

John Carruth asked if there were any further comments or questions from the Board. Hearing none, Carruth asked if there was anyone from the public that would like to speak. No one came forward. Carruth called for a motion.

Motion

Tom Flowers made a motion to approve with the stipulation that the southeast corner, the evergreen plantings will be enhanced to give 100 percent view obscuration from the road of the buffer zone in addition to the addition of Loropetalum Ruby on the left screening wall of the AC units there on the south end of the building.

John Carruth reiterated that they have a motion to approve with two conditions on the landscaping to add additional material.

Laura Hamling seconded the motion. The motion passed unanimously, 6-0.

INITIAL APPLICATION

11-04855

DRB11-37

FELLOWSHIP CHRISTIAN SCHOOLS STADIUM, LIGHTS & SOUND

10965 Woodstock Road

Land Lot: 321

John Carruth made note that three of the Board members met with the applicant during the last month, Carruth, Sonya Tablada and Tom Flowers. He also wants to acknowledge that in the past he worked for a firm that did design work for Fellowship School but he does not have any connection with this project at this time. He has checked with the legal department at the city of Roswell and with the staff and there is no issue with him being part of this review.

Jeff Van Pelt with Fellowship Christian School presented the application. There are actually three items on this DRB presentation and one of them he is pulling, which is the stadium seating. After their meeting they decided they will wait until they have complete plans and they are not doing those right now anyway. They are actually just coming right now for approval for the lights and for the sound system with a limiting device. Van Pelt handed the Board some information that was emailed earlier but he wanted them to get a hard copy of some of the information that was asked for in their meeting that they had. He has with him Rodney Hawthorne who is the lighting consultant and Dave Collin who is their sound consultant that will give the Board a presentation also. They will start with the first thing on what Van Pelt just handed the Board, which is the sight plan that shows where the field is and he has actually highlighted on the Board's plan where the light poles are going to be and where the sound is going to be.

John Carruth asked Van Pelt to turn the plan 90 degrees so it is the same way. Van Pelt stated that on the Board's copy they also have highlighted where the pole locations are and they are actually right against the track down close to the field between the goal line and the 20-yard line in four different locations. The sound is designed to go on the future press box building, but temporarily they are going to actually mount 12-foot high poles in the location shown at the back where the stadium seats are going to be. Those will be mounted on those poles which will mimic the actual building that is going to be there in the future.

Van Pelt stated that one of the things in the Board's packet is the actual sound ordinance. Part of the Roswell Sound ordinance states that sporting activities are excluded from it but with the city council they have agreed to fall under the noise ordinance for the city of Roswell and to have a limiting device which is also in the Board's packet, the Dominator II Peak Limiter that the applicant will set to meet that noise ordinance. The ordinance read that it will be at 70 decibels at the residential property line adjacent to their property. So they will install the system and then test it and set their limiter device to where it won't exceed the 70 decibel level for their PA system at the residential property line.

John Carruth stated that when the Board members met with Van Pelt, they were not clear how that actually worked. Does the system just dial back the volume or does it shut off the system? Van Pelt stated that he would defer to his sound consultant for that. There is really not a whole lot to talk about other than how they are going to limit the device and what kind of lighting they are going to have. Dave Collin is their sound consultant.

Dave Collin with CEI stated that what he would like to have is Terry Frye, who is the AV engineer better explain how that system would work.

Terry Frye with CEI stated that this limiter is a device that is on the outboard end of the sound system directly ahead of the amplifiers. It is a brick wall limiter that when it reaches, receives a certain amount of sound input it stops that level from exceeding a preset level. Thereby one can dial it in so that it will not allow a certain output level beyond their preset level.

Carruth clarified that in certain terms it just...if it gets too loud it stops at a certain point. Frye stated that it was a brick wall limiter that one can set the levels so it can't go above a certain point. If he wants to squash it even more he can dial it down.

Herman Howard asked if it stop any volume or will it keep the volume at whatever decibel level. Frye stated that it would be at any volume. It would just stop being any volume at all. Howard stated that if he understands Frye correctly he is saying that it won't allow any level beyond that certain point. Is that what he is saying? Frye stated that it won't turn the system off it will just limit it to that

level. It won't turn the system off. So if one shouts into the microphone it won't ever go above whatever that level is that it is set at.

Laura Hamling asked who will run that sound system. Will it be run from the actual stadium and who will have the training to run it? How much training will that person have? Terry Frye stated that it will be run by the Booster Club and what they are going to do is set it up and then the limiter will be set by the consultant taking readings at the residential property line so that that limiter is set in a place that it can't exceed that. The Booster Club people will come in and plug it up and use it but they won't be setting the limits, they won't be messing with the limiter.

Dave Collin noted that the limiter will be behind a security panel in the equipment racks so that no one can access it once it is set up.

Tom Flowers asked how it is confirmed that when this brick wall is set up that it is maintained at that level. Is there another system that does a check at the property line to check the decibels to meet the council's stipulations? How is that confirmed is what Flowers is asking?

Dave Collin stated that they have to set it up originally and anytime that they need to look at it or reset it they can do that. The original system they were looking at with the microphone that they talked about in their meeting doesn't limit the sound. It just gives one a warning that they are going over and then they have to manually turn it down. They want to try to take the human element out of it because that thing could be red all the time and no one would turn it down. They wanted something that was just going to limit to a certain decibel level. The way they are configuring their speakers it will be plenty for people to hear it. The 70 decibels at the residential property line is easy for the consultant to deal with and one to still be able to hear it.

Tom Flowers stated that Collin had discussed that depending on humidity and everything else is what it would actually function at. He is wondering how it is set up the first time, confirmed because Collin had talked about these two receivers that would be set at a line or a limit of the fence or something to protect the neighbors. Is that correct?

Dave Collin stated that the original system was a Grozier system that had the microphone set at the property line put that one doesn't....one can't get one that does both. So, it has to be set up and the enforcement section of this code, anytime they want to come out and do a decibel reading they can. But they are not limited on crowd noise obviously; they are just limited on their PA system. They can set it up as many times as they want them to check it. They will be glad to that. Collin thinks they are going to be fine as far as the volume. Their speakers are so low that they are actually going to have to be lower. It is going to be so loud next to people that they are going to want theirs down anyway. They

are not setting it like Roswell High School where it is up on top of the light pole and there are two speakers blasting across the whole place. They will have five speakers and they will be set 12-feet off the ground so it is going to be uncomfortable for people right near it for it to be exceeding anything at the property line. Collin thinks they are fine with that anyway.

Sonya Tablada asked if that was done by a computer. Is it set up...? Dave Collin stated that they come out with a device that checks the noise level. It reads the decibels at the property lines and then they set it up and put it behind the....

Terry Frye stated that they will bring out a sound level meter and they will check the levels at the scoreboard, they will check some levels at some of the closest property lines and make sure that they are not exceeding those levels. They will run some noise into the system to set the initial levels and then they will set the dominator so it can't exceed the levels that they have prescribed.

If one looks at the map, based on the configuration of the site it looks like the neighborhood, these homes with the property line right there is probably where the readings need to be taken to make sure they don't exceed any levels. This is probably the closest, it may be the closest in distance but the closest as far as a configuration of the ground and the corridor the sound will travel through.

John Carruth stated to Jeff Van Pelt that the property that is immediately to the northwest of their property line, is that church property? Van Pelt stated that it was. Carruth clarified that it was all the way across that before one gets to the other residential property.

Laura Hamling stated that Devereaux Downs is right across the street. Van Pelt stated that was correct and the speakers are going to be actually mounted behind the stadium pointing towards the field and away from Devereaux. They can actually test it at every, around the whole perimeter, but he thinks that is probably the least amount of noise, it will be behind them because it is also pointing down. That field sits almost 20 feet below the top of the parking lot area. And then there is a little berm and then the street. That is why they were just out at the site looking at it. He thinks the most accurate test will be done in the score board area behind the scoreboard and across the church property and all.

Roberto Paredes asked why they need the sound system. Van Pelt stated for the football games, the announcers and everything. Paredes asked if they can't play football without an announcer. Van Pelt stated that they don't want to play football without an announcer. That is why they have gone through this so many times.

Sonya Tablada stated that her experience in this is the applicant is absolutely right. When those speakers are pointed down one can't turn them over the decibel or he will blast the ears off the crowd far beyond what one will even hear

on the other side of the track. Because of the way the speakers, the technology today is pointed down at the bleachers or at the seating. One is really going to have a hard time hearing it on the other side of the track. Terry Frye stated that they have a couple of types of speakers that they are going to use. Some of them have a 60-degree; some of them have a 90-degree directional speaker so they are more directional than most that one will find. That will help them get a lot of sound where they want it and not any sound elsewhere. Frye thinks they are doing as much as they can do without having everybody where headphones.

Herman Howard asked what the seating capacity will be for the stadium. Van Pelt stated that they are approved for 1500 seats. Howard asked if that was all on one side. Van Pelt stated that they might have 300 of them on the other side of the track. If they ever did something on the other side, they would have to run the speakers over there. They are not designing it right now to go across the field over to the other side. Howard clarified that as of now the applicant is not necessarily planning to have speakers on the other side. Van Pelt stated that they were not. They have temporary fencing to keep people off of that whole side of the track and everything because they just want everyone concentrated in that one area.

Howard asked Van Pelt if he had done any modeling that begins to show that with that amount of seating and with these type of speakers or with this type of sound system. This is how far sound carries before it starts to become disturbing?

Van Pelt stated that they have actually had two different sound studies and that was all through the process of their council and all that. They had to do a sound study that modeled it with the maximum capacity crowd and actually had a marching band in there because they were requesting a marching band, which they were turned down on a marching band. The highest level of noise is coming from a marching band. The crowd level noise with 1500 people there would be second and then the PA. One can control PA so that is why they wanted the applicant to come to the DRB with the controlled PA system that they are wanting to do and to get the Board's approval for that.

Laura Hamling asked Van Pelt if he was saying that the neighborhoods most affected, which would be the ones to the left of the stadium. Those folks will not be able to hear the speakers during the game? Van Pelt stated that they will be able to hear them but they are not going to exceed that sound ordinance for the city of Roswell. In the sound ordinance one will see that athletic events are excluded from it. So, if they were just going to go along with the sound ordinance they wouldn't have to control it at all but that is why they have agreed to meet the sound ordinance with a limiting device. That is why on the last item on council's approval, item no. 9 it stays that "the sound system with a limiting system shall be approved by the Roswell Design Review Board." That is why the applicant is

here with this actual system that they are wanting to use to try to get approval for it.

