

Town of Yarmouth

Per M.G.L.: All town and school boards, committees, commissions, and authorities shall post a notice of every meeting at least 48 hours prior to such meeting, excluding Saturdays, Sundays, and legal holidays. Notice shall contain a listing of topics/agenda that the chair reasonably anticipates will be discussed at the meeting.

Notice of Meeting

Name of committee, board, etc.:	Drive-In Site Utilization Committee
Date of Meeting:	Tuesday – September 8, 2020
Time:	4:00 PM
Place:	Virtual Meeting

The meeting will be held by remote participation pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law dated March 12, 2020. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. An audio or video recording, transcript, or other comprehensive record of proceedings will be posted on the town's website as soon as possible after the meeting.

JOINING THE VIRTUAL MEETING: Members of the public can join the meeting using one of the following methods:

- To attend the meeting online, click <https://us02web.zoom.us/j/87264222666> and follow the prompts or navigate to <https://zoom.us/join> and enter meeting/webinar ID **872 6422 2666** and follow the prompts.
- To attend the meeting by dial-in phone, call +1 301 715 8592 and enter meeting ID **872 6422 2666**. The dial-in number can also be used to access the audio while watching the online meeting (if you don't have speakers and/or a microphone).
- Please plan to join the virtual meeting at least five minutes before the start of the meeting to troubleshoot any issues you may have joining.

APPLICANTS OR PRESENTERS:

- Applicants/Presenters will be called upon by the Chair or Moderator during their Agenda item. Applicants/presenters can use the "Raise Hand" button to identify themselves (all participants will be muted, you must be recognized by the Chair to participate).
- Applicants/Presenters attending by dial-in should press *9 to notify the Chair or Moderator of their presence when called upon. The meeting Moderator will un-mute applicants/presenters when they are called upon to speak.

PUBLIC PARTICIPATION: At the discretion of the Chair for Public Meetings, the Chair will invite the audience to comment:

- Online audience members wishing to participate during the public comment section can use the "Raise Hand" button to notify the Chair. All participants will be muted, you must be recognized by the Chair to participate.
- Dial-in audience members wishing to participate during the public comment section should press *9 on their phone to notify the Chair. All participants will be muted, you must be recognized by the Chair to participate.

MEETING MATERIALS:

- Meeting materials will be displayed at the online meeting and are attached to this agenda (available at <http://www.yarmouth.ma.us/AgendaCenter>).

Town of Yarmouth

20SEP3AM11:26 REC

Per M.G.L.: All town and school boards, committees, commissions, and authorities shall post a notice of every meeting at least 48 hours prior to such meeting, excluding Saturdays, Sundays, and legal holidays. Notice shall contain a listing of topics/agenda that the chair reasonably anticipates will be discussed at the meeting.

Notice of Meeting

Name of committee, board, etc.:	Drive-In Site Utilization Committee
Date of Meeting:	Tuesday – September 8, 2020
Time:	4:00 PM
Place:	Virtual Meeting

The meeting will be held by remote participation pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law dated March 12, 2020. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. An audio or video recording, transcript, or other comprehensive record of proceedings will be posted on the town's website as soon as possible after the meeting.

JOINING THE VIRTUAL MEETING: Members of the public can join the meeting using one of the following methods:

- To attend the meeting online, click <https://us02web.zoom.us/j/87264222666> and follow the prompts or navigate to <https://zoom.us/join> and enter meeting/webinar ID **872 6422 2666** and follow the prompts.
- To attend the meeting by dial-in phone, call +1 301 715 8592 and enter meeting ID **872 6422 2666**. The dial-in number can also be used to access the audio while watching the online meeting (if you don't have speakers and/or a microphone).
- Please plan to join the virtual meeting at least five minutes before the start of the meeting to troubleshoot any issues you may have joining.

APPLICANTS OR PRESENTERS:

- Applicants/Presenters will be called upon by the Chair or Moderator during their Agenda item. Applicants/presenters can use the "Raise Hand" button to identify themselves (all participants will be muted, you must be recognized by the Chair to participate).
- Applicants/Presenters attending by dial-in should press *9 to notify the Chair or Moderator of their presence when called upon. The meeting Moderator will un-mute applicants/presenters when they are called upon to speak.

