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**AN AMENDED RESOLUTION**

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

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

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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

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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

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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

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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

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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

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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 below 70 dBA and**  
46 **should not exceed 75dBA over an eight hour period; and**

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48 WHEREAS, since the adoption of File No. 17-598, The Rock Sports Complex  
49 has added additional recreation **and entertainment** features and amenities that were  
50 not initially agreed upon by Milwaukee County and the Developer; and

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52 WHEREAS, excessive noise creates a burden on individual's who wish to access  
53 the Milwaukee County parkland surrounding The Rock Sports Complex; and

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55 WHEREAS, it is not yet clear how excessive noise impacts wildlife and the  
56 environment; and

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58 WHEREAS, the Milwaukee County Board of Supervisors adopted File No. 19-  
59 602 requesting an audit of BPC County Land, LLC as it pertains to the entity's and the  
60 developer's contractual obligations, quarterly reports pertaining to the Ballpark  
61 Commons Project in the City of Franklin, an assessment for environmental pollution,  
62 and verifying access to Whitnall Park, the Root River Parkway, and the Oak Leaf Trail;  
63 and

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65 WHEREAS, the audit requested in File No. 19-602 is not yet complete and the  
66 results are forthcoming; and

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68 WHEREAS, the Committee on Audit, at its meeting of July 15, 2020,  
69 recommended adoption of File No. 20-510 as amended (vote 3-2); now, therefore,

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71 BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby  
72 requests that the Department of Parks, Recreation, and Culture perform a  
73 comprehensive sound study at The Rock Sports Complex, **including all entertainment**  
74 **activities,** to ensure that BPC County Land, LLC is complying with the noise mitigation  
75 requirements set forth in File No. 17-598; and

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77 BE IT FURTHER RESOLVED, that the comprehensive sound study shall include  
78 **a science-based rationale for appropriate sound levels** results related to the impact  
79 of increased noise on the ability for individuals to utilize other recreation opportunities  
80 available near The Rock Sports Complex and impacts on wildlife; and

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

07/10/20  
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