



City of Sierra Madre

Office of the City Clerk

232 W. Sierra Madre Blvd.,

Sierra Madre, CA

(626) 355-7135

THE BROWN ACT PROVIDES THE PUBLIC WITH
AN OPPORTUNITY TO MAKE PUBLIC COMMENTS
AT ANY PUBLIC MEETING.

THE FOLLOWING ARE COMMENTS RECEIVED
FOR THIS MEETING

Joseph Nosrat

Subject: FW: Continued day time excessive noise from Alverno

From: Carolyn [REDACTED]

Sent: Thursday, November 10, 2022 10:46 AM

To: jfanara@alvernoheights.org; Gregory Silva <gsilva@cityofsierramadre.com>; Vincent Gonzalez <vgonzalez@cityofsierramadre.com>; PlanningCommission <PlanningCommission@cityofsierramadre.com>; Henry Amos <HAmos@cityofsierramadre.com>; Erika De La Cueva <edelacueva@cityofsierramadre.com>; edwardgarciaforcouncil@gmail.com; Robert Parkhurst <rparkhurst@cityofsierramadre.com>; Rachelle Arizmendi <rarizmendi@cityofsierramadre.com>; Kelly Kriebs <kkriebs@cityofsierramadre.com>; Gene Goss <ggoss@cityofsierramadre.com>; [REDACTED]

Subject: Continued day time excessive noise from Alverno

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

To All Concerned:

So, I did a noise test today. I, of course, heard your kids at Alverno at recess. And, the other day as well with all of the screaming. I drove by Bethany today, kids are playing outside, no screaming. I drove by SME, no screaming and it is not allowed there. I drove by Don Benito; kids playing no screaming. Get my point?

Why do you allow such screaming on your campus? I have written to you before about this. It is not the laughter of children, as your fans suggest that we don't want to hear. It is down right, blood curdling screaming, that is non-stop and not addressed at your school.

As you know, I am an educator in Sierra Madre. Every Monday and Friday morning, 6 classes which amounts to 150 kids, get together to run, stretch, and do PE. The stretching exercises are actually run by two teachers who have sent both of their daughters to your high school. If there is even the faintest touch of a scream, one of the teachers talks with the kids, tells them that firefighters and police live in the area and when they hear screaming, they think a child is in trouble. The other teacher leading, a mom of your alums, always cautions the kids that many of the neighbors don't want to hear screaming.

So, what's your story??? I have told you in the past, that screaming denotes to me a lack of student management and control. Yet, you turn your nose up at me and still continue this very unwanted and unneeded noise in the area. All of our dogs on Michillinda start barking with all of the noise!!! How cruel to these animals!

For not a lot of kids, you certainly make 10X more noise than the more than 600+ kids we have at SME. I am very proud to help with yard duty twice a week to make sure our kids are safe, and identify that they are in a neighborhood. Why are you not teaching the same to your kids? Your noise not only bothers Sierra Madre residents but Pasadena residents as well. In fact, in many cases you bother us more on the Michillinda Pasadena side.

And, finally, what was with that outdoor wedding? That noise pounded through my home all night. Andrea was nowhere to be seen on the campus that night. At least 3 residents of Michillinda called the police due to the noise. How come you didn't have an Alverno staff present and on campus at that wedding? We certainly couldn't find one. No matter how loud we blasted our televisions, the pounding and vibrations seeped into our living room.

Ah, as I am writing this in my back room, I hear another child screaming. Get this under control. Now. I suggest that the rest of you on this email, take a drive around the many, many schools your town has and determine which one is the loudest. Alverno will win hands down.