PUBLIC PARTICIPATION: At the discretion of the Chair for Public Meetings, the Chair will invite the audience to comment:

- Online audience members wishing to participate during the public comment section can use the "Raise Hand" button to notify the Chair. All participants will be muted, you must be recognized by the Chair to participate.
- Dial-in audience members wishing to participate during the public comment section should press *9 on their phone to notify the Chair. All participants will be muted, you must be recognized by the Chair to participate.

MEETING MATERIALS:

- Meeting materials will be displayed at the online meeting and are attached to this agenda (available at <http://www.yarmouth.ma.us/AgendaCenter>).

AGENDA (Topics to be discussed):

1. **Discussion on Use of the Former Drive-In Site:** Review and discussion on existing special event operations and future use of the former drive-in site at 669 Route 28 for special events. Preparation and consideration of recommendations for an update to the Board of Selectmen.
2. Meeting Minutes: August 4, 2020 & August 27, 2020
3. Upcoming Meetings: TBD
4. Adjournment

Posted By (Name):	Kathleen D. Williams
Signature:	<i>Kathy Williams</i>

YARMOUTH TOWN CLERK

'20SEP3AM11:26 REC

Williams, Kathleen

From: Adam Troy Epstein <adam@innovationae.com>
Sent: Wednesday, September 2, 2020 1:57 PM
To: Williams, Kathleen
Cc: Joe Kosin
Subject: sound

Follow Up Flag: Follow up
Flag Status: Flagged

Attention! This email originates outside of the organization. Do not open attachments or click links unless you are sure this email is from a known sender and you know the content is safe. Call the sender to verify if unsure. Otherwise delete this email.

Kathy

I just want to update you on three new steps we are taking immediately to mitigate the sound bleed from the stage and lower the amount that may reach the residential areas around the site.

1. Purchase and set up of a Drum enclosure isolation booth to shoot the majority of the drum sound vertically where it will hit the drum enclosure ceiling below in item 3.



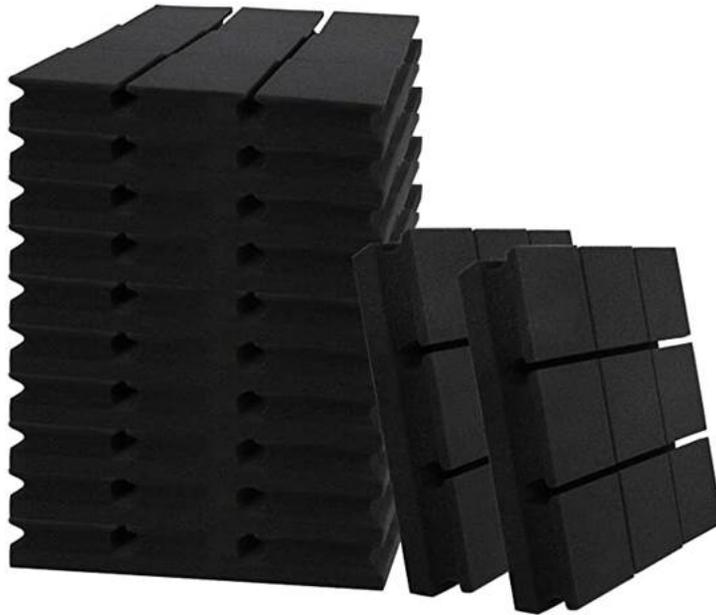
- a.
 - b. <https://www.sweetwater.com/store/detail/IsoPacCDG--clearsonic-isopac-c-dark-gray>
2. Drum enclosure ceiling to hover over the drum enclosure to keep the drum sound localized to stage



- a.
- b. [https://acousticalsolutions.com/product/alphasorb-quick-ship-acoustic-ceiling-cloud/?attribute_pa_size=23-34-x-23-34&attribute_pa_thickness=1&attribute_pa_color=grey-mix&utm_source=google&utm_medium=cpc&utm_campaign=Shopping - Main - Google&utm_content=&utm_term=&utm_source=google&utm_medium=cpc&utm_content=Clouds_QS&utm_campaign=Shopping - Main - Google&gclid=EAlaIqobChMlicK3k-jK6wIVj_zjBx0-6AbwEAQYASABEgJQw_D_BwE](https://acousticalsolutions.com/product/alphasorb-quick-ship-acoustic-ceiling-cloud/?attribute_pa_size=23-34-x-23-34&attribute_pa_thickness=1&attribute_pa_color=grey-mix&utm_source=google&utm_medium=cpc&utm_campaign=Shopping%20-%20Main%20-%20Google&utm_content=&utm_term=&utm_source=google&utm_medium=cpc&utm_content=Clouds_QS&utm_campaign=Shopping%20-%20Main%20-%20Google&gclid=EAlaIqobChMlicK3k-jK6wIVj_zjBx0-6AbwEAQYASABEgJQw_D_BwE)

