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**AN ENGROSSED RESOLUTION**

Requesting the Department of Parks, Recreation, and Culture conduct a comprehensive sound study at The Rock Sports Complex

WHEREAS, The Rock Sports Complex is an athletic, entertainment, and recreation center located in Franklin, Wisconsin; and

WHEREAS, the Milwaukee County Board of Supervisors adopted File No. 17-598, entering into an agreement with BPC County Land, LLC, for the sale of the Crystal Ridge landfill, and entering into a Lease Agreement with The Rock Sports Complex, LLC for land zoned as parkland for the construction of The Rock Sports Complex; and

WHEREAS, the agreement included a Noise and Light Addendum requiring that the Developer comply with a Noise and Light Mitigation Plan, Noise and Light Standards and Development Plan, and Noise and Light Compliance Plan; and

WHEREAS, the Noise and Light Mitigation Plan required the installation of permanent monitoring devices at three locations, which trigger a notification in the event of an exceedance and record continuous performance data; and

WHEREAS, the Noise and Light Standards and Development Plan require the Developer to comply with noise and light standards in the City of Franklin Ordinances, including Section 183-41 Noise, except for cases in which the Developer applies for and receives a special event permit from the City of Franklin to exceed the decibel levels in the Ordinances; and

WHEREAS, the Noise and Light Compliance Plan requires that the Developer provide the City of Franklin and the Manager for the Village of Greendale with a list of concerts and special events requiring a permit, including dates and times for operations during the event, and requirements for record retention of noise monitoring data; and

WHEREAS, although Milwaukee County required that the Developer mitigate noise at the project, there was no sound study performed to learn how to comply with that provision of the Noise and Light Addendum; and

40 WHEREAS, the City of Franklin initially required that a sound study be  
41 performed, but later repealed that requirement, indicating that the decibel levels in the  
42 City of Franklin Ordinances are not research-based conclusions; and  
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44 WHEREAS, the Environmental Protection Agency and World Health  
45 Organization recommend maintaining environmental noises less than 55 dBA,  
46 which is recommended for outdoors in residential areas where people spend  
47 varying amounts of time in which quiet is a basis for use and outdoor areas  
48 where people spend limited time, such as school yard or playgrounds below 70  
49 dBA and should not exceed 75 dBA over an eight hour period; and

50  
51 WHEREAS, since the adoption of File No. 17-598, The Rock Sports Complex  
52 has added additional recreation **and entertainment** features and amenities that were  
53 not initially agreed upon by Milwaukee County and the Developer; and  
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55 WHEREAS, excessive noise creates a burden on individual's who wish to access  
56 the Milwaukee County parkland surrounding The Rock Sports Complex; and  
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58 WHEREAS, it is not yet clear how excessive noise impacts wildlife and the  
59 environment; and  
60

61 WHEREAS, the Milwaukee County Board of Supervisors adopted File No. 19-  
62 602 requesting an audit of BPC County Land, LLC as it pertains to the entity's and the  
63 developer's contractual obligations, quarterly reports pertaining to the Ballpark  
64 Commons Project in the City of Franklin, an assessment for environmental pollution,  
65 and verifying access to Whitnall Park, the Root River Parkway, and the Oak Leaf Trail;  
66 and  
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68 WHEREAS, the audit requested in File No. 19-602 is not yet complete and the  
69 results are forthcoming; and  
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71 WHEREAS, the Committee on Audit, at its meeting of July 15, 2020,  
72 recommended adoption of File No. 20-510 as amended (vote 3-2); now, therefore,  
73

74 BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby  
75 requests that the Department of Parks, Recreation, and Culture perform a  
76 comprehensive sound study at The Rock Sports Complex, **including all entertainment**  
77 **activities**, to ensure that BPC County Land, LLC is complying with the noise mitigation  
78 requirements set forth in File No. 17-598; and  
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80 BE IT FURTHER RESOLVED, that the comprehensive sound study shall include  
81 **a science-based rationale for appropriate sound levels** results related to the impact  
82 of increased noise on the ability for individuals to utilize other recreation opportunities  
83 available near The Rock Sports Complex and impacts on wildlife; and

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85 BE IT FURTHER RESOLVED, that the Department of Parks, Recreation, and  
86 Culture is hereby requested to provide a report of its findings to the Milwaukee County  
87 Board of Supervisors for the September 2020 cycle.

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90 07/23/20  
91 S:\County Board Files\County Board 2020\Engrossed Resolutions & Ordinances\July 23\20-510 the rock sound study  
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