John Carruth stated that brings up a question he has for Kevin Turner as to what they need as a Board, what do they need to act on? Do they need to set a decibel level? Do they need to specify where they will take reading at which neighborhoods or which directions from the stadium? Do they have to get very specific with this?

Kevin Turner stated that it just says to approve the limiting system. So the Board could add conditions of where they would place it or where they would test it. As it is he thinks that the Board is just supposed to approve this system in general.

Van Pelt stated that he volunteered the Roswell guidelines because he thought that would be a good place to start.

Roberto Paredes asked if there were any neighbors present here. John Carruth stated that the Board would hear from them in a minute. He is going to let the applicant finish their presentation.

Tom Flowers clarified that one of the stipulations of the council was that the applicant put in a limiting device that is ultimately approved by the Design Review Board. The applicant is electing the 70 decibel level as a benchmark because that is the noise ordinance that would be subject to everyone else. Van Pelt stated that it was the noise ordinance that would be subject to everyone else except for sporting events. They are just saying that they are willing to go along with it on a sporting event for the PA system only. They can't limit crowd noise as well but they will limit the PA system. That is just a benchmark. It is hard for anybody to understand what a decibel is and all that and that is something that someone sat down and figured that was what the ordinance was going to be. That is why they went with that. Flowers asked if the applicant considered 70 decibels to be reasonable at a property line and not at a field limiter or anything else. He is just wondering where this 70 level comes from. Van Pelt stated that in the ordinance it says at the residential property line. Flowers asked if that has a time limit. Van Pelt stated until 11 p.m. and at 11 p.m. it goes down to 60 decibels until 7 a.m. or whenever.

Roberto Paredes stated that he has a question for Kevin Turner that is going back several years. Was this part of the original when the conditional approval was given and this was probably 8-10 years ago? For this particular site was this type of use with the anticipation of a sound system and fairly high-powered lighting, was that anticipated or discuss at all when the conditional, the original conditional approval was given.

Kevin Turner stated that he actually does not know about the original approval. Van Pelt stated that they were not approved for lights and sound originally and it

was one of the conditions that they didn't have it. That is why they went back through the process.

Roberto Paredes stated that his point is he has been on the Board several years and he recalls this particular site has evolved over many, many years. For whatever reason, at least in his mind Paredes has always perceived it as a situation where certain things were presented. Not a complete picture was given at the time. The Board granted approvals and this thing slowly, what started as a small "neighborhood school" has become a major...it is bigger than a shopping center site in the middle of a cluster of neighborhoods. That is Paredes' concern. Now with the addition of 80-foot poles and sound system and then two years later they are going to come back and add more bleachers and then more speakers and a bigger parking lot. That is his concern. He would like to find out what the original conditions were for the original master plan. And he knows that is going back several years.

Kevin Turner stated that the applicant was not approved for that at all. That is why they went back through the process.

Jeff Van Pelt stated that the site plan has not changed. They have all of the parking lots and all of the fields and all of the buildings were approved originally seven years ago. They have built everything but there is an elementary school wing still to be built on the main building and there is a whole high school building that needs to be built and a field house building. That was all on the original site plan that was approved probably seven years ago.

John Carruth stated that he was going to comment here because he was part of that approval at that time. He was representing the applicant at that time. This site has been master planned for over 200,000 square feet of building space. As Jeff Van Pelt has said there is going to be a future high school in this open area. There is a future elementary wing that is going to come up in here. There is a future field house that goes next to the stadium. They have built all the parking that was previously approved.

Jeff Van Pelt stated that there is one other little parking lot up here that is graded that has not been paved yet.

Carruth stated that that serves the high school in the future. But there was a lot of effort to look at the total parking available. Van Pelt has an agreement with the church next door to utilize their parking for athletic events and things where a lot of people are brought on site, is that correct. Van Pelt stated that was correct. Carruth stated that it was about five or six years ago now that this first came as a master plan to both the Design Review Board and to the Planning Commission and city council. They did not get approved at that time for lights or sound at the football field.

Roberto Paredes stated that he was speaking really more from if he lived near that area and "shame on him" for not realizing the impact of this development. But when one sees a master plan like this and he figures that there is enough open space, there are enough trees. Then when one goes out there and actually it is a fairly open development and now there is going to be fairly major lighting and sound. It doesn't fit the image that he had in his mind when a school was going to be placed on this site. He has major concerns about and he would love to hear from the neighbors. He would be extremely concerned about the lighting and the 80-foot poles. If this was near a shopping center or in a more commercial area he would say that was a compatible use. But they are very, very near a lot of homes and Paredes is very concerned about how bright this thing is going to be when the lights are on and the sound level.

Van Pelt asked if he could have his lighting consultant come up and show the Board what their plan is. That is why they are going to the highest level of lighting. Paredes stated that he was very aware of lighting levels and lighting levels are very subjective. One thing he can tell the applicant is that if one has a dark parking lot, it is dark and if he puts a light on, it is going to be bright no matter what. Even if it is four foot-candles one will still see the difference. He is very concerned about that kind of new element being brought into this development.

Sonya Tablada asked Jeff Van Pelt if he could tell the Board approximately how many times per year they will be using the lights and the PA system. Van Pelt stated that that would be hard to say. He thinks they will be using the lights in the winter time for practice until not that late every night just to get practices in. But they have six games a year that the PA will be on for the football team and he is sure they will use it for soccer games and all that too. He does have a number. They didn't limit it at the council level for the number of times they applicant could use it. The original time the applicant gave them a number but this time they didn't.

Tabalda asked Van Pelt what time do practices; he said six football games a year. What time do practices typically run during the fall and early spring that they would be using lights in football season? The applicant was talking about football and soccer seasons. Van Pelt stated that in soccer it gets dark earlier because it will get dark at 6 p.m. so most practices are over at 8 p.m. even in basketball and things like that because they want to get done and get out of there. Right now they are ending them early because they don't have lights. So they are doing football between 4 p.m. and 6:30 p.m. at the latest.

Tabalda clarified that on average those lights would be turned off at 8 or 9 p.m. at the very latest, except for the football games. Van Pelt stated that was right and then most games are over and done, people are gone by 10:30 p.m. but they are usually over by 10 p.m., 9:30 to 10 p.m. Tablada clarified that the applicant plans to use the PA system for football games. Van Pelt stated that he is sure soccer is

going to use it too. They don't use it that much. Tablada asked about track. Van Pelt stated that he does not know if track uses it but they will definitely use it for football games.

Tablada clarified that from an event standpoint they are looking at the PA system maybe 15 to 20 times in a given year. Does he think there will be more than that? Van Pelt stated that he thinks 20 is the number they came up with five years ago when they were going for the approval. Tablada clarified that the PA system would be used for two or three hours, 20 times a year. Van Pelt stated that was correct. Tablada clarified that the lights will be on more in the fall; to about 8 or 9 p.m. Van Pelt stated that they would turn them on in the winter from 6 to 8 p.m. for practice a lot. He is sure they are not going to want them on much because he is sure they are expensive to run.

Tom Flowers stated that he thinks his question was raised before. In reading the change of conditions letter, it clearly speaks to item no. 5 and no.9 in there. He is assuming they have some oversight of 6 and 7 when they come down the pipe as well. But, primarily 5 and 9 actually are redundant because 5 addresses the public address system but then 9 says the applicant is entitled basically to a sound system with a limiting system which shall be approved the DRB. So, they are entitled to it. The council has spoken. Now the Board is over to set and confirm that there is a limiting device.

No. 5 addresses more specifically, the lighting, PA system and type seating. So Flowers is assuming that it is implied that the applicant is entitled to those. Roberto Paredes' point is this thing is just mushrooming and why is the Board not seeing all of those pieces holistically here, the seating and the press box and the landscaping and the buffer and everything is going to be forthcoming so that the Board understands the full picture.

Van Pelt stated that until they actually pick a person to do the seating, which they are not going to do until probably the summertime, he does not have a full set of plans to get the Board to approve the seating. They are approved for 1500 seats. It will be an aluminum stadium that seats 1500 people but Van Pelt does not have the specific plans for a Design Review Board application to look at. He disagrees, this site plan that they turned in the first time was everything they wanted. It hasn't mushroomed and they are not trying to get more every time they come before the Board. This is exactly what they wanted seven years ago when they started this whole process. It hasn't mushroomed, it is just they finally got approved for lights and sound. So, they want to put them up so they can play football there. He does not know about the landscaping plan. It was turned in as the one that was approved five years ago. If they add anything building-wise like they did the batting cages, the Board wanted the applicant to put trees around those, that is what they will do. They do not even have a design on the press box but as soon as they do they will bring it before the Board and let them look at it and approve it as well as the actual stadium design and the seating design.

Tom Flowers asked if the press box has the restroom facilities. Van Pelt stated that it did not. The press box is just going to go behind the stands. What was on the approval with the council was a 12-foot deep and 60-foot long building that he is sure will end up being brick and everything else when they get done with it. But they are not doing that...

Flowers stated that the Board had the luxury of meeting with Van Pelt before and he understood that lighting and he thinks Sonya Tablada was there and Roberto Paredes was not. That the lighting stops at the field's edge. If one goes beyond that it is dark. Is that correct?

Van Pelt stated that there is a spill that was on the original. Flowers stated that he understood from their initial meeting that the spill rate was nominal. Van Pelt stated that it was zero at the property lines, there is not much of anything outside the field and by the time one gets to the parking lot...Flowers stated that he is seeing a form of light so there is an overflow of light. Van Pelt stated that they have actual shutters inside the bulbs and shields on the outside of them that actually help that. Part of the reason why they are 80-foot poles is because one can get more directionality and he can focus it more on the field. The lower they are, the more they shoot across and spill over. That is part of the reason for that.

Laura Hamling clarified that Van Pelt was saying that there is not going to be any light trespassing any of the neighborhoods at all. Van Pelt stated that there would not be any from the football field. They were turned down on the baseball field and there was some there and from this there is not.

Van Pelt stated that they could go ahead and start telling the Board what the levels of protection and all that kind of stuff.