3. Sound deflecting wall

- a. We are building a 2' tall by 32' long wall for the edge of the stage that will sit between the guitar amps and monitors and the audience.
- b. The wall will be filled with sound proofing panels like this:
https://www.amazon.com/dp/B0899TG5V3/ref=sspa_dk_detail_2?psc=1&pd_rd_i=B0899TG5V3&pd_rd_w=tdAD4&pf_rd_p=48d372c1-f7e1-4b8b-9d02-4bd86f5158c5&pd_rd_wg=XgJLs&pf_rd_r=N4FK4NN89P2CTEC8ZQRN&pd_rd_r=0b8a962c-e4d9-479f-9909-cd4568253ae8&spLa=ZW5jcnlwdGVkUXVhbGlmaWVyPUFMVDZYNDZQ05UU1YmZW5jcnlwdGVkSWQ9QTAxODEyNzEzNVdGWdDZRTFCRjBQJmVuY3J5cHRlZEFkSWQ9QTEwMjMwMDYxN0UzWEtLNVpCTE1MjNpZGldE5hbWU9c3BfZGV0YWlslmFjdGlvcj1jbGlja1JlZGlyZWNOJmRvTm90TG9nQ2xpY2s9dHJ1ZQ==



And wrapped by sound insulation used to keep auto engine noise from entering a vehicle cabin. https://www.b-quiet.com/products/ultimate50sqft?variant=1133754669¤cy=USD&utm_medium=product_sync&utm_source=google&utm_content=sag_organic&utm_campaign=sag_organic&gclid=EAlalQobChMlo_T00NvK6wIVFzjBx0P6w8tEAYYCSABEgJglvD_BwE
The entire wall will then be wrapped with black noise shielding fabric and secured to our stage permanently for every event.

I know it's a lot to take in, but just want you to know we haven't stopped tinkering.

Sincerely

Adam

Adam Troy Epstein

CEO | Innovation Arts & Entertainment

Phone: (312) 274-1800 x226

Cell: (773) 580-8930

The Garland Building

111 N Wabash Suite 919 | Chicago, IL | 60602

Email: Adam@InnovationAE.com



Williams, Kathleen

From: Murphy, Bruce
Sent: Monday, August 31, 2020 3:15 PM
To: Knapik, Daniel; Forest, Mark; jksaben@msn.com; Williams, Kathleen; Greene, Karen; 'Adam Epstein'; Grylls, Mark; director@yarmouthcapecod.com; Frederickson, Frank; Simonian, Philip
Cc: Hillard Boskey BOH; Mary Craig BOH; edweston802@gmail.com; Debra Bruinooge (bruin102@comcast.net)
Subject: Drive In update 8/30/2020 - Health Dept.

Hi All

I would like to provide my observations from inspecting and visiting the Drive IN over last weekend, I have previously been to the Drive In on several inspections, but these are my current observations, as procedure's are continually fined tuned by the organizer/management

Thursday August 27; Mt Joy concert, NO HONKING, all people in their pod/suites, good parking & security staff, no gathering at food area, food trucks inspected, no people wandering around, trash barrels checked and emptied during show, intergenerational attendees

Friday August 28; Yatch Rock Review, NO HONKING, all people in their pod/suites, good parking & security staff, no gathering at food area, food trucks inspected, no people wandering around, trash barrels checked and emptied during show, intergenerational attendees

Saturday August 29; Comedy, I was not inside drive in, instead drove and stopped on the Streets of Appleby Road, Pinewood Road, Niagara Lane; did NOT HEAR any sound from show and did not hear any honking

Additional observations;