Yours truly,
Carolyn Halpern



Planning Commission Members City of Sierra Madre

Mr. Bob Spears
Mr. Tom Denison
Mr. John C. Hutt
Mr. William Pevsner
Ms. Peggy Dallas
Ms. Rachelle Arizmendi Council Alternate/
Council Member

Mr. Robert Parkhurst Council Liaison/Council
Member
Staff Liaison: Vincent Gonzalez, Planning and
Community Preservation Director
Aleks Giragosian: City Attorney

Comments sent to planningcommission@cityofsierramadre.com upload by 3PM

7:00 PM @ 232 W Sierra Madre Blvd | Sierra Madre | CA | 91024

November 17, 2022

Re: Off agenda regarding the Villa rentals at 200 N. Michillinda

Good afternoon,

The ongoing noise disturbances resulting in the rental of the Villa and using the property as a whole at 200 N. Michillinda Ave have become more profound. It has got to STOP!!! Why is the city of Sierra Madre continuing to allow it and ignore the TUP and the city code when it comes to enforcement? Every weekend this month there have been parties at the Villa. Every one of them have been too noisy. There will be another this weekend and we dread it. If isn't someone on the microphone, it's the music and/or the bass and the partiers shouting over the music.

One incredibly noisy rental event was held Saturday November 5th. AHA refuses to name events on their calendar still so we can only refer to it as an "event". We would like to ask that the city code officer cite Alverno for various violations. ***The November 5th event clearly violated several conditions of the AHA Villa TUP and the city code.***

We did not even realize there was a tent set up some distance from the Villa but closer to homes on Grandview, Michillinda and Highland. On Sunday morning people arrived to remove the rental equipment. We walked over to see what the noise was and then saw a party tent partially shielded by the K-8 portables. *Images follow.* The calendar stated it was a Villa event not an onsite event with a DJ AND a live band.

From 4PM until 9:30PM the noise and bass were HUGE issues.

AHA TUP violation: 1.1 No live bands shall be allowed.

Between 4- 5:30PM we were in our yard preparing for a memorial gathering of our beloved mother. We **could hear** through our noise cancelling earbuds a female voice being amplified while she sang cover songs.

We were forced to listen to lyrics like "You're More Than a Woman", "I Can't Feel My Face When I Am With You". This was NOT PROCESSIONAL music with lyrics like "I know she'll be the death of me, at least we'll both be numb" which is referring to heroin addiction.

It is a TUP violation for Villa rentals to host a live band.

It was also a violation of city noise code as the band was decipherable from the property plane. If a proper reading was done 25ft from the source (speakers) would register over 80DB. We have been lied to so many times that we don't trust Ms. Bertollini's word yet our police will.

5:10PM We called the police asking for the music to be turned down so that we didn't have to hear the lyrics. The noise levels did not change. It was a HUGE PROBLEM that was in part

precipitated by it being an outdoor event without any noise mitigation (another TUP violation) and there can be NONE under those circumstances when it's outside. At the time we did not even know it was outside.

AHA TUP violation: 1.7 *Sound dampening measures shall be provided to mitigate event noise including talking, cheering and singing. Additional artificial sound barriers shall be provided to dampen noise when windows and doors of the Villa are open.*

After dark our evening memorial was moved to another home. We assumed the noise levels were diminished by complaint but then our place of remembrance was shattered by a DJ. Our service was marred by the frenetic amplified voice of a DJ and his music. We were also forced to feel and listen to the pounding bass for the hours. The bass was so loud it was easily recorded outside the property. We were hearing every lyric of the songs he played and partygoers shouting trying to be heard over the music. After 8:30 toasts were shouted over the music via a microphone. Ongoing violation of **AHA TUP 1.7**

A call to the facilities manager Andrea Bertollini was met with the usual "it's within the limits of the city [code]" Ms. Bertollini refused to answer:

1. where were the recording(s) done
2. at what times
3. what numbers were she getting
4. what baseline was she using.

From the conversation Ms. Bertollini was satisfied with that level of noise.

8:43PM — We called the police again. We were told they had already been out to Alverno. We implored the dispatch to have them meet us at the property line of 200 N. Michillinda and Highland Ave.