Rodney Hawthorne with Tekline Sports Lighting stated that they conducted all of the lighting design work for this project. They did incorporate the latest technology in spill light control design. That is the reason for the 80-foot mounting height poles. The taller one makes the poles, the better the spill glare control louvers perform. They operate kind of like a blind in a window. The more one tilts the blind, the more light that it blocks. One can see that the poles are all located immediately next to the track down next to the field to keep...they were originally designed up at the top. The two home side poles were designed up at the top of the hill where the press box is going to be located above the grand stands. In order to reduce the spill glare control and the pole being unobtrusive to the neighbors passing by, people driving by on the road, they have moved them down closer to the field. This outer band shows the level that the lights drop down to 0.1 foot-candles. One can see the band, the inner circle is a .5 foot-candle band and then the outer one is a 0.1 foot-candle. One can see the line at the bottom left corner is the road. He can see that there is no light trespassing onto the road so there is none going over into the Devereaux Downs

neighborhood. On the visitors' side, it shows that the spill light goes farther in that direction but actually one has the buffer over there with all of the trees and there really won't be any spill light back there because of the trees. It will all be blocked.

Roberto Paredes clarified that these were the lighting levels before the applicant installed the poles. Hawthorne asked if he meant the ambient light level. Paredes stated that was correct, existing conditions compared to this. Hawthorne stated that they have not done testing on the existing but the .1 is full moon light level. Full moon is a .1 foot-candle. So if there is no parking lot lights or any other lights, sign lighting, street lighting, this .1 foot-candle line represents a full moon light level.

Laura Hamling asked Hawthorne if his company will be maintaining these lights. Rodney Hawthorne stated that they provide a 10-year warranty with their lights that does include the aiming and the spill light levels. Actually the light levels on the field as well as spill light levels in that 10-year warranty. Hamling clarified that Tekline will guarantee that it will not spill into the other neighborhoods. Hawthorne stated that they will do that.

Sonya Tablada asked if there were any night time shots of what a typical field looks like with the Tekline lights installed on them to show the spill levels. Hawthorne stated that he did.

Laura Hamling asked if Rodney Hawthorne will be the person who changes the lights when they need to be changed or is someone from the school going to be doing that. Hawthorne stated that there was not anybody at the school that probably has the capability so they will have to hire somebody and almost everything that they install they always come back to them to do any kind of maintenance or re-lamping in the future and that sort of thing. This is the fixture that has both the internal louvers and the external visors for total spill light control. He showed a close up of what it looks like when it is on. He showed a football stadium that has the same fixtures on it. This will be very similar to what one will see. A real bright fill with a real dark area around the fill.

John Carruth clarified that those have the poles behind the seats. Is that what he is seeing? Hawthorne stated that they were actually behind it, which makes it a little bit more difficult to control the spill light because the farther back one puts the poles the taller he has to make the poles to control the spill light.

Laura Hamling asked Hawthorne how many Watts is that? It says 100. Rodney Hawthorne stated that each fixture is 1500 Watts and he believes there are 76 fixtures. So, 120,000 he believes, roughly.

Herman Howard asked Hawthorne if they will be having a different lighting design or is it a different lighting source for the parking area. Jeff Van Pelt stated that it is already existing right now, it is already there. Howard asked what the impact is,

if any on the adjacent street with that lighting. Van Pelt stated that he had no idea. They are normal box lights that are full coverage. Howard clarified that in no way is this lighting being used to help supplement or to add to the lighting that they already have for parking. Van Pelt stated that this won't hardly do anything. The spill over into the parking lot is very minimal. Most of these places they have to add lights for people to see to walk around at night because there is that little spill over off of the field.

Rodney Hawthorne stated that parking lot lights are normally designed for 3 to 5 foot-candles and they are contributing .1 foot-candles on a portion of the parking lot. This photo also does have additional lights directed at the bleachers because they didn't have enough light in the bleachers. So they had to add light onto the bleachers in this photo. They have every level of protection that they can put on this system. The shutters inside and the shield around the outside is as much as one can do.

John Carruth stated that the Board has covered sound and lighting. That is really all the applicant is presenting tonight. Van Pelt stated that was correct. Carruth asked if there were any more questions for the applicant before he sees if there is anyone who would like to speak.

Laura Hamling stated that she noticed on here that one of the stipulations was that the applicant would replace all of the trees that might have died on the property. Has the applicant replaced the trees that the Board looked at with him up near Allenbrooke? Jeff Van Pelt stated that there is a bond in place right now that they had to do after the council meeting that was put up so that they can replace them when the weather gets better. They have to have them replaced by December 31, 2011 but as soon as they start digging trees again, which will probably be a couple of weeks or three weeks or so when the weather breaks then they will go ahead and do the trees on there. They have identified the trees and they know exactly what the applicant is putting in and where they are. That is on the list with Andy Pittner at the city of Roswell.

John Carruth asked Kevin Turner if he had anybody that wants to speak. Carruth stated that they needed to fill out a card. They are on the back table.

Andy Brown
7015 Broughton Lane

Andy Brown stated that his house is going to be one of the ones that is going to be impacted from this stadium. He has been opposed against this from the start. He had really hoped back in July that the city council would have defeated this because again, as Roberto Paredes brought up some great points that a lot of other people did not bring up. The neighborhoods have been against this from the start. They are very worried about the sound, the lights, the traffic, everything. But they keep hearing, "Don't worry about it, it is going to be great. It is going to

help their property values." It is going to be great for the community, but nobody that is for this lives in any of the neighborhoods that are going to be affected by this. There are some people in Devereaux Downs. Not one person is that close that Brown's subdivision is and they were 100 percent against this. He is president of the homeowners' association for Broughton Park. If his voice is quivering a little, he is upset. Every time he gets up to talk about this he gets upset about it. So he is sorry. But, every time that they have brought this up they change the rules. When it got to where the city was going to vote on it as far as city council, they tried to limit them six times. They said that at the start, it changed. Because now all of a sudden it is Lacrosse, it is soccer; it is going to be concerts, all of this stuff. But the mayor and city council said that the neighbors could live with it six times a year. Don't worry about it. But now as Jeff Van Pelt has said they are going to be doing other stuff, which Brown knows that they will. Because every time they bring a little bit more and it grows. One does not get the whole picture. They never have. At the start they never came to the neighbors and Brown has been at Broughton Park since 2000. Never once did Fellowship come to them and say, "Hey, we want to do this. What do you think? Let's kind of get together and talk about stuff." The last time they didn't do it. When the neighbors found about they called the AD at Fellowship to say, "What are you doing?" It went to the Georgia Supreme Court. They ruled on it. Everything should be fine. Again, Brown brought this up in July. He played football for a big high school in Macon, GA. They did not have a stadium. They were bussed. All three schools were bussed. They were public schools, big schools. They try to tell one 1500 seats is not going to make a lot of noise. Brown stated that he can hear them when they are playing soccer during the afternoon. He can hear them when they are doing lacrosse. He can hear the mobile PA that they have right now when they do that crazy siren when somebody scores. All of this stuff...what happens if they go over. Brown knows that, because athletics, they don't have a sound. They can't get penalized for it. They did agree to that. But he thinks again it was to get the stuff pushed so they can ask for more stuff later. It just boggles Brown's mind. They are in a residential neighborhood and they are going to put this in the middle of all these subdivisions where it was quite, the homeowners want to come home, they want to rest. But now, not just on Fridays, they have a concert they are going to do in the summer. Brown knows they will. Thank God, someone told them no marching band. Because Brown can hear Roswell High School, he can hear Blessed Trinity. He didn't mean to take up a lot of the Board's time, but he just wanted to let the Board know that he does not like it and he wished there was a way that he could do away with this. He cant, but he hope that the Board will look at what is good for the neighborhoods. Not these people who live in Marietta, in Woodstock, in Dunwoody, in Sandy Springs that are telling Brown when he lives right here, that things are good. He won't hear them. What is he going to do if he does hear them? What is he going to do if they wake up his daughter who is nine and say it is during the week? Who is he going to call? Is he going to call them? They are not going to do anything. Who is he going to call? He is going to call the police to try to shut them down but that won't work. So, his hands are tied. He loves living here and does not want to move,

and he even researched this on the front end. Can't do anything. No, everything is good. It is zoned residential. If Brown had known that he wouldn't have moved here. But, he is here and he does not like it.

John Carruth asked if anyone had any questions for Andy Brown. Hearing none, he thanked Brown.

Sonya Tablada stated that the one thing that is in the ordinance is it does say that there should be no outdoor concerts on the property is what the city council did say. Also she asked that realizing that if this were a public school one would have no say.

Andy Brown stated that if he had known it was a public school he wouldn't have moved there. He tried to do his homework on the front end and he knows the whole thing, the grandfathering, because he has heard it enough from them about Blessed Trinity and they feel like they have been slighted and all of this kind of stuff. But they knew what the deal was and they never take no, they are constantly coming back just like a couple of the Board members have spoke about. One never sees the master plan because they don't want to give it to him.

Herman Howard mentioned that they are banned from having concerts so Brown is certainly within his rights. Brown stated that was good and he is glad about that and thanked goodness that something was on their side for once. Howard stated that the Design Review Board is charged with setting, limiting and what is going to be approved to be able to move forward when those elements are in place. Right now the Board is charged with setting the limits. Does Brown have any input on how to invoke limits?

Andy Brown stated that he would ask, if they could, to think about the neighborhoods. That is his biggest thing of why he got up there. To think about the neighborhoods because it seems like everyone else...he knows as far as the concerts and stuff. It just has seemed that no one has really thought about the neighborhoods. They have had people tell them, who live outside, that everything is fine. Brown is worried about his family and everyone else's family who live there.

Tom Flowers asked if the chair could review that there were three Board members that met an hour and a half and they are the ones that asked them to bring them professionals to convince them that the proper limits of the council has charged the Board to make sure and place do protect the neighbors' interest. Flowers stated that he is letting Brown know that is exactly what they are doing. Brown stated that is what he wants to hear. Flowers stated that they can't say no but they can certainly invoke proper levels and they asked Jeff Van Pelt to please bring them professionals on both lighting and sound that can give them the data to confirm that they are meeting the requirements and stipulations set forth by the council. That is what they are going to do.

Andy Brown stated that he appreciates that. That is his biggest thing is trying to make sure, but again he wonders...he understands what the applicant is saying as far as they have that thing that will knock it off or whatever. Crowd noise, they are going to hear it, he knows that but Brown is hoping...he knows it is coming, he knows it got approved but if they could think of the neighborhoods, the people that are going to be effected, because they are going to leave, they are going to be gone.