- 1, When cars enter site, info on the 3 screens show proper parking, wearing of masks, no honking, how to order food on line and pick up food when notified by text.
- 2, Flashing lights turned off on top of food trucks (Health Recommendation)
- 3, Back side top lights on top of food trucks, (Niagara Lane side) some turned off (Health Recommendation)
- 4, Staffing at food area, checking people that they had order food on line and where there to pick up order, and mentioning to maintain social distancing
- 5, NO HONKING is scrolled across bottom of the 3 screens, often during show
- 6, Lights outside and inside each port-o-john
- 7, Social distancing signs in front of each port-o-john, (Health Recommendation)
- 8, Music from food truck turned low, before and during show, (Health Recommendation)
- 9, Security & staff walking around pre and during show, mentioning people to wear mask, no smoking, stay within suite, Security & staff acted professional when talking to people

10, Social distancing signs placed in food pick up area. (Health Recommendation)

11, Many people sitting in back of their truck or SUV

12, Entertainers and their support staff notified in writing by management of the Governors order to be tested if arriving from a non-low risk COVID state

13, I have driven and stopped on adjacent roads, on both sides of Parkers River, and observed low to no noise.

14, All staff, security and management wear mask

15, People respectful, smiling and enjoying the shows

16 , Management on site for each event

The Drive IN, needs to be reviewed in light with other entertainment within town;

Seaside Festival

Cultural Center-events

County Festival- 2 Days, on Drive In site

Castleberry Arts and Craft Festival – 2 Days

Saint Patrick’s Day, parade and Festival, on Drive In site

DY Collegiate, Cape Cod Baseball League summer baseball, June to August.

School events-foot ball games with band; band practices and events; Field lights

Thanks

Bruce G. Murphy

Director of Health

Town of Yarmouth

8/30/2020



TOWN OF YARMOUTH

1146 ROUTE 28, SOUTH YARMOUTH, MASSACHUSETTS 02664-4492
Telephone (508) 398-2231, Ext. 1276, Fax (508) 398-2365

Community
Development

MEMORANDUM

To: Community Preservation Committee
From: Kathy Williams, Town Planner
Date: September 3, 2020
Subject: Community Preservation Act (CPA) Application - Riverwalk Park and Boardwalk

The Drive-In Site Utilization Committee (DISUC) met on August 27, 2020 to discuss your request for an update on the Riverwalk Park and Boardwalk project along with input on the previously submitted \$1.5 Million CPA Application. With the recent award of additional grant funds, the DISUC agreed that postponing the CPA Application until the 2021 Annual Town Meeting should not cause any delays or impacts to the project.

In the past year, significant progress has been made in securing other grant funding for the project. Utilizing the originally approved \$2.2 Million in CPA grants as matching funds, the DISUC and Staff have obtained two large grants for the project. The Town was awarded a \$956,000 grant from the Massachusetts Land and Water Conservation Fund Grant Program (LWCF) for 50% of the design and permitting for the Riverwalk Park and Access Road (\$204,000); and 50% of the construction of the Access Road and Site Preparation/Excavation for the Riverwalk Park (\$752,000). The Town was also awarded a \$1 Million Seaport Economic Council grant from the Baker-Polito Administration on August 25, 2020 to assist with construction of the Riverwalk Park and Boardwalk.

Although these grant awards are substantial, the additional \$1.5 million in CPA funding remains important to the success of this project. As reflected in the attached Table 1 – Summary of Total Project Costs, additional CPA funding is necessary to bridge the budget gap and will help to leverage the remaining balance of approximately \$800,000 from other grant sources.

While recent efforts have been hindered to some extent by the COVID-19 pandemic and efforts have been expended to secure the Seaport Grant, we have also been working with the consulting firm BETA to reduce the scope/fees originally proposed for design and permitting to within available funds.

Additionally, progress has been made regarding the Event Space adjacent to the proposed Riverwalk Park. The Community & Economic Development Committee (CEDC) has approved use of Tourism Revenue Preservation Funds (TRPF) to hire the consulting firm Fifth Element to provide input on the optimal layout for the Event Space. Unfortunately this firm is from Canada and have not been able to enter the country to visit the site due to COVID-19 restrictions. While unplanned, we have also been working with Innovation Arts & Entertainment (iAE), the company that has secured a license for use of the Drive-In Site. Their experience and expertise will undoubtedly help to inform the future use and potential modifications to that space.