AHA TUP violation: 1.5 *Dancing is only permitted inside the Villa. All DJs shall be selected from an approved list and shall abide by the Sierra Madre Municipal Code Noise Ordinance standards.*

When the police arrived we could hear and see crowds on the terrace dancing. We had a conversation that went like this. The police said they were taking Ms. Bertollini's word that the noise level was OK by her reading. Yet they stood at the fence agreeing after a few moments that the music and bass was REALLY loud. They stated they were not allowed to go onsite because Alverno was private property. We showed them our noise reading taken with an external microphone and windscreen. They asked us to email it to them. They did not want to accept an airdropped file to their personal phones at that time. Our police were not even equipped to measure the sound levels yet they are to enforce the noise code?????

We offered our device to measure the sound per the city noise code at 25 feet from the source. We were at the property line which was easily a over 350 feet from the Villa (where we assumed the noise was coming from) to Highland. The officers declined. *See our noise report attached*

The police were polite but did not respond to our requests to have the music and bass turned down. To further frustrate us, our family and our memorial attendees, the police stated that the noise was even louder on Michillinda. It didn't take a noise reading to know that the level was WAY ABOVE THE CITY NOISE CODE LIMIT even when we cited:

Table 6-9 City of Sierra Madre Stationary (Non-Transportation) Noise Standards

Land Use	Day of Week	Time of Day	Exemption to Maximum Permissible Noise Levels for Noise that is Under:	Maximum Permissible Noise Limits
Residential	Mon. to Sat.:	7 AM to 9 PM	80 dBA at 25 feet	+ 6 dBA Above Ambient
	Sun. and Holidays:	10 AM to 6 PM		
	Mon. to Sat.:	9 PM to 7 AM	-	+ 6 dBA Above Ambient
	Sun. and Holidays:	6 PM to 10 AM		

Source: City of Sierra Madre, 2011. City of Sierra Madre Municipal Code, Title 9, Public Peace, Morals, and Welfare, Chapter 9.32, Noise.

9.32.100 General noise regulations.

Notwithstanding any other provision of this chapter, and in addition thereto, **it shall be unlawful for any person to willfully make or continue, to cause to be made or continued, any loud, unnecessary, or unusual noise which unreasonably disturbs the peace and quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area.** The standards which shall be considered in determining whether a violation of the provisions of this section exists shall include the following:

- A. **The volume, pitch and intensity of the noise;** *(the Villa event was enough to be heard through noise cancelling earbuds)*
- B. **The duration and frequency of occurrence of the noise;** *(For hours!! 4-9:30PM)*
- C. **Whether the nature of the noise is typical or atypical of the area;** *(The music and crowd noise is NOT typical for any r-1 neighborhood)*
- D. **Whether the origin of the noise is natural or unnatural, controllable or uncontrollable;** *(This was a very controllable noise - no bands - TUP condition -NOT ALLOWED! No band amplification is allowed except for a wedding then only strings for a processional, the dj could have turned down his mic, and the music so that it was not a nuisance)*
- E. **The volume and intensity of the background noise;** *(Levels that rose dozens of decibels above the city noise code of 80 db at 25 ft per the city code noise standards from 7am -9PM).*
- F. **The proximity of the noise to residential sleeping facilities;** *(This was across the street from residential sleeping facilities)*

- G. **The nature and zoning of the area within which the noise emanates;** *(It's institutional with a CUP that states it must follow the city noise code and not disturb the surrounding R-1 neighborhood. Noise code falls under residential in this case. Not commercial under the city code because AHA is zoned institutional.)*
- H. **The time of the day or night the noise occurs;** *(4PM- 9:30PM on a Saturday)*
- I. **Whether the noise is recurrent, intermittent, or constant;** *(The noise went on for hours with one very small window of very low noise in the middle of the event)*
- J. **Whether the noise is produced by a commercial or noncommercial activity;** *(It's only commercial in the sense it is a business for a non-profit school that has no business running a side business on site. AHA is zoned institutional it cannot be rated commercial too under the city code)*
- K. **Whether the amplified sound is loud enough to be decipherable outside the property plane.** *(Absolutely decipherable - Lyrics like - "When the liquor hit then a bj*** get toxic" or "I Know You Wanna Hit That" had no place at our memorial.*

(Ord. 1012 § 2 (part), 1984: prior code § 5109)

Please read the section of our noise code as to why the above General Noise regulations came about.