Tom Flowers asked Brown if he thinks the limiting elements that the applicant has gone about putting in place that they have showed the Board are reasonable or unreasonable. Brown stated that he thinks with the limit on the PA, but 70 decibels? If they come to Brown's house to Arianna's house, the people that are going to be effected to say, ok they can put stuff down and say 70 decibels, this is what it is supposed to be, but are they going to be in his backyard on his patio when he is trying to talk. Flowers asked Brown if he would be comfortable if they did confirm it there. Brown stated that he would like for them to, but that is all they have ever asked is for them to be involved and to talk to the neighbors. Flowers stated that he believes that what the Board asked for was that that line be monitored and that it happened to point right towards Brown's on the northwest side there. They can invoke that that limit is set while the city ordinance is to the property line, that they can set it to some reasonable level. Flowers is sure Jeff Van Pelt would be amenable to this. That it is even tighter into whatever the closest property line, which is actually to the south if Flowers is not mistaken.

Jeff Van Pelt pointed out the homes that were the two closest. There might be one over...the Devereaux pool is right across the street but there are trees and all. Sonya Tablada stated that there were some houses right down here that are closest.

Laura Hamling asked if Andy Brown was willing to commit to the 70 decibels at his property line. Brown asked if that could be brought into a reasonable level. He is no sound specialist. He does not know the difference between 70...he knows that OSHA has 95 and 100 and one starts getting into what he can only be exposed to...

Roberto Paredes asked to interject. This is a technicality here but in his mind it is fairly substantial or pretty big. Item 5 states that all lighting, public address system, press box and type of seating must be approved by the Roswell Design Review Board. That means that the Board has the ability to approve it or deny it.

Tom Flowers stated that he thinks it is implicit that it says they can do that and the Board must approve the design elements.

Roberto Paredes stated on Item 9 it states that sound system with a limiting system shall be approved by the Roswell...it is the same statement. That doesn't mean that the Board has to approve it. They can make a determination whether it is reasonable or not.

Kevin Turner stated that the conditional use was to add the lights and sound. Tom Flowers stated that he considers that implicit.

John Carruth stated that he thinks it has been approved by city council and the Design Review Board is charged to set the limits on it.

Laura Hamling stated that it doesn't state that.

Roberto Paredes stated that is not the way he reads it. But if that is what is on record.

Tom Flowers asked if this was an initial. John Carruth stated that it is an initial but the Board will deal with that in a minute. Did the board resolve what Flowers' question and commentary was? Flowers stated that he thinks what was discussed was setting that reasonable level and this being an initial the Board can do further review and confirm that 70 and where it is going to be posted at. That is on the sound. He thinks that there has been a preponderance of evidence tonight that the light is not going to spill over beyond there if he is seeing it right from the professional.

Andy Brown stated that he understands but seeing it on a picture but seeing it there, that is the thing that he hopes from what the applicant is giving them...also the parking lot. He does not know if they ever had it lit at 8 or 9 p.m. at night.

Tom Flowers asked if there is some test than can do in the next month.

Roberto Paredes asked to interject a comment regarding lighting. Having worked on many complex lighting jobs, the foot candles...it is all relative. One match could maybe put out one foot candle of light. But if one is in a dark room that one foot candle is very bright. So it is a matter of what one's eye perceives in terms of contrast. So, to Paredes when the gentleman was saying that it is moonlight level well, moonlight is pretty bright. It is a relative term so the only way that one can really determine what is adequate is to really test it and then have neighbors look at it and say is it bright? The picture that the applicant showed on his computer, if one looks at the light source, it is extremely bright. And he can flash that image again. It is very bright. So if one is walking by and he is seeing the actual source, it is extremely bright. Now, one can measure the foot candles at the surface and say maybe it is a foot candle or two or maybe 90 on the field. But the light source itself is extremely bright and that is Paredes' concern. One cannot measure it in terms of just foot candles.

John Carruth stated that he thinks the Board needs to stay on track here. They have had their chance to do some commentary. They will have another opportunity to talk with the applicant.

Rick MacDonald
1105 Allenbrooke Lane

Rick MacDonald stated that he thinks part of the frustration that the Board is hearing is because of the very kind of fluid, vague assurances that the neighbors get but they don't necessarily get solid information or assurances behind that. Originally, MacDonald's understanding was that the lights and PA were for football games. And that there would be, give or take, six of those occasions per year. Now tonight he hears that it is hard to say how often the lights and the PA will be used. Maybe soccer will use it too. So, where are they here, really? They are hearing one thing from one occasion and another thing from another occasion and they just don't know as people who are living 100 feet from all of this exactly what they have got. Maybe it is 20 times a year, 30 times a year, they don't know. Maybe they will put the bleachers across the field some day, maybe not. Who knows? It is just all very fluid and very unspecified at this point.

On the point of the lights they heard that the tree border would prevent any light trespass, there isn't a very dense tree border along Barrington Manor. Maybe it is because the trees died or whatever but it is not there now and it won't be for some time to come. If they are to believe that the light truly will not be intrusive then let's have a guarantee from them that if in fact they can see that light from their windows that they turn them off.

This only, to MacDonald, seems to make sense that they are held to some kind of guarantee. He would like to sum up by saying that he thinks all of this is much too loose at least for the comfort of the people who have to live just a few hundred feet away from all of this that is being planned. He thinks they deserve a little more assurance. They deserve some hard guarantees that if they don't meet these standards that something will happen.

Sonya Tablada stated that what she is hearing from MacDonald is that he would like to be very much involved in the process.

Rick MacDonald stated that they have had these meetings, he has seen that light presentation a number of times and his problem is that what they hear on one occasion is not necessarily what they hear from Fellowship on the next occasion. Is it six times a year that they will have lights and PA or is it 20 or 30 times a year? It makes a big difference to the neighbors.

John Carruth stated that he thinks they have heard tonight that it may be 20 or 30 times on this football field. And the council was very specific that there is no lights, sound on the baseball field and softball field which are immediately

adjacent to MacDonald's neighborhood. There are no outdoor concerts on the property and that is anywhere on the property. No marching bands. Carruth thinks the council has been very specific. The one area that MacDonald is addressing is, and the Board was not part of the city council hearings, they don't know what they've said in terms of six games or 15 games, 20 games. But tonight it has been established that there are probably 20 maybe 30 events that will be on that field that could have sound, that could have lights.

Rick MacDonald stated that that is what bothers him, frankly. Fundamentally that is what bothers him and then all of these statements that seem to be changed weeks later lead him to believe that there is nothing really nailed down here, that they can't count on anything. Their assurances, perhaps even what the city is putting forth because the city in the first place did reject this whole idea and five years later, now it is fine. He realizes that is not the Board's fault, that is the council. But this has not been a very reassuring experience for the citizens of this area

Tom Flowers stated that Rick MacDonald indicated about a tree border that is no longer there. MacDonald stated that it was very porous. It is not going to prevent a lot of light from coming through. Flowers asked if this is part of what is remediation. Is this part of this? There is a stipulation in the council that dead plants will be removed.

John Carruth stated that he thinks it is important for the lighting aspect to look at the diagram where the foot-candles go to zero.

Rick MacDonald stated that was part of his concern tonight because it appears that the light does spill over this area. John Carruth stated that the light hits the building, the west façade of the Fellowship building. If he is reading the diagrams correctly there will be no light spill across that building toward the Allenbrooke subdivision.

MacDonald stated that his point was that he heard someone say that a tree buffer would prevent light spillage.

John Carruth stated that there is a greater distance of spill on the northeast side of the football field, which immediately is swallowed up by trees that are in the stream buffer, the 150-foot stream buffer that is between the church and the school. If any light spills through that tree buffer, it spills onto the church property. So it is not affecting a residential neighborhood if Carruth is reading the plans correctly.

Laura Hamling asked Jeff Van Pelt to pull up the lighting plan again. One of the things that is absent from that plan is how does it relate to the site plan. She thinks that may be part of the misunderstanding is where light levels are going to zero in relation to the site plan.

Jeff Van Pelt stated that this was obviously a bigger field than is on the site plan so if one positions it the same way; it goes to zero before it gets to the building that is on their site.

Laura Hamling asked Van Pelt to indicate on the site plan approximately where the light levels go to zero. Van Pelt stated probably about right there.

Hambling asked Van Pelt to indicate on all sides where it goes to zero. Van Pelt stated that it goes to zero right at the buffer and the trees aren't taken into account on this reading. This is just totally from the lights with no trees at all. So they are not counting on the trees to do anything for them. Then it goes to zero at the property line on this side and about a little way into the parking lot on this side.

Hambling clarified that basically they are going to zero light levels within Fellowship's property. Van Pelt stated that was correct.

Rick MacDonald asked if zero light levels mean that people living nearby won't be able to see the light from the field.

Herman Howard stated that he thinks where MacDonald's question is going if they even look at some of these round can lights here in the room, he can look at the ones further across from where he is sitting. It is not providing a light level for his task, for his area, for anything on this side of the room. But clearly they are going to see the source. He thinks there needs to be very clear diagrams that from residential areas and, they do this all of the time, from residential areas even from being up 20 feet inside of his house. Is there going to be a buffer of trees? Yeah or Nay to this light source that is X amount of distance away and it sits up 80 feet in the air. That is a very simple geometric diagram. He thinks that if there is an assurance that number one it is not going to be seen or number two, while it is going to be seen it won't be disturbing or are there ways one can even shield the cone or focus of light where he is minimizing the impact. He thinks that is the type of level of discussion they really need to be getting to at this point. He clearly understands the diagrams with the light source and all of that sort of stuff but he is not hearing that the residents are not going to see it and if they do see it, is it going to be disturbing. That is what the Board is not hearing.

Jeff Van Pelt stated that the lights do have the light shields that he showed earlier. He has this up on the spill light levels. Off the end of the field towards the neighborhood over there, this light is spilling about 120 feet outside the track of the football field, short of the school building. As far as the actual...he put the slide back up of the light fixture itself. It demonstrates how the louvers block the source of the light. These louvers are designed, and the reason the poles are 80 feet tall is because these internal louvers that one sees actually, as he tilts the fixture down they start blocking the source of the light, the arc tube of the lamp.