**TABLE 1
SUMMARY OF TOTAL PROJECT COSTS
RIVERWALK PARK AND BOARDWALK LOOP**

DESCRIPTION	SUBTOTALS	TOTALS	CPA SECURED	LWCF SECURED	CPA PENDING	OTHER SECURED	SEAPORT GRANT SECURED	OTHER PENDING
DEVELOPMENT COSTS (site investigations, design, permitting, bidding & construction administration):								
Riverwalk Park	\$ 270,000							
Access Road & Utilities	\$ 70,000							
Boardwalk Loop	\$ 240,000							
20% Development Contingency	\$ 116,000							
TOTAL Riverwalk Park & Boardwalk Loop Development Costs:		\$696,000	\$492,000	\$204,000	\$0	\$0	\$0	\$0
CONSTRUCTION COSTS:								
Access Road & Utilities								
Access Road & Utilities	\$ 877,150							
25% Contingency	\$ 219,288							
5% Escalation Contingency	\$ 43,858							
Access Road & Utilities Construction Costs Subtotal:	\$ 1,140,295			\$570,500				
Riverwalk Park								
Park & Woodland Paths	\$ 2,508,255							
25% Contingency	\$ 627,064							
5% Escalation Contingency	\$ 125,413							
Riverwalk Park Construction Costs Subtotal:	\$ 3,260,732							
TOTAL Riverwalk Park & Access Road Construction Costs		\$4,401,027		\$181,500				
Boardwalk Loop:								
Boardwalk & Overlooks	\$ 1,146,000							
Mobilization and Staging Area Prep	\$ 100,000							
25% Contingency	\$ 311,500							
5% Escalation Contingency	\$ 77,875							
TOTAL Boardwalk Loop Construction Costs:	\$1,635,375							
TOTAL ESTIMATED CONSTRUCTION RIVERWALK PARK & BOARDWALK LOOP:		\$6,036,402	\$1,708,000	\$752,000	\$1,500,000	\$262,649	\$1,000,000	\$813,753
TOTAL ESTIMATED DEVELOPMENT AND CONSTRUCTION:		\$6,732,402	\$2,200,000	\$956,000	\$1,500,000	\$262,649	\$1,000,000	\$813,753

Notes:

- 20-25% contingency added due to conceptual nature of the design. Estimates developed by BETA.
- 5% escalation contingency added for construction in 2-3 years.
- "Other Secured" funding includes \$200,000 from DCR & \$62,649 reappropriated local funds.
- LWCF Grant funding is restricted to the uses identified above, all other construction funding has not been specifically allocated.

On xx, on a motion by xx, seconded by xx, the committee voted xx to approve the minutes.

Town of Yarmouth

MEETING MINUTES OF THE DRIVE-IN SITE UTILIZATION COMMITTEE MEETING OF
August 4, 2020

The Yarmouth Drive-In Site Utilization Committee (DISUC) held a Business Meeting at **4:00** p.m. on Tuesday, August 4, 2020 via a Virtual Meeting pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law in response to the COVID-19 pandemic.

Committee Members Present: Tom Roche, Jack McCormack, Bud Nugent, and David Reid

Members Absent: Jim Saben, Peter Slovak and Rich Bilski

Staff: Kathy Williams, Town Planner; and Karen Greene, Director of Community Development

1. **Meeting Opening**: Vice Chairman Tom Roche opened the virtual meeting at 4:01 PM. A roll call was conducted to establish quorum.
2. **Discussion on Reconsideration of a Marina at the Drive-In Property**: To follow up on comments made by Board of Selectmen members at their July 14th, 2020 meeting, the Town Administrator suggested that the Drive-In Site Utilization Committee (DISUC) re-evaluate the concept of a marina on the former drive-in property. The DISUC reviewed the attached July 30, 2020 Memo from Kathy Williams, Town Planner, that provided an overview of the feasibility analysis completed in 2013 including the full Marina Economic Analysis and other issues as outlined below:
 - **High Cost of Construction With No Return on Investment**: The Marina Economic Analysis completed in 2013 by Applied Technology & Management (ATM) provided estimated construction costs of \$10.34 Million for the preferred Base Case, and \$9.8 Million for a two-phase Modified Case designed to reduce costs and maximize revenue. Both scenarios projected estimated annual deficits, with over \$500,000 per year in the Base Case and a minimum of \$100,000 per year in the Modified Case. Construction costs would be further increased to include state wage rates and account for annual construction inflation. Even if demand for a Marina has increased, the revenues would need to have increased substantially to recoup these additional costs and generate a profit.
 - **Configuration of the River**: The volume of boat traffic from an existing marina, in conjunction with the shallow depth and narrow pinch points along the River, do not provide an ideal conduit to Nantucket Sound. Dredging of the River was recommended by ATM which was not included in the construction estimates, further adding to the costs for a Marina.
 - **Difficulty of Obtaining Environmental Permitting**: The environmental permitting required for a Marina was considerable and challenging with staff estimating a 50-60% chance of obtaining all the permits required for the project. The legislative relief provided for the project for saltmarsh impacts was important, but limited, leaving many critical evaluation criteria remaining.
 - **Progress on the Riverwalk Park, Boardwalk and Event Space proposal**: The DISUC has worked with Staff for over five years to identify uses, develop and vet design concepts, garner public input and support, and secure \$3.2 Million in funding for the Riverwalk Park, Boardwalk and Event Space concept. Any diversion of the Town's