Please consider also **9.52.010 Purpose for the code, the cost of response cost, the meaning of disturbance, etc under the Sierra Madre noise code.**

9.52.020 Definitions.

Unless the context clearly indicates that a different meaning is intended, the words set forth below shall have the following meanings when used in this chapter:

- A. **"Loud or disruptive" means conduct that includes,** but is not limited to excessive noise, traffic, obstruction of public streets, and/or the presence of unruly crowds that have occupied public streets, public drunkenness or unlawful public consumption of alcohol or alcoholic beverages, assaults, batteries, fights, domestic violence or other disturbances of the peace, vandalism, littering, or any other **conduct which constitutes a threat to the public health, safety or quiet enjoyment of property or the general welfare.**
- B. **"Party, gathering or event" means any assemblage of three or more persons upon public or private property for a social occasion or social activity.**
- C. **"Person responsible for the loud or disruptive party, gathering or event" includes all of the following:**
 1. The owner(s) of the property where the loud party or gathering takes place.
 2. The tenant(s) of the property where the loud party or gathering takes place.
 3. The organizer(s) of the loud party or gathering.

AHA should be fined under city code 9.32.110 Violation of the noise code—Penalty.

If this noise was coming from our residence the police would have been shutting our “event” down! ***Why is the City of Sierra Madre cowering to Alverno? Why is the city allowing this after the residents have complained to Alverno and the police time and again, as well as having written to the city, along with attended meetings with the applicant and the city meetings for quite some time about these rentals??????***

Alverno, the rental and CUP applicant for the Villa, has only become noisier. They seem to feel they are above the city code and laws that the rest of the neighborhood must abide by.

Regarding proposed CUP:

Because there is no way to control events outside of the Villa -ALL EVENTS SHOULD BE IN THE VILLA. Please remove the condition on the CUP that allows the rentals to spread out on the property or the terrace, without any ability to mitigate the noise of crowds



Another violation of the TUP # 4.5
Applicant, Property Owner, and on-site event monitors shall prohibit the consumption of alcohol beyond 10 feet of the Villa so that it is kept out of the parking lots and adjacent streets.

Drinking was NOT done with in 10 feet of the Villa - This tent is more than 10' from the Villa.

And NO noise mitigation whatsoever

Thank you for your consideration, of all of our submissions and your time thus far. We know you volunteer your time and for as much as we have had to document, and deal with this nuisance we know it is A LOT!

Yours, Mr. and Mrs. Stephens



Noise measurement report

Date: 11/5/22, 8:42 PM

Operator: Ks

Place: [REDACTED] at the edge of Alverno south of the Villa

Police complaint 221105-0017

Measurement results

Measurement time (hh:mm:ss)	00:31:02
LAeq	92.6 dB
Max. level	109.2 dB
LCpeak	125.9 dB
TWA	59.9 dB
Dose	0.3 %
Projected dose	140.7 %

Notes

Taken with an external mic using a wind screen. There is an accompanying audio recording too.
 Under SM noise code "Noise level" is the maximum continuous sound level of repetitive peak level produced by a source or group of sources as measured with a provision sound level meter using the "A" weighting scale and the meter response function set to "SLOW."

9.32.030 Residential property noise limits.

- (a) No person shall produce, suffer or allow to be produced by any machine or device, or any combination of same, on residential property, a noise level more than 6 dba above the local ambient at any point outside of the property plane.
- (b) No person shall produce, suffer or allow to be produced by any machine, device, or any combination of same, on multi-residential property, a noise level which exceeds 6 dba above the local ambient three feet from any wall, floor, or ceiling inside any dwelling unit on the same property, open or closed doors or windows, except within the dwelling unit in which the noise source or sources may be located. 9.32.060 Special exception provisions.

A. Daytime Exceptions. Any noise source which does not produce a noise level exceeding **80 dba at a distance of twenty-five feet under its most noisy condition** of use shall be exempt from the provisions of Sections 9.32.030, 9.32.040 and 9.32.050 between the hours of seven a.m. and nine p.m. daily except Sundays and holidays, when the exemption herein shall apply between ten a.m. and six p.m.

