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Lyons Planning and Community Development Commission (PCDC), Lyons Board of Trustees (BOT), Lyons Town Staff, Lyons Mayor John O'Brien
432 5th Ave
PO Box 49
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Subject: Riverbend 2024: Proposed Changes to the Original PUD (Ord. 999 - May 9th, 2016) (River Bend)"

Dear PCDC, BOT, Town Staff, and Mayor Rogin:

The PCDC's roll is planning and community development. It should be noted that it's stated as an "and", not "or"

Community development does not have to be all about structures and buildings. Development can include developing a more resound ecological setting. Let it not be lost in the minds of all the decision makers, the natural beauty of our area is a substantial economic driver.

RB is in its planning phase. It needs balance to represent the other aspect of our community beyond just economic.

Developing a more balanced interplay between hard structures and vibrant ecosystems can be achieved. River Bend's generosity since 2016 does not go unnoticed. I call it River Bend v2.0. River Bend v1.0 was rough to say the least.

RBv1, RBv2, RBv3.

RBv2 were good neighbors to the surrounding residences and overall, to the town as a whole. They worked, collaborated, and communicated with the neighbors and community. RBv2 took thoughtful efforts to make their business viable and yet respectful to the "bigger picture" of their unique parcel and setting.

Growing from RBv1 to RBv2 took a substantial amount of work. That work should not be lost. Owner and citizens alike worked really hard. It's imperative that the new decision makes do a refresh and read the work and letter that are archived in public records from 2015/2016.

Going forward with River Bend v3.0, the lack of depth to their proposal speaks volumes. It is void of so many important concepts and understandings that were agreed upon in RBv2. To be frank, it comes across a braze; are they just testing the waters? From an armchair's length, the local folks that don't live in proximity to RBv2 maybe just don't fell the impacts. For many folks that live farther away, these complaints just fall on deaf ears. It's really difficult for most folks to understand the depth of disruption that could come from RBv3's "proposal". RBv3 has had years to work on it. We've had just a weeks to respond. It's not really fair.

One analogy that may bring it home to almost any person in town. Close your eyes. Picture yourself sitting in your car. It's quite around you. You are alone. You are at a parking lot of quiet nature trail. You are jazzed to head out on a hike. Then, someone pulls up next to you with their sub-woofer base speakers cranking a tune you really can't appreciate. Basically, not your mojo of "music". Bummer... your moment turns to aggravation. Actually, you feel violated. There's really nothing you can do about it. Ya, you could reach out to someone who has some power of enforcement. But... really? That's not going to happen. You suck it up and have to sit with it.. Bummer.. The bummer is happening in our homes.

That type of aggravation played out with RBv1 as a "musical" acoustic-base blanketed our homes and surrounding residents night after night after night.... Bummer. Big Bummer.

Please please don't do that to us. We implore you. We are reasonable people with reasonable wishes. We neighbors are really like you. The decision makers and other folks who will benefit from a RBv3 development are our friends and we are part of the same community.

Addressing the enforcement and penalties for noise disturbances is a complex issue that requires careful consideration. The challenges of enforcing noise regulations in outdoor settings are widely recognized due to the intricate nature of sound measurement. Factors such as changing wind conditions and sound reflection off rock formations add to this complexity.

Moreover, the high cost and technical expertise required to operate sound/noise monitoring equipment present additional hurdles. Enforcement agencies often lack the necessary resources and technical knowledge to effectively use this equipment. This realistic assessment underscores the need for on-premises detectors to address noise disturbances in such challenging environments. Local business need to hire and train their staff on these matters. It should be noted in some aspect of town codes.

Some form of a web-based monitoring system would be the most pragmatic. In the period of time around 2015 and 2016, neighbors were provided with the direct phone number for a number of River Bend owners. With ease, any neighbor could bring the noise disturbance to an owner's attention. If the PCDC issues a conditional approval, this notion must be continued. It's necessary to not add unnecessary barriers when neighbors are trying to inform the responsible parties. Technology can help beyond just "leaving a message at the tone".

Overall, only conditional agreements should be granted from the PCDC and BOT. Temporary approvals of the proposed development is just common sense. This is especially true in a project of this size. It's human nature to ask for the most and then scale it back a bit. That's understood. Please don't just waiver aspects of the development because it's an expensive for RBv3 or a time-consuming burden to the many volunteers on board and commissions. A real-time demonstration of their integrity is just common sense. It's a practical ask from the neighbors.

Flat out, any accommodating changes to the proposal should be on a temporary bases until the venue can demonstrate compliance.

Respectively,
Steve Simms