On xx, on a motion by xx, seconded by xx, the committee voted xx to approve the minutes.

attention toward a Marina concept, at this late date, would negatively impact the project schedule and the commitment of the Town to the currently approved projects.

After a brief discussion noting the items above, the DISUC voted as follows:

VOTE: On a motion by Bud Nugent, and seconded by Jack McCormack, the DISUC voted unanimously (4-0) to not recommend pursuing a Marina and to move forward with the existing plan for a Riverwalk Park, Boardwalk and Event Space with Tom Roche, Bud Nugent, Jack McCormack and David Reid voting in favor.

3. **Innovation Arts & Entertainment (iAE) Amended Proposal for the Drive-In Site:** The DISUC briefly discuss the attached application materials for proposed amendments to the current use of the Drive-In Site by iAE to extend into the fall season and to allow for sale of alcohol on certain days. The Committee noted that fewer movies were being shown than originally anticipated, with more concerts and comedy shows. The DISUC decided to not provide any comments for consideration by the Board of Selectmen for the August 11th Hearing.
4. **Meeting Minutes:**
 - a. **June 16, 2020:** On a motion by David Reid, and seconded by Jack McCormack, the DISUC voted (4-0) to approve the meeting minutes of June 16, 2020 with Tom Roche, Bud Nugent, Jack McCormack and David Reid voting in favor.
5. **Adjournment:** VOTE: On a motion by Jack McCormack, seconded by David Reid, the DISUC voted unanimously (4-0) to adjourn at 4:27 PM.

ATTACHMENTS:

- 08/04/20 DISUC Agenda
- July 30, 2020 Memo from Kathy Williams, Town Planner regarding re-evaluation of a Marina at the Drive-In Property with the following attachments:
 - October 3, 2013 Memo from Peter Johnson-Staub, former Assistant Town Administrator
 - ATM Marina Economic Analysis, October 2013
 - Proposed Marina Plan
 - October 8, 2013 Board of Selectmen Workshop Minutes
 - September 17, 2015 e-mail from Karl von Hone, Director of Natural Resources
 - August 3, 2020 e-mail from Heather McElroy, Natural Resources Manager at the Cape Cod Commission
- Special Entertainment Amendment and Special Alcohol License Hearing materials for iAE (Yarmouth Events LLC) at the drive-in property, including a July 28, 2020 e-mail from Bruce Murphy, Health Director.
- Draft Minutes: June 16, 2020

On xx, on a motion by xx, seconded by xx, the committee voted xx to approve the minutes.

Town of Yarmouth

**MEETING MINUTES OF THE DRIVE-IN SITE UTILIZATION COMMITTEE MEETING OF
August 27, 2020**

The Yarmouth **Drive-In Site Utilization Committee (DISUC)** held a Business Meeting at **4:00** p.m. on **Thursday, August 27, 2020** at the Drive-In site (669 Route 28, West Yarmouth).

Committee Members Present: Jim Saben, Rich Bilski, Jack McCormack, Bud Nugent, and David Reid

Members Absent: Peter Slovak and Tom Roche

Staff: Kathy Williams, Town Planner; Karen Greene, Director of Community Development; and Bruce Murphy, Health Director

Guests: Mary Vilbon, Yarmouth Chamber of Commerce Director; Tom Nickinello; Mark Forest, Board of Selectmen Chairman; Adam Epstein and Joe Kosin of iAE.