Once they are tilted down 28 degrees they block the source of that arc tube. One can't actually see the lamp. That is why these poles are 80 feet tall is they are designed so that they are tall enough so that one's aiming angle is at least 28 degrees.

Herman Howard stated that from a house at 20 feet to and 80-foot pole, is Van Pelt saying that at 28 degrees from sitting at a relative distance from it, one does not see a point of light? Van Pelt stated that one will not see the actual lamp. Howard asked if one will see a point and a hot spot as he calls it. Van Pelt stated that one would see some light reflected in the bottom of the lamp like he sees here. It blocks the actual arc tube of the lamp. Van Pelt can show a slide of some fixtures that do not have glare control. The one on the left has no glare control.

Tom Flowers stated that in looking at Van Pelt, he sees a light fixture sitting right here in front of him and there is a hot spot right there that he sees clearly. He looks over there and that light is probably not casting in his space, and that lot isn't either. That is not offensive to him, that is a moonlight. What is he seeing when he is looking at it from 150 feet away from a 20-foot second floor?

Jeff Van Pelt stated that he is seeing the same type of reflection that he is seeing off of these fixtures except these are what one would call a full cut off. If his fixture rained straight down one would not see any source of the light. But it is impossible to aim light onto the field when one does that. So all of these fixtures are aimed from like 30 to 40 degrees below horizontal, which allows one to get the light onto the field but it also allows him to block the arc tube. This middle photo is actually a spill glare control fixture that is not aimed properly. It doesn't have a steep enough aiming angle and one can see that it doesn't block the glare like the one on the right. If one gets to that 28-degree aiming angle he actually blocks the nuisance glare significantly. It is still probably not pleasant to stare at the lights, but one is going to see them, he is going to know that they are there.

Laura Hambling stated that she just wanted to see if Van Pelt could model this for the Board and for some of the neighbors who might want to see it. Maybe that would be the thing to do. She thinks that is the only way she is going to feel satisfied.

Tom Flowers stated one other way to approach it is what Herman Howard was moving towards was the view obscuration from the residence. He asked Jeff Can Pelt if there is a buffer zone that is to be planted through there that was an original stipulation and just hasn't performed that would be view obscuration from ground level. Obviously, if he wants to obscure something, if he puts a page way over there, he can still see through the page if he outs it here at his eye. So one would move the buffer closer to the residents and they won't see a point of light or anything, much less any spill light.

Jeff Van Pelt stated that Devereaux already had that buffer with all of those trees along. They should not be able to see the lights through those trees unless they just happen to have a little hole right where they are.

Tom Flowers asked if there are any residential properties that do see to the point of light the hot spot. Van Pelt stated that he did not see the elevation of the neighborhood they are talking about over by the baseball field. That is a pretty long distance away. He wouldn't have thought they would be obtrusive over there.

John Carruth stated that the applicant had a picture on the right on the screen. That is looking at it directly. What does one see if the light source is this way and he is over here? Jeff Van Pelt stated that the worse case is directly on. Anything to the side will be less. Carruth asked if he will see anything to the side, because it looks like Broughton Park is completely perpendicular to the spill of light onto the fields. Will he see anything at the fixture itself? Van Pelt asked if he was at a different angle.

Rodney Hawthorne stated that this neighborhood is like 90 degrees from it and through the building. He does not know if it will go above....

Jeff Van Pelt stated that there is no point one will see around the field of 360 degrees. There is no point one will see all of the lights because they are all aimed, fanned out at different angles. So at any direction one looks from he will see...if he is directly off the end of the field he is going to see very little. And if he is off either side of the field he would see more than from the end of the field.

Herman Howard asked if the applicant has thought about, looked at or considered or even had discussion with the neighbors or the residents about sometimes one will see driving ranges or golf courses or something and they will be right along the edge. Sometimes one will see baseball fields and they will have nets and/or scrims placed in certain positions. Has there been something to say here is a landscape plan where they are using trees to the maximum purpose that they can for sound buffers? But they are also using vertical hanging elements. They are now even are able to equip these as vertical gardens. They may take some time, but greenery does grow on them. So that one can now look at certain angles or he has now created certain buffers by using landscape and/or greenery. Has that discussion happened with the school and/or with the residents?

Jeff Van Pelt stated that they have not had a discussion about a buffer, like he said, the one for Devereaux already exists. He thinks it was in the original plan for the school that they had to put in that buffer there along with the berm. The problem with the berm or anything, greenery to try to block it is when they are 80 feet in the air. If there is a house immediately next to it, one could do something

that would help. But in this case, they are talking about houses where the closest one is like 435 feet away.

Tom Flowers stated that even as he can pull those numbers and the applicant can give the Board angles of light sources, is there a diagram that assures him and shares with the Board that as Andy Brown is standing in his nine-year-old daughter's bedroom window that he is not looking at an obtrusive light source.

Rodney Hawthorne stated that they have done everything that is available in technology of the sports lighting fixture to control any spill light. The only way to control it with a tree buffer or something would be for it to be on Brown's yard.

Tom Flowers stated that he was not talking about spill light. He is talking about a direct glare and/or the term was used before, something of a hot spot.

Rodney Hawthorne stated that spill light is the levels they were looking at, the .1 foot candles. They have total control of that. They do not have control of people that choose to stare at the lights when they are on. That's what is called glare, not spill light, but glare. These fixtures control it as well as it can be controlled with any sports light that is available in the market today. Whether or not...he's going to see the lights if he stares at them, if he is in his house, Hawthorne doubts he'll know whether or not they are on.

John Carruth stated that he wants to try to bring this back to the public comment section. They were tending to get off track here.

Aliana Perez
5080 Broughton Street

Aliana Perez stated that she has a few questions for the experts. She stated that her home is probably one of the closest homes to the field. She hears the kids playing out their everyday. Saturday mornings, even Sundays, evenings, she is a working mom. Her husband actually works two jobs and she has two girls, a three-year-old and a six-year-old who go to school.

If the Board is here to limit, put some limits, she begged that limits are placed on hours and days. She is very saddened by how the city council allowed for it to go from six games to soccer games, which she hears, lacrosse games, which she hears, track and field, which she hears, without having the sound system in yet.

Regarding the lights Perez stated that one question is if the applicant knows how tall a cell phone tower is, for example. She asks that just to compare the 80 feet versus how tall is a cell phone tower that was recently denied to Roswell because of the view it would cause.

Dave Collin stated that cell phone towers vary in height but probably 200 feet.

Perez asked if the football field was 20 feet deep. The applicant stated three feet below the top...Perez stated that if the lights were going to be 80 feet above it's 60.

Jeff Van Pelt stated 80 above the playing field so 60 above the upper parking lot. Perez asked if the trees that are called the buffer been measured approximately. Van Pelt stated that the trees have not been measured; most of the trees are directly behind the visitors' side of the field. Since the spill light went to zero on the school property, they did not do any additional measuring of those.

Perez stated that she is concerned about the spill because even though the diagram doesn't show, she hopes the applicant does follow the request of there being an actual physical model or a better map so that one can see this better. She believes the spill light will hit her property on the north side from what she saw in the diagram. But not only that, when she looks out her windows, those trees are not tall enough. She is going to be looking at four light posts.

Jeff Van Pelt stated that from the angle where Perez is saying her house is, she will see the home side poles and not the visitor's side poles most likely. She would be on the back side of the visitor's side. Perez stated that there was going to be light here, here, here and here. Van Pelt stated that was correct. If she is here and she is elevated she is going to see...Van Pelt stated that the visitor's side poles are going to be aimed away from Perez's house. Perez stated that one thing is to see the light and the hot spot, the other thing is she is going to have a view of four tall light posts. Van Pelt stated that if there was not any tree buffer she probably will see them.

Perez asked the sound engineer if could enlighten her as to what would 70 decibels compare to. Dave Collin stated that 70 decibels is comparable to him standing about three feet away from her talking at a normal level.

Perez stated that this hurts her family very much, it hurts her neighbors. She is very sad that it went the way it went and she does hope that the Board will consider their situation when they are making their vote and she hopes that they do place some parameters and limits as to the times and the days that the lights and the sound system can be used. It is not even the sound system; they hear them without the sound system because if there are 1500 people there and they are cheering, it doesn't matter if there is a sound system, they are going to be hearing them.

Carole Rupert
1075 Devereaux Chase

Carole Rupert stated that she lives in Devereaux Downs and she thinks she is the only one who is here from her neighborhood. She would first of all like to thank the Board for the recognition of some of their issues that she has heard them speak of tonight, which she has not heard in all of the other meetings that she has attended.

Rupert and her husband moved into Devereaux Downs in 1996. It was entirely residential across the street from them. They had no idea that any of what is there today ever was planned. They have seen significant impacts on the neighborhood already. It takes sometimes five minutes to get out of her neighborhood, which never ever use to happen before. She realizes that the traffic was considered in these other issues and she does not want to take a lot of time. But she does want to make a couple of points.

As Jeff Van Pelt said earlier, they presented a plan initially. The council, five years ago declined to give them all that they wanted. They came back, they got most of what they wanted and Rupert fully expects that they are going to come back again to get what they didn't get this time. What they have not gotten as neighbors is any kind of assurances that they are going to be protected. There are no repercussions if they don't do what they said they were going to do. Where the trees died over the last five years, there were no fines, there was nothing other than now, putting money in a holding account so that they will have to do it in the future. But in the meantime, the berms have not been planted. They have not had an opportunity to grow and protect the neighbors.

The Board has come up with a lot of good suggestions this evening that could mitigate a number of things that are going to be impacting the neighbors in the future. Clearly, Rupert can see that this is all going to come to past at some point in time. Things that were denied this time, they will probably come back and ask for in another three or four years and someone will give them something that they ask for and they will continue this until they have gotten everything that they have requested.

Rupert asked that the Board protect the neighbors with some limitations, with the number of days or hours. There was discussion in the last meeting in July about whether or not it would be six and they declined to give any number whatsoever. So this evening they heard that it could be 20 to 30. Frankly, it could be any number. There are no limitations on how many it can be. They can have as many sound producing events that they choose and there is no protection for the neighbors.

That is what the neighbors are really asking the Board to do. Protect them with some limitations for the school that if these light estimations don't prove true, that

there is some recourse for the people and for the city to come back and say that they have to change this. And somebody is paying attention and holding them accountable for what they have agreed to do. There is nothing the neighbors can do. They just have to sit there and grin. They can talk to the Board but clearly with the change that happened over the last five years from that ruling, it can all get changed again. And the neighbors understand that.

