

TO: Chairman and members of the Vernon PZC

FROM: Peter Stone  
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RE: Questions regarding statements made by the sound engineer  
at the PZC meeting on January 27, 2010

I'm trying to make sense of the report to the PZC on January 27 from the sound engineer, and I think it would be helpful to the discussion if some clarification was possible.

As I understand it, when the sound engineer conducted his test, he started by taking decibel readings at different test locations around the proposed concert site to establish the level of background noise. The background noise in the area comes primarily from traffic on route 84.

He then set up loud speakers at the concert site -- I presume at the location, direction and height that concert speakers would expect to be positioned -- and played prerecorded music at concert levels, which he said were at 95 decibels, 100 feet in front of the speakers. (I referred to the internet <http://www.jimprice.com/prosound/db.htm> to confirm decibel levels, and found that 110 decibels is considered rock concert levels.)

The engineer then took decibel readings at the same test locations, and determined that the difference between his readings of background noise and the new readings with speakers playing was negligible.

Here's where I'd like some clarification. I believe that the engineer didn't say that the music could not be heard -- he said that the difference between the background noise from the highway and the music coming from the speakers, in terms of overall volume levels, was not significant, and that the difference in decibels was equivalent to the sound of rustling leaves.

I'm guessing that 80 decibels of traffic noise combined with 80 decibels of rock music still equals 80 decibels of noise when measured by a decibel meter, which measures overall volume levels only. If my thinking is correct, then the report of the engineer makes sense. What I didn't hear the engineer say, was that people in the surrounding neighborhoods would not hear the music.

And again, if I'm figuring this correctly, nearby residents are going to hear rock music whenever there is a concert, and that they will hear it at the same high volume levels that they currently hear the highway.

Decibel levels aside, I suggest that there is a qualitative difference between background traffic noise, which is usually a steady drone that can usually be ignored, and rock music which constantly varies in frequency and amplitude, and which is intended to capture your attention.

I would like to know if I've got this all wrong – I welcome any clarification from any source.

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The sound engineer made two other statements that I feel should be examined more closely:

He said that most communities use the EPA standard and simply vary the times of day when specific DB levels are allowed. That comment suggests that there are communities that have noise ordinances that are based on more than minimum EPA recommendations. It would be worth contacting officials in those other communities to hear of their experiences and the rationale for the noise ordinances they have adopted. I would start with Bristol, CT, since they have had to deal with a similar outdoor concert venue at Lake Compounce in past years.

The sound engineer also stated that under certain circumstances, like very loud background noise, that there were some allowances in the EPA recommendations. I'd like to know more about that, and if he has included any special allowances in his study.

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There has been quite a bit of spin going on in the presentations by TicketNetwork, which probably means that the lawyer is doing her job. But there's one spin-job in particular I just can't let go unchallenged.

TicketNetwork conducted a sound test, unannounced, and then shut it down early because they finished their testing early – that's what we've been told.

And now I'm hearing the assertion that there weren't any serious complaints about sound levels, therefore the test was a success and sound will not be a problem.

Allow me to spin this sequence of events in another direction – TicketNetwork conducted their sound test unannounced in order to minimize any reaction from neighbors. When the complaints started coming in, TicketNetwork shut down the test so that there wouldn't be any further complaints registered with the police.

I'm having a difficult time with the logic as presented by TicketNetwork, which seems to be saying, hey, we ran a sound test, there weren't any significant complaints, therefore we've proved that sound will not be problem. It's as if the number of complaints determined the success of the test.

I'm having a real problem with that convoluted line of reasoning, and I hope it would strike commissioners and the public in the same.

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Some may find this hard to believe, but I prefer to be constructive rather than deconstructive. And even though this is probably not the time or the place, I'd like to float an idea.

If it is TicketNetworks assertion that sound will not be an issue, and, for those that live in the surrounding community, noise is one of the biggest concerns -- how is it possible to move past the apprehension and mistrust?

I would like to propose a do-over.

Conduct the test again.

- This time announce it well ahead of time, and let it run for a predetermined duration.
- Conduct it on a Saturday morning when most people are at home, when the air is still – wind direction is a factor in how far sound travels, but at night when concerts are planned, the air would most likely be still.
- Place your speakers at the locations and height that you would expect speakers to be on your proposed stage.
- Play a variety of classic rock music at 95 decibels – 100 ft from the proposed stage.
- I'd like to see the commission set up a reporting system with a phone number to call if the sound can be heard, and perhaps a representative of the commission could visit a sampling of the locations that call in to verify.

It seems to me that the burden of proof is still on TicketNetwork to prove that sound will not be a problem. The test you conducted was flawed and your conclusions deceptive.

If you are willing to work with your neighbors and prove that sound will not be a problem, then I think you're halfway there. If you choose to spin the information some more, then we haven't moved forward.

So that's my contribution to the discussion.

I appreciate the time and thoughtful consideration the commission is giving this issue.

Thank you.