

May 10, 2024

Dear PCDC and Members of the BOT,

Thank you for taking our concerns into consideration regarding the proposed development. As a long time resident of 29 years, I now find myself living at the confluence of 4 music venues (Moxie, MainStage, Riverbend, and Planet Bluegrass) of which the Planet was the only one in existence when we moved here. The houses on Upper 5th Avenue are situated on a rock cliff and are in close proximity to Town and along the 36 corridor to Estes Park. As it is now, we hear Moxie music generally on the weekends during the day time. MainStage will ramp up and usually have bands almost every night during the week during the late spring and summer months into early fall. They usually start sometime around late afternoon/early evening and go until 9 or 10pm (I can't remember which time). Planet Bluegrass of course, has it's festivals and also has a number of weddings in the Wildflower Pavilion in which the doors and windows are open and we hear the amplified music until late at night. The music from their weddings is **loud** and we easily hear it inside our house even with windows closed. Riverbend at this point is quiet and we are not at all impacted by them. There are probably more days than not during late spring through the fall, where we are subjected to at least two venues and their music simultaneously.

In addition to that, the highway 36 corridor is incredibly loud with accelerating vehicles, motorcycles pealing out, large delivery trucks, and the super obnoxious trucks with their jack brakes coming down the canyon. All these vehicles are a constant beat of LOUD throughout the day and at times, into the night. The acoustics along the rock cliff magnify the sounds and if our windows are open on the west side of our house, we have a hard time having conversation because the road noise is unbelievably loud. It is constant and very disruptive inside our house when we are trying to cool our house with outside breeze and fresh air.

I am very concerned about this new proposal as it refutes a prior agreement with the previous partners (Mike Whipp, Betsy Burton, and Jon Eaton) that we negotiated in May of 2015. Mike, Betsy, and John, really wanted to be good neighbors and listened to our concerns about the excessive noise that was being generated during weddings at Riverbend. There was a night when Planet Bluegrass was belting out with their headliner and Riverbend had a wedding with amplified music at a roar. We were in the crosshairs of both venues at the same time blasting their music simultaneously. Imagine being in a car with two teenagers both playing their favorite music at **the top volume and on different playlists with the windows up and going on for a couple hours!** How long could you last? Even if you opened the windows it would still be a cocophany of sound you could not escape. **Welcome to our world!!!** Riverbend at the time was doing amplified music at weddings in addition to the Planet with all it's weddings of amplified music and the festivals. It was too much!! Mike, Betsy, and Jon agreed to help remedy the situation for us.

They came to our houses and listened and attempted to get decibel readings and were doing adjustments on site to see what an acceptable level was. We really appreciated their genuine concern for us and were willing to compromise for us so we could have quiet at our houses. This was an amicable process and one where we all were willing to give and be agreeable to the final solution. The solution was to have acoustic music only at weddings and using amplification for toasts and other announcements. We have not been impacted by Riverbend at all per this agreement and would like the agreement negotiated to be maintained.

In a subsequent conversation with Betsy well after this agreement was negotiated, she told me their wedding business was not impacted at all. People were fine with booking acoustic music and they had no problem with filling all their wedding time slots. It was not a financial hit on them at all and their calendars were constantly booked full. It is a beautiful venue and Mike, Betsy, and Jon are to be commended for listening to neighbors and being solution oriented to the problem they created for us.

So I ask you to consider our positions of wishing to live in somewhat of a quiet space. It is unrealistic for us to think it can be quiet all the time given our proximity to Hwy 36 and the noise it constantly generates. Planet Bluegrass already has it's regulations in place and we acknowledge that we have to accommodate that. But please don't recommend more loud noise for us to accommodate when an agreement has already been reached with Riverbend. Perhaps a Town wide noise ordinance THAT IS ENFORCABLE must be drafted BEFORE Riverbend is allowed to proceed.

Thank you for your time and consideration to these concerns.

Sincerely,

Debbie Simms

809 Upper 5th Avenue Resident

Lyons