Rupert stated that she appreciates the Board's sentiments tonight and she appreciates the suggestions that they have put forth and she just hopes that they will follow through with them and put some definite limitations on the number of days, the number of events, the hours that they can run, the limitations on the lighting and the sound. If 70 decibels is just like speaking then that is not a problem. That doesn't bother anybody from three feet away. But that is really not what they are talking about here. They are here to talk about that which does disturb people's homes.

Roberto Paredes suggested that Rupert turn her stereo to 70 decibels and she will see that she will hear it. They are not quite to the three feet away talking.

Laura Hamling asked Rupert how she proposes to limit the hours and the dates. Can she give the Board an estimate of what she would be satisfied with?

Rupert stated that she knows that there are lots of potential uses. And as other people have mentioned, more uses keep coming up at each meeting. She also knows that the grounds and the school have been utilized for non-Fellowship events. Whether it was a Roswell city thing going on or other things. She thinks there are any number of potential things that could happen there. Her own personal opinion may not be considered to be fair but what concerns her is the lack of limits of any kind. It is not six days, it is not 20 days, it is not 50 days. It could be 100 days. They have kids that have to get up and go to school the next morning and sometimes practices can run late at night and when it gets dark early, that can run into people's bedtimes. There are kids trying to study for exams and the noise can distract them from their having to study. The noise which they can't control from the crowds, that is something that now they are all going to have live with. Once the football stadium was approved, no one can control it. It is going to be what it is.

Rupert stated that all they can control is the number of football events that there are or the number of total events in the year. She does not know what really the right number is but, she does not like the fact that it is unlimited.

Herman Howard stated that Rupert had indicated that she was helpless once this was in place. That is not quite accurate. Because if there is some stipulation that the development is to adhere to such as a buffer zone and it is not, the neighbors always have the right to call the city of Roswell and have code enforcement go out if they are exceeding something either the council or this DRB invokes.

Whether it is in decibels or whatever was agreed upon, the neighbors certainly have the right to enforce.

Rupert thanked Howard and stated that she will take more time to pay more attention to it. She knows that there were times when the school was cited, never fined, nothing was done. They were told that they needed to do what they had agreed to do five years ago, but it still isn't done. So, what does that mean? Rupert appreciates that there is some recourse if she is willing to go and make that happen. But by the same token, when they were called on by the Roswell City Council they still didn't fix it until they were forced to put money in an account that they would have to go back and plant the things. Clearly they haven't done everything they could do; clearly they haven't planted all of the things that they could have planted that truly would have helped significantly. When one compares the buffer on the Devereaux Downs side of the road with the buffer that is on the FCS side of the road, it is half of that size if that. It is clearly wasn't....they were expecting to see a buffer that although the dimensions may not have been exactly the same, but when they talked about buffer, they expected to see something similar. Nothing close. And frankly, if one is on the second floor, even of some of those houses, they can still see over that and be impacted by some of those things.

John Carruth stated that he was going to give the applicant an opportunity if he would like to address any of the comments that the public has given them.

Jeff Van Pelt stated that staying focused on the issue that he guessed the issue for this Board is to approve the limiting device on the PA system and the lighting system that they are choosing to use. And those two things, there is no more that they can do than what they are doing. They are spending more money than anyone else in the area. There is not a....Roswell Rec, or the city of Roswell decided they needed more fields while they were going through this whole business this last time. They decided they needed more fields lighted in the city. So they went to the Fulton County School System in Elkins Road and they put lights up. They put \$150,000 of tax payer money and put lights up on that field on Elkins Road right next to neighborhoods. They didn't ask anybody, the Design Review Board didn't look at it; they had no control over it. They put the cheapest lights one can put up and they are there right now, they are on. Van Pelt stated that they have come in with the most expensive systems that they can put in. He bet that Blessed Trinity's sound system cost \$10,000, theirs costs close to \$50,000 with all of the consultants that they have had to pay for.

Roswell puts a bank of lights way up in the air that one can see from SR 92. This is the most controlled lighting system that one can put on a football field. They have done everything that they can do. Van Pelt stated that he does not know what they would even have to come back in 30 days with different than what they have given the Board right now. That's why he would love for this to be a final rather than a preliminary, an initial or whatever the Board calls it.

The buffer that they have...sitting in their seat six years ago he thinks was Kevin Caldwell. And they went in with a buffer that was more like the Devereaux buffer with more Leylands on it and things like that. Caldwell totally scrapped that for them and turned it over to what it is right now. They put in exactly what they were told to put in. The bond that they put up was for \$15,000, it is out of the \$200,000 they spent on landscaping. It is not like they did a significant less amount. They have had two draughts since they planted the stuff. Some more plants have died in the last three months of draught. So, they are replacing things as they die.

They are willing to put this stuff up; they are willing to have him come do his light readings so that they can verify that they have the readings that they said they would have.

They are willing to measure the sound at anybody's back door that the Board wants them to and measure that sound from there so that they can make this Dominator II Precision Multi-band Peak Limiter set for exactly what the Board wants it set for. And believe him; the city of Roswell is very good at enforcing whatever is laid down. They have had several visits and the applicant has done everything that they told them to do.

Jeff Van Pelt requested that the Design Review Board go ahead and approve this and they can actually use it for this season and get this thing done.

John Carruth asked if there were any further questions for the applicant.

Sonya Tablada stated that she would like to throw something out for the applicant to comment on and she does not know if it is appropriate for the public to comment as well. From what she has heard comments here and that her understanding from Kevin Turner is that they could set forth as the Design Review Board.

- 1 That there would be a 60 day max usage of the lights until 9 p.m. except for seven varsity football games until 11 p.m.
- 2 That the PA usage would be a maximum of 30 days and that the 70 decibels at the property line would be the limit.
- 3 That those would be measured at the property line not to exceed the 70 decibels.
- 4 No one except Fellowship Christian can use the lights or the PA system.

Jeff Van Pelt asked Tablada to tell him what her days were on the PA. Tablada stated 30 days maximum on the PA system, which should cover their games.

Van Pelt commented that when they went in this last time, they were asked by city council what they would consider and they left it wide open on football, baseball, softball, tennis. And because of that they denied baseball, softball and tennis. They didn't get everything they wanted. They wanted everything seven years ago, five years ago, Van Pelt does not know if that is something that the Design Review Board is associated to. He has no idea. He does not know what the rules are here. The council said that there is no limit to....

Sonya Tablada stated that they approved lights and PA and from the wording she sees here, it is up to the DRB to set those limits. Is that correct or not? She asked Kevin Turner what he sees.

Kevin Turner stated that he does not know that he would read it that way. It says approve the limiting system for sound. He supposed they could put limits on there. The way he would read it is the use has already been approved without limits on the days.

Van Pelt stated that number five is the type of and then the other one is the actual piece of equipment.

Turner stated that maybe the sound equipment limiting the time but as far as lights he would see one couldn't the lights or days.

Laura Hamling asked if they could ask the council for a verification of that.

John Carruth suggested that if the Board enacts a limit on the number of days and the school objects to that limit. They can take it back to city council as an appeal of the Board's action.

Kevin Turner stated that was correct.

John Carruth stated that if the Board oversteps its bounds they have an avenue for taking care of that. They could consider what Sonya Tablada is suggesting here tonight and put some specific limits on it.

How many...there are six regular season games, not that they are going to play all at the same time. But if one goes through that whole process. John Carruth stated that the field is not going to be large enough for them to host more than one game probably. They don't want to have to go through this.

Tom Flowers stated that he doesn't think it is a mystery about their sporting events and how they related to the school. There needs to be scheduling, there needs to be logistics, there needs to be stuff that takes place. Is it out of realm to ask what is their schedule of events, the timing of those events so that they are not talking 20-30-80-100 unlimited.

Jeff Van Pelt stated that they practice every single day. They feel like they have the right now after going through city council and paying an attorney a great deal of money to have use of this thing unlimited. So if the Design Review Board wants to put a limit on it, then they have to decide what they are going to do. But he does not know. They have lacrosse, if they wanted to turn the lights on for an hour on a January afternoon to get it to 7:30 p.m. to when they can get done with their practice, then they should have the right to do that they think. They can't look at a schedule right now and tell the Board how many times that is going to happen. And the city of Roswell doesn't want to have to police that everyday to know that they went one day over or an hour over what they said they were going to do. That is why the city did not want them to even come in with any kind of restrictions because they don't want to have to monitor them. They don't want to be getting phone calls and driving over there and doing all of that with all of these detailed little things that are limits that are put on the applicant.

John Carruth asked Jeff Van Pelt if he had lights and he had sports teams practicing outdoors, how late do they really, practically practice. Do they go past 8 p.m.? Do they go past 9 p.m.? Van Pelt stated that they would not go past 9 p.m. he wouldn't think. There might be a time when they go past 8 p.m. but for the most part when he has had kids at Roswell High School playing different sports and the lacrosse team will be practicing the same time as the soccer time is practicing, they would be practicing until 8 p.m. or 8:30 p.m. or so. They have school, they can't....with different teams they might start at 6 p.m. and be done by 8:30 p.m. because there is another team on it between 6 p.m. and 8 p.m. or whatever.

Carruth clarified that it would be reasonable for the Board to set a time limit, even if they allowed a number, maybe not put a limit on the number of events that they do each year but they put time limits on it just like Sonya Tablada suggested with an exception for the varsity football games, which they do know go until, they will probably need their lights until 11 p.m..

Does Van Pelt think that is reasonable? Van Pelt stated that he is not going to get him to say that it is reasonable. But if they do it, he will see if they can live with it. That would be more reasonable than doing more that that but he didn't think that was even an option in this forum. But if that is what the Board thinks their job is, then they should do what they have to do.

John Carruth stated that unfortunately if one reads what the city council put down or approved, they left it a little bit open ended. Sometimes it feels like an approval can be a disapproval and he thinks the applicant is approved to have lights. That is his personal opinion. There are other members of the Board that he has heard tonight that would say that the Design Review Board has the ability to disapprove the lights. He does not agree with that personally.

