

## Draft MPP Sound Issues Letter to State Delegates Proposal

Columbia Association is aware of and appreciates the contribution Merriweather Post Pavilion makes to the economic and cultural resources of our region, and we look forward to seeing it continue to do so into the future. Nevertheless, we believe that MPP best serves the community and earns the respect of local residents when it fulfills its role as a good neighbor and corporate citizen.

Unfortunately, this relationship has been severely strained by a widespread perception that MPP sound levels in residential neighborhoods have increased significantly in recent years and a belief that the 2013 legislation regarding the venue's sound regulation bears much of the responsibility.

It must be remembered that MPP was originally intended as a home for unamplified orchestral music in a wooded setting. MPP has since evolved into a very active venue for highly amplified rock music, a key feature of which is a powerful, low frequency, rhythmic beat that carries far and penetrates deeply. Concurrently, residential development has, over the years, expanded into close proximity to the venue.

We do not believe the issue can successfully be resolved until the 2013 legislation is either substantially amended or else rescinded with responsibility for noise regulation returned to local authorities. MPP's current management firm assures us that there are technical adjustments such as speaker placement and other tools that can mitigate sound escaping into surrounding residential neighborhoods, and we welcome this possibility. Should it be the case, MPP will easily be able to abide by more responsible regulation. If not, amended legislation could serve as a guide for appropriate remediation.

At a minimum we would like to see:

- Regulation based upon sound levels within actual residential neighborhoods, not upon sound levels at an arbitrary distance from the source.
- Residential sound limits and time periods consistent with those that existed prior to the 2013 legislation, *i.e.* below 65 decibels between 7 a.m. and 10 p.m. and below 55 decibels between 10 p.m. and 7 a.m.
- An ongoing, reliable monitoring network that is in real-time operation whenever events are scheduled rather than one that merely responds to specific, individual homeowner complaints.
- An effective enforcement regime that can impose penalties for violations that are meaningful relative to the economic resources of the violator.
- The adoption of a decibel weighting scale such as dBC or dBz that does not discount critical low frequency tones in the way that the present dBA weighting scale does.
- Sound level readings averaged over intervals that correctly capture peak sound bursts.

We believe that these are reasonable objectives in view of emerging technology, economic realities, future development of the Merriweather neighborhood and the rights of residents to the peaceful enjoyment of their homes. We would appreciate hearing from you on your ideas for addressing the problem. Please let us know if you wish to discuss this matter further or would like additional information.