9.32.100 General noise regulations.

Notwithstanding any other provision of this chapter, and in addition thereto, it shall be unlawful for any person to willfully make or continue, to cause to be made or continued, any loud, unnecessary, or unusual noise which unreasonably disturbs the peace and quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area. The standards which shall be considered in determining whether a violation of the provisions of this section exists shall include the following:

- A. The volume, pitch and intensity of the noise;
 - B. The duration and frequency of occurrence of the noise;
 - C. Whether the nature of the noise is typical or atypical of the area;
 - D. Whether the origin of the noise is natural or unnatural, controllable or uncontrollable;
 - E. The volume and intensity of the background noise;
 - F. The proximity of the noise to residential sleeping facilities;
 - G. The nature and zoning of the area within which the noise emanates;
 - H. The time of the day or night the noise occurs;
 - I. Whether the noise is recurrent, intermittent, or constant;
 - J. Whether the noise is produced by a commercial or noncommercial activity;
 - K. Whether the amplified sound is loud enough to be decipherable outside the property plane.
- (Ord. 1012 § 2 (part), 1984: prior code § 5109)

Joseph Nosrat

Subject: FW: off agenda for tonight
Attachments: 2022_11 17 Letter to the Planning Commission Villa noise off agend.pdf

From: K S [REDACTED]
Sent: Thursday, November 17, 2022 2:54 PM
To: PlanningCommission <PlanningCommission@cityofsierramadre.com>
Subject: off agenda for tonight

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PLEASE provide to them

Respectfully yours,
Mr. & Mrs. K Stephens

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Joseph Nosrat

Subject: FW: Alverno School Issues..
Attachments: 258B37E4-63C9-4797-BABC-6540673580BC.heic

From: Scott Winnie [mailto:]
Sent: Wednesday, November 16, 2022 4:47 PM
To: PlanningCommission <PlanningCommission@cityofsierramadre.com>
Subject: Alverno School Issues..

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

To whom it may concern,

My name is Scott Winnie and I live at [REDACTED] Sierra Madre, CA 91024. I live directly across the street from the Alverno field and villa. I have been to multiple planning commission meetings and have watched from the sidelines. I have agreed with both sides and not really given my two cents as I was hopeful Alverno would become a school only and follow the city's recommendations.

However, the noise from the last two weddings have been out of control. The noise levels have been extra loud and even my wife who has never cared even said something. I was speaking to another neighbor who had been out walking the dog on Sunnyside and could hear the music.

I moved here in 2014 when it was just an all girls high school. Other than the constant filming the school was quiet and seemed to have minimal issues. Then came the construction, the filming, the weddings, the elementary school, and soon to be more construction. Our street has become busy with fast drivers, people who seem to think it's ok to park in front of your driveway, leave trash and also have no courtesy for the neighbors who are trying to back out of their driveways.

Also, a couple of days ago there were signs that went up across the street from my house put up by a disgruntled parent at the Alverno school. I have attached one of the signs. The other signs I saw were "Stop Asian Hate" and Religion is not Racism" and the one I have attached states, "Alverno Thinks Blacks are N*ggers" I have a 6 and 10 yr old who I know have to have a conversation because Alverno's issues are spilling out onto our street.

In conclusion, Alverno just seems to not be able to figure it out. They do not know how to coexist with their neighbors. The head of school and the head of the board seem to be so out of touch that they make these promises and follow through for a while and then all the concerns we had before seem to come back two fold.

I am all for Alverno being a great school but just a school. It seems they are having a hard enough time just being that. I am asking they are not allowed to have other schools play on the field if Alverno is not one of them. I ask them to keep the noise down at the events and if they can't handle that request don't have the wedding, parties, etc anymore. Please have the cars go the speed limit in a school zone. And have it be enforced. It seems none of the other schools in town create such a constant issue with the neighborhood. Maybe the school's upper management needs to go. This has gone on for far too long.

Thank you for your time.

Scott Winnie

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