Laura Hamling stated that she has had a son who has played football and she understands who one really does need to practice later, especially, even in the summer time like when they start practicing in August. One does not want them playing during the day. She does understand that. But she also understands from the homeowners' point of view that they don't want those lights on past a certain time. She feels very strongly that they need to have an hourly limit. And she thinks they also need a time limit. She wants to be fair to the applicant and she wants to be fair to the homeowners. And the only way she knows how to do that is to have some discussion with the homeowners and ask them what they feel...they have asked them and they have not given them a time limit or an hour limit but....

John Carruth asked Aliana Perez to come and address that question. Perez stated that as she mentioned, without the lights and without the sound system they already hear that every night and every Saturday and on Sundays. Not only because they are utilizing those fields but because they rent them or loan them to other entities such as Roswell Parks and Rec. She would like to see a limit of days and hours so that she can enjoy her back yard and so that her daughters can go to sleep at night so that she can go to sleep at night. If she already hears them without lights and sound, what is it going to be like now if there aren't any limits? Football games can be Fridays or Saturdays, fine. They will learn to live with six or seven games a year. But what about the track and field; what about the soccer and the lacrosse? That makes it almost every day all year round. When can she invite someone over for a picnic outside or a cookout outside her house? When can she be outside her house if it is always going to be that noise? It is going to be so much more with the lights and the sound. She tries to get her daughters in bed between 7:30 and 8 p.m. Why? Because they have to be alert in the morning to get to school and study and do well. Perez has to get to work; her husband has to get to work. They want to sleep and rest. So time wise, she wishes it were 7:30-8 p.m. She knows that the school wants 11 p.m. so they are always forced to find a happy median. It is probably going to be a little bit later or a lot later than her wishes. As far as days of the week, could it just be one weekend a month that this goes on? So the neighbors can enjoy the other three weekends. That's her opinion.

Perez thanked that Board.

Roberto Paredes stated for the record that he disagrees with John Carruth's interpretation of city council's judgment. If it is already approved, then why come here? To him if the council is granting the Board the option of approving it or not approving it, he just does not get it. Otherwise, they have just wasted two-and-a-half hours.

John Carruth stated that he does not think that is their mandate. He thinks their mandate is to establish the parameters that they have to meet to provide these

items. Paredes stated that the council could have said that very easily. Another item and say the Design Review Board shall set limits and standards for....

John Carruth stated that the Board is approving the lighting.

Roberto Paredes stated that all lighting, public address system, press box and type of seating must be approved. Carruth stated that the applicant has presented the type of lighting to Board and they have to approve it or not approve it.

Herman Howard stated that they are a Design Review Board and they are here to approve the design, not whether that can happen. John Carruth stated that they are not here to make the determination if they are allowed to do it or not to do it. That was the city council's decision.

Roberto Paredes stated that he agrees that they can approve it or not approve it.

Kevin Turner stated that the use is already allowed. The Board is reviewing the design.

John Carruth stated that in his opinion they have brought the state of the art lighting system. They are not going to get anything better in terms of lighting than what they have brought to the Board tonight. They can deny it, they will have the right to go to city council and get the city council to approve it. But, the Board has to have a really good reason to deny it because they brought the best that one can do. They brought a proposal for a sound system that they don't even have to do. The ordinance does not even say, that they have to be enforced, but they are offering to put a limit on it. Carruth thinks the applicant has gone over and above and he is more that willing to accept it tonight. If the Board wants to deny it that is fine. Again, the applicant can go to the city council and city council can overrule the Board. But Carruth thinks that the applicant has met the requirements. Now, if the Board wants to put some limits on it in terms of when they can use it, or hours that they can use it, he thinks that is appropriate. But he does not think it is the Design Review Board's job to say that they can just blanketly deny them the right to do this. That was city council's.

Sonya Tablada stated that the one thing that it does need, and not to argue but there are more state of the art lighting systems than what the applicant is proposing. They are much more expensive.

Roberto Paredes stated that he would agree with that, too. This is not the state of the art sports lighting. Tablada stated that this was not absolutely the state of the art. Paredes stated that they can argue that all day long because there are different applications, there are different lighting systems. So, he is not buying that this is state of the art. But that is a personal opinion.

Sonya Tablada stated that she also thinks there is missing information in terms of the neighborhoods, in terms of proof of the screening that there are zero light levels and there is a stadium that proves it. If one goes out in the parking lot and it is pitch black, but there is a very definitive glow from the stadium. The stadium is totally protected by deciduous trees and until one comes around the corner he cannot see the stadium from Brumbelow Road. It is totally obscured. She invites everyone to come next Friday night and see it. One cannot see it from the neighborhoods. Queensbury, all of those objected to Mt. Pisgah's stadium. They do have state of the art lights and truly in their parking lot they don't even have enough lights because the stadium...it sets down on the stadium. But there is a definitive glow from that stadium. Now, they are totally obscured from the neighbors by very tall trees. Queensbury is right across the street from them practically. They have the Monsignor's house to one side. His land abuts their parking lot. He is like where the high school building is in relation to the parking lot and he cannot see it for the trees. But, what hasn't been proven here to Tablada is how they have no photographs; they have nothing to show how those trees obscure the stadium from the neighborhoods. They don't have a lighting plan that shows where those lighting levels are to say that this is state of the art and this is the very best lighting system that can be chosen for it. She wished it was a much more advanced presentation from the standpoint of what it would do for the neighbors. And if the city council is saying that that is their thing to approve or not, she thinks it is a great lighting system. She thinks the neighbors could be happy maybe with limitations because there will be a glow. And there will be a lot of activity and she totally understands where they are coming from. Tablada would be personally comfortable with setting it with limits. But if there are no limits then she does not know that she could say that she approves that this is the very best lighting system, because she knows that it is not. It is not absolutely the best; most expensive that is out there.

Sonya Tablada stated that Mt. Pisgah Christian School was on Brumbelow Road. Next Friday will be their first varsity game on campus. One can drive down Brumbelow Road and take a look.

Laura Hamling asked Tablada if the homes were about the same distance. Tablada stated that they were as close or closer. And the neighbors now love them; they think they totally did everything that they said they would do. The lights, the PA, the everything. They did exactly as Jeff Van Pelt is saying that he would do and they love them now. They met what they said they would do. But they do have limitations.

John Carruth asked Tablada if the neighbors loved them before. Tablada stated that they did not love them before. Carruth clarified that they were skeptical. Tablada stated that they put limitations. They have very severe limitations on when they can use it.

John Carruth stated that if one is going to make comments he has to make them into the microphone so that it gets in the public record. He thinks the Board needs to decide what they are going to do. Is there more information that they feel like this applicant needs to provide them or are they in a position where they could possibly consider this as a final tonight?

Laura Hamling stated that she could not consider this as a final tonight.

John Carruth asked Hamling what she wants the applicant to present additionally. Hamling stated that she would like to find out more about what Sonya Tablada is talking about with the state of the art lighting system. If it is better than what the applicant is proposing.

Jeff Van Pelt stated that this was the exact system that they brought to the council. This man has come from Texas four times now and Van Pelt does not know how much more money they can spend to get the zero spill outside of their property line when there is no spill outside of their property line. He does not know what else they need to do. If the Board feels like they can approve it with limiting it then that is what they need to do and let's move on.

John Carruth stated that one has to judge it on what they presented and they presented a plan that shows no spill after about 125 feet he heard. One has to judge it. They have to make a value judgment whether to accept that or not.

Sonya Tablada stated that she does not think the spill is an issue. She thinks it is seeing a lighted stadium from the homes. She thinks that to her what needs to be approved is how much looking at...she is seeing the site plan here. But as one of the property owners asked, is how tall are these trees in relation to the lights? Because even though the lights are directed down and she understands about the shields and all of that, there is a definitive glow that the stadium makes that one can see. The question is how much these trees are obscuring. She understands the light levels and all although she would have liked to have seen it against their site plan to appease the neighbors. Is the trees that are surrounding the property, how are they going to obscure the glow of the stadium, which will exist. It does. She lives in back of Centennial High School. The glow exists. She can see it from a half a mile away from her house. And they have Masco lighting, not their stadium but their baseball fields and all have changed to very high quality lighting. But there is a glow. It is a lighted glow on Centennial all the time. And Tablada thinks that should be more of their concern. The light spillage, there won't be. It is more of a distant glow unless the trees are shielding the homes in some way.

Laura Hamling stated that she would also like to have verification from the city council as to what the Board's role is.

Jeff Van Pelt stated that they verify that through the appeals process. The Board can do whatever they want to do and then the applicant has to go back to council to appeal the Design Review Board's decision. They are not going to give the Board any more information than they have. They give a two page summary is what they sent out.

Tom Flowers asked if there is a buffer zone set in between all of the residential and the applicant's property. Van Pelt stated that there is a buffer zone around their whole property. Howard asked if it varies in width. Van Pelt stated that it varies in width from 25 to 150. Flowers asked if they were all planted. Van Pelt stated that most of which are existing, very mature trees. The one buffer that was planted over here, the baseball field is a certain level and one goes up six feet and then he drops down a berm and that berm is planted with...now they are probably five or six-inch caliper Magnolias and Virginia Pines and things like that all along there, things like that. Flowers asked if it was a robust buffer. Van Pelt stated that they were growing. They are fairly well established. Flowers asked if it was in compliance with the original stipulations. Van Pelt stated that it was exactly what the original stipulations were. Flowers clarified that Van Pelt does not think there is any way to enhance this buffer to give complete view obscuration from the surrounding property.

Van Pelt stated that in the area that they have to do it, he thinks they have as much as they can have on there. They are adding, based on the batting cage approval that they have, more trees in this area. They will be more like the Cryptomeria. He can't remember exactly what they will have in there. There is like 20 of them going right there and that will help over time obviously. Also the angle of the house is up to the lights. Most of these trees in this stream buffer are 100 feet tall, they are big, big old trees. He does not know how tall a tree gets but they are about as tall as one can get in the state of Georgia and those are deciduous trees. They are at a viewing angle of looking at an 80-foot light from a 20-foot window. They are definitely going to help with that glow that the Board is talking about. But there is really not a whole that the applicant can do. They had to provide something that would prevent anyone from seeing the glow. There is nothing they can do. There is no way that they can do that. All they can do is put a light with a shuttering system inside it and a shroud on the outside of it to try to block the source of light as much as possible. That is what they are doing.

Laura Hamling stated that it took 20 years for the trees to grow that are surrounding Devereaux Downs and that was not done by the city of Roswell. That was done by the developer.

