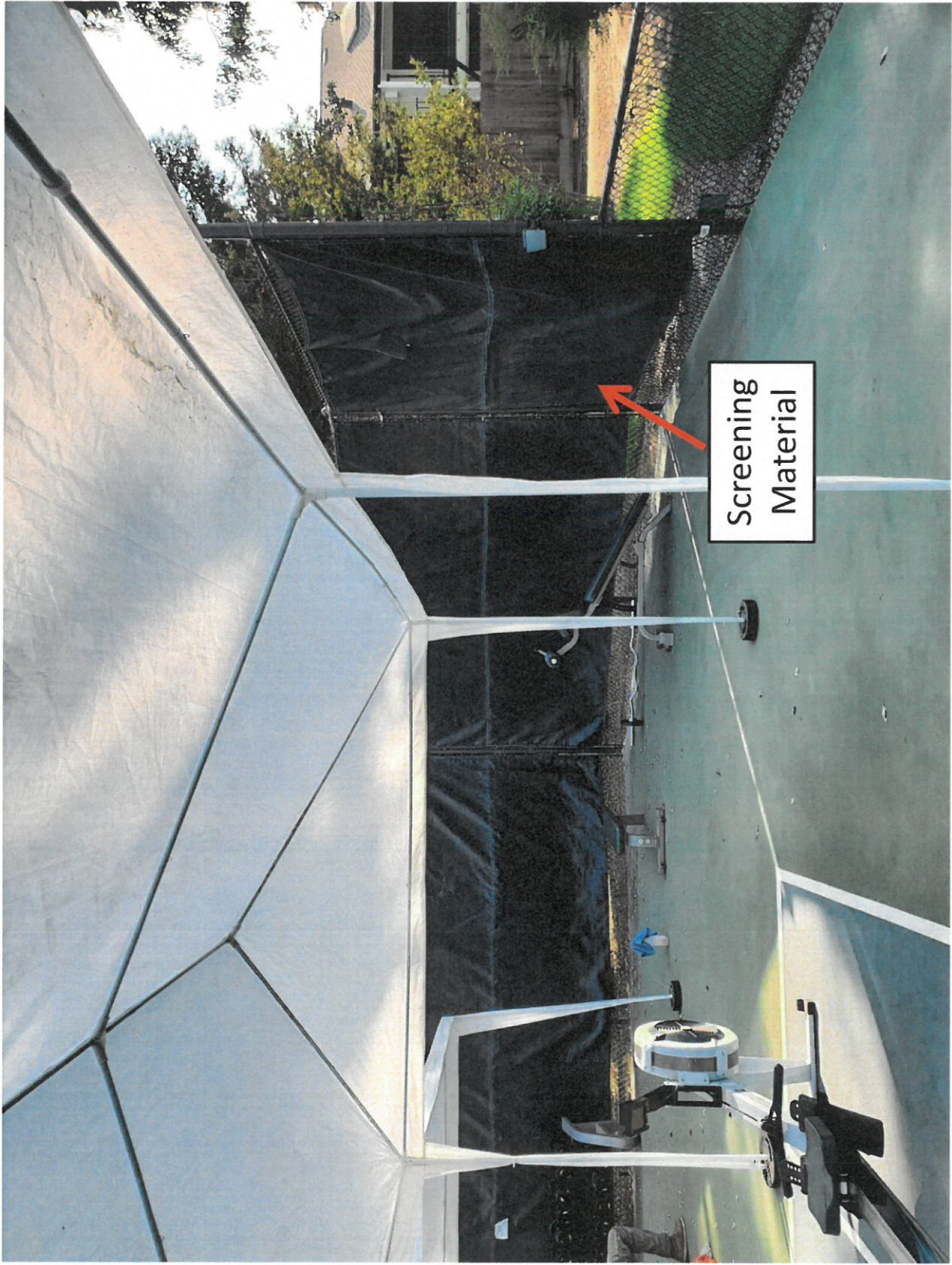
Screening  
Material



Screening  
Material



Screening  
Material



Screening  
Material