1. **Site Visit & Discussion of Use of the Former Drive-In Site:** Chairman Jim Saben opened the meeting at 4:01 PM. Adam Epstein, iAE Entertainment, gave a presentation to the committee reviewing his company's operations on the Drive-In site for summer 2020. He explained that his company has been operating an entertainment complex on the site since July, and they hope to partner with the Town to use the site in the future. Mr. Epstein explained that his company spared no expense to set up the site – with examples including the state of the art LED screens, ample amount of on-site personnel to regulate crowds/parking during events, free WiFi, contactless concessions, along with the creation of individual pods to allow for safe seating outside vehicles.

The large overhead expense associated with the site and the short amount of preparation/setup time was challenging for the event operator. It was also noted that the lack of on-site alcohol sales and minimal other revenue streams such as sponsorships have made it difficult to operate the Drive-In site profitably. Changes were made to programming in order to recoup costs – mainly the reduction of drive-in movies (which are low grossing and did not cover expenses) in favor of live shows. Selectmen Forest pointed out that these live shows are still an example of 'family-friendly' entertainment, as he's seen many families in attendance at them.

Chairman Saben asked Mr. Epstein what challenges/obstacles he's faced while operating on the site. Mr. Epstein responded that he's been working with the neighbors with complaints regarding the noise and light from the site. It was reported that progress has been made to alleviate many of these concerns, with Mr. Epstein working directly with neighbors to arrive at solutions when issues arise. For example, it was noted how the company uses screen displays to discourage cars honking during/after performances, and adjustments were made during sound checks to reduce sound travel in the abutting neighborhood during the live events. Mr. Epstein also suggested that there are minor improvements that could be made to enhance the site, such as planting new grass or installing perimeter fencing.

Mr. Epstein noted that their website and on-site WiFi allow for collection of data on people purchasing tickets and how often they return, noting a high percentage of repeat customers with 80% of people coming to the live entertainment from outside Barnstable County (Boston #1 and New York #3). They have over 250,000 unique visitors to their website and

On xx, on a motion by xx, seconded by xx, the committee voted xx to approve the minutes.

over 18,000 people signed up for the Free Cape Club. This data helps to show the site is becoming a destination for tourism. The Chamber is working on development of a survey which Mr. Epstein indicated he would help to send out to get more data points.

Mr. Epstein has been involved in the production of amplified concerts in the past where noise has been muted by new audio systems with more advanced technology that can direct the sound better. He stated he would like to try this on the Drive-In site this fall to gauge the reception. There were further discussions on alcohol sales at these events to vet the whole concept of the site as an event space. The Drive-In Site Utilization Committee (DISUC) noted that they would be supportive of such a test run at the site. As it is costly to set up this type of amplification system, along with the COVID-19 safe delivery system for alcohol, Mr. Epstein was looking at two weekends in October. Mark Forest suggested that the DISUC provide the Board of Selectmen with their recommendations at the September 15th Board meeting. Jim Saben recommended all the DISUC members try to attend an event prior to the BOS meeting. Mr. Epstein would need to apply for another Special Alcohol License and Special Entertainment License for amplified music in time for a September 29th Public Hearing.

2. **Community Preservation Act Application:** The DISUC reviewed the attached letter from Gary Ellis, Chairman of the Community Preservation Committee, regarding input on the previously submitted \$1.5 million CPA application for the Riverwalk Park and Boardwalk. The DISUC agreed to hold off on the CPA grant request until the 2021 Annual Town Meeting. Staff to draft a letter for review by David Reid and Jim Saben.
3. **Draft Minutes – August 4, 2020:** Minutes deferred to the next meeting.
4. **Adjournment: VOTE:** **On a motion by Bud Nugent, seconded by David Reid, the DISUC voted unanimously (5-0) to adjourn at 5:42 PM.**

ATTACHMENTS:

- 08/27/20 DISUC Agenda
- Various Abutter correspondence regarding the Drive-In site
- August 7, 2020 Memo from CEDC
- August 19, 2020 e-mail from Adam Epstein regarding sales data for various events
- Vineyard Gazette and Martha's Vineyard Times news articles on Beach Road Weekend, both dated September 4, 2019
- Line Arrays Explained Article
- Letter from Gary Ellis, CPC Chairman, to Jim Saben, DISUC Chairman
- Draft Minutes – August 4, 2020