Roberto Paredes stated that it seems to him that this is either an initial or a final. That is the first decision they have got to make.

John Carruth stated that it is an initial right now. He asked if anyone wanted to make a motion to hear this as a final tonight. Jeff Van Pelt stated that he would love to.

Hearing that no one had a motion to hear this as a final John Carruth stated that the Board had to summarize what they are going to ask the applicant to do a month from now. What do they want him to bring?

Herman Howard stated that since they are going along the lines of what they would like for the applicant to bring, there are some technical things as Sonya Tabalda has mentioned which he does not believe are necessarily justified in the presentation. Those are things about lighting, and those are things about sound. What disturbs Howard the most is that after the residents (four) spoke, there was no response to just what they had said. Instead there was a response about how much money the applicant has spent and how he has done all of these things. Howard thinks that what is clearly lacking, and this may not be so much along the technical lines, but what is clearly lacking is that there really doesn't seem to be dialogue and therefore there appears to be little to no trust with the school and the residents. There was a statement that was made earlier tonight about six or X amount of games or something, football. The applicant clearly in his statement virtually said he could have as many games as he wants and do them for as late as they want. There seems to be, as what was said earlier, once the doors open then it turns into a floodgate. Howard thinks that is hard for one to put his hands on technically. But if they come back to technical things, Howard does not even know why an 80-foot pole at this point is the best lighting design. He does not know why possibly a 60-foot pole couldn't work. Maybe it is not a case where they have only four lights; maybe it is a case where they have six lights. But with those six lights, maybe they can be positioned differently or maybe there can be less amount of wattage. Howard stated that he was making stuff up as he goes. He is not a lighting designer, but he is an architect and his firm has done sporting event....his past firm has done sporting events all around the world. So they can debate on that stuff all night long if they have to. But Howard is not hearing or sensing that there has been a dialogue with the residents and that from their concerns, that now the applicant has taken some of those things into consideration and here is what it is that they are trying to do and to present the Board with technical data, diagrams, sections, plans, whatever that begins to show this is what we heard, this is what we are trying to do.

At this point tonight, Howard stated that yes; there are things that he thinks the applicant can come back with. He doesn't even think he has to get on the plane necessarily and spend money to come back here. The diagrams and the lighting design are can do. They can send those electronically. So if they are talking about spending money wisely, then let's be real about spending money wisely. But he does think that there are a number of things that the applicant can do that will address what the residents are saying and what their concerns are.

John Carruth stated that he is having a real difficult time figuring out how to summarize this because he thinks his personal opinion gets mixed up in here. Yes, they could ask for more diagrams and more studies in terms of actually how to put the light on the field and what people see from a distance and where the actual trees are that might block that. But, they can't ask the school to address one of the main concerns which he heard from the group was to put limits on the usage of their fields. They heard the applicant say here that they are not going to propose that. If there is going to be any limitation imposed on them it is going to have to come from this Board. So somehow or another this Board is going to have to figure out a way to do that. They can sit down here tonight and try to figure that out or they can come back a month from now and go two-and-a-half hours and still not get it figured out. Carruth stated that he is frustrated and he thinks they have the information that they need but...

John Carruth asked if anyone wanted to add anything to that.

Jeff Van Pelt stated that he understands that there is a different level of scale. But just a couple of months ago there were numerous news items on television about the Verizon Amphitheatre and how many residents in even the surrounding areas were very disturbed because of the concerts disturbing their quality of life. That basically they were promised something and now that is not reality. And now people are trying to figure out how to deal with the issue. He is saying that is there an opportunity right now to avoid that kind of outcome? Is there an opportunity to right now go as far as they possibly can and working with the residents that live in that area to somehow assure them that this is going to be the product that they say it is going to be and they have done their absolute best in trying to make sure that they can function as a school but at the same time ensure that there is quality of life for the residents that now live around their school.

Rodney Hawthorne stated that is why he is here with the lighting system that they have and a limiting device on the sound system. That is why they are here.

Tom Flowers stated that Herman Howard is right. There is a high level of mistrust in between the residents and the school. He, for one does not think that the Board is charged with resolving that and it would be wonderful if at sidebar the applicant was able to resolve and look at it from the neighbor's side and find out what they really want. He believes that it is the Board's charge to take what the council has requested and make sure that it is done from a design perspective correctly. He for one thinks that they have done that. If they are charged to set limits and other issues then that is what they need to do then he would like to know that that is what they are supposed to do. Otherwise he is very confused here as well. If they are supposed to review a lighting system and say that it is done tastefully and with high quality design, same with the sound system, meet very reasonable limits, then that is what they are to do. If they are supposed to referee something or if they are supposed to go about invoking other limits then

Flowers would like to understand that. Otherwise he thinks this is real simple and the applicant is not going to be able to come back with more information other than that the gloves are still on.

Jeff Van Pelt stated that he thinks it is clear what the Board goals are. It is what they do every time they have someone come to them. And they actually made it more specific by giving them what direction to limit on the sound. They are supposed to approve a limiting system for the sound. They actually spelled it out. Van Pelt stated that the Board may not like them, the residents may not like them but it is pretty clear that they have been through a long process to get to here and Van Pelt stated that he will be standing here again 30 days from now if the Board delays it and they still have to make a decision. And if they make a decision, whatever way they make it then the applicant has the choice of either going along with it or going back to council again. It is what it is and Van Pelt knows that what the neighbors want is for them not to be there at all. They don't want to hear the kids out there during the day, during the night, during the morning, anytime. So there is no way the applicant is going to satisfy that. Every time they ask the neighbors to come up and give them a limit on it, they don't like hearing them at all. So the Board cannot control that and neither can the applicant. They have been there 25 years by the way on that site. So, Van Pelt thinks it is pretty clear what the Board is supposed to do to him and he does not know what he can do. This is the lighting element they are wanting to use. They are not going to open that back up to a bunch of other stuff. They have been to every city council meeting; they met privately with city council people at different times. And there is zero spill.

Sonya Tablada stated that she thinks the one thing that the council has said is that the Board can approve or disapprove the lighting and the sound. That is what they said, correct? The Board can approve or disapprove the lighting system that is presented to them.

Roberto Paredes mentioned the bleachers and press box.

John Carruth stated that the applicant is not presenting the bleachers and press box tonight.

Sonya Tablada stated that the Board can approve or disapprove tonight the sound system and the lighting. They can approve or disapprove the system. And they can disapprove the systems based on the information that has been presented to the Board and Tablada thinks that what they are saying is within the Board that there is not sufficient information to approve the lights based on or to their satisfaction it has not been given. Now, part of that she can say just for her is she might be able to do that more if she felt there were limitations because to say that they have...personally, broad yes to everything without more information, it can happen any time, day or night, she personally does not think she has enough information to say that. She does think that she has enough

information to say that if they limit it she can approve it because the possibility of affecting them is much more restricted. But she does think that the Board has the ability to say that they don't approve of the lights that were presented to them.

Tablada asked Kevin Turner if that was correct. Kevin Turner stated that they are kind of put in a tricky situation because they approved the right to use the lights and the sound but the Board is supposed to approve the specific lights and sound systems. So the Board could deny this lighting poles and system and brought in this PA system. This particular one, but they still have the right, so Turner doesn't know how that can be resolved actually.

John Carruth stated that the Board can't deny them tonight because this is an initial application. If they have objections to what they have, the applicant has the opportunity to bring something new to the Board next month.

Rodney Hawthorne asked if he could make another comment about the lighting. This is the same lighting design that they presented to Planning and Zoning twice and to the city council twice and they have zero spill light off the property that they are lighting, which meets any ordinance in the world. For anybody to take issue and tell him that someone can do a better job, he would have to disagree with that. They have met everything that has been requested and spill light is the only thing one can measure. He cannot measure glare. But the more spill light one has the more glare he has. So, if one is controlling spill light, he is controlling glare the best it can be controlled. Hawthorne just wanted to make it clear that one cannot control the spill light or the glare better than what they have put up here.

John Carruth thanked Hawthorne and stated that he is going to call this to an end now. The Board is not going to resolve this tonight so he hopes that the applicant will take under consideration what the Board has offered tonight. He has heard many different things, he has not heard a unified voice here and the Board will see then when they are ready to present it again.

Dave Collin stated that from AV side or the audio side he has as question. What is the direction that they need to take to support Fellowship Christian?

Roberto Paredes stated that the Board had a similar problem with the go kart issue with its decibels. They asked for measurements at specific points. That certainly could be an option. Maybe at the back line of people's homes.

Dave Collin stated that they have already positioned that. That is all part of what they have in the package.

Roberto Paredes asked what the sound levels were. Collin stated that he does not have the system in place. What they will need to do...Paredes stated that what they did there is actually brought go karts and had them running and they

measured before the go karts, after the go karts and then they went around and measured and in fact the sound levels were higher than what they had predicted.

Dave Collin stated that he thinks that is a little bit different than what he is talking about in terms of putting the speakers up. They would set those levels and set the limit so that it would meet that 70 decibels. When he looks at that directive or the outline from city council, then that is how he would set that system. Other than that if there is something else that is written he is not sure what else they need to do. He would be happy to work with every homeowner that is in that area to give them those levels and show them how that would read.

John Carruth stated that as far as he is concerned, this matter is done.

The Board was talking about the sound, the homeowner knows that stadiums pump in sound, so why can't they have something rigged up temporarily, pump up where they have noise from 1500 people. And then measure it at their homes that they could give to the Board and let them know what is really going on instead of saying 70 decibels. Like the lights, they were talking as far as looking straight up. His back windows look straight into the stadium. There are not trees big enough to cover. They can come to his house and look but that is what he would suggest because they want examples. That is what the residents want. They want examples. He does not want just something written down where they haven't looked at their neighborhoods. He doesn't want any more of what they are telling him is going to be good for him. He wants to see it. That would prove to him and like one was saying, would win them over. That is what he needs. He wants to be able to trust the applicant and he doesn't and he needs some evidence from them to help protect the neighbors. He has not felt like he has been protected.

John Carruth stated that unless there is a Board member that wants to make a motion to hear this as a final tonight, this matter is done.

APPROVAL OF MINUTES:

Laura Hamling made a motion to approve the minutes from the August 2, 2011 meeting. Roberto Paredes seconded the motion. The minutes were approved unanimously.

ADJOURN:

The meeting adjourned at 9:10 p.m.

John Carruth, Chairman