



Board Minutes from Open Hearing Re: #7277 Noise

July 16, 2015

Meeting called to order at 7:10 PM and adjourned at 8:15 PM – Location: McLean Community Center

Four Board members present; Meringoff absent. Outside Counsel (Doug Levy) from Rees Broome attended along with several homeowners (# 7268 & 7270) from the EMP community. #7277 did not attend. A summary of the meeting is included below:

- Outside Counsel explained the process for the open session including the complainant discussions, a closed Board follow up, and a letter to memorialize the hearing.
- Complainants reviewed the history of their noise grievances that go back several years and have been captured in past emails and consequently resulted in formal warnings to #7277. The last occurrence was June 3, 2015. It was also discussed that the McLean Police have been called numerous times.
- The group discussed that the next step that can be pursued after this hearing is to levy a fine of \$50.
- The open session concluded and the Board then went to closed Executive Session.
- Discussion then centered on the activities at the defendants home, related rules and regulations that are allowed by Fairfax County and rules specific to parking (such as Rule 10) in the EMP community.
- More discussion focused on changing parking regulations to limit the number of cars that can park in common areas of the community, require parking permits for homeowners and/or vehicle registrations and adopt a progressive parking policy that considers the safety of residents throughout the community and enables a governing body to fine, suspend privileges and tow when necessary.
- The Board then moved back to open session. A motion was made that the Board levy the maximum fine of \$50 against #7277; approved 4-0. Should the defendant not pay the fine, it will be carried over and recorded as a lien on said property.
- Outside counsel will review pertinent rules in EMP regulations and determine what flexibility and actions the Board can take related to parking as well as consider future changes.
- Meeting adjourned at approximately 8:15pm.

Susan Arthur, Secretary