

NOISE COMPLAINTS

<u>Date</u>	<u>Time</u>	<u>Address</u>	<u>Disposition</u>
3/19/2022	10:36 PM	305 Mulberry St.	Made contact with subjects. They turned it down.
5/7/2022	11:55 PM	213 Talbot St. N.	Already on location / no loud music/ will check the area
			Wedding @ CBMM / spoke to subjects / going to keep it down
5/11/2022	7:37 AM	111 Green St.	207 Mulberry / male cutting grass/ new owner cutting
			for an hour a half. If complainant calls back, transfer to him.
6/3/2022	7:45 AM	Green St.	Spoke with worker and advised of town ordinance.
6/3/2022	8:26 PM	Chew Ave E/ Radcliff Av	Two houses on corner / got permit
6/8/2022	7:58 AM	304 Talbot St.	N/A
6/18/2022	7:34 AM	Carpenter St.	Construction noise / too early in AM
6/18/2022	4:27 PM	Mulberry St	Loud music coming from the Harbor, not sure if its
			Harrison's or Foxy's. Caller said it is very distracting
			and can be heard even though not close to the house.
			Call did not wish to be contacted.
6/18/2022	5:46 PM	Water St.	Self initiated. Responded to Harbor Inn for the noise issue.
7/1/2022	11:40 PM	305 Talbot St/	Parties advised to turn it down.
7/7/2022	6:55 PM	305 Mulberry St.	Boaters on dock being loud.
7/14/2022	7:40 PM	111 Mulberry St.	Music has gone 10 minutes over scheduled time at Muskrat Park.
			Officer making public service.
7/17/2022	1:16 AM	Mulberry St	Restaurant has been warned to turn it down, but will be
			remaining in the area until they close. 75-100 people
			inside the restaurant.
7/22/2022	6:26 AM	200 Seymour Ave.	Subject was advised - not cutting anymore at this location today.
7/26/2022	6:48 PM	204 Marengo St. E.	Spoke with homeowner / going to wrap it up
8/5/2022	9:56 PM	305 Mulberry St.	Boat playing music, music has been turned off.

NOISE COMPLAINTS

<u>Date</u>	<u>Time</u>	<u>Address</u>	<u>Disposition</u>
8/27/2022	6:57 PM	Mill St./Cedar St.	
9/3/2022	6:58 PM	407 Water St.	They've been advised.
9/3/2022	8:35 PM	100 North St.	Boats playing loud music. Units out with DNR on the water. Clear
9/4/2022	7:25 PM	407 Water St.	Buddy Harrison contacted.
9/24/2022	8:50 AM	308 Watkins Ln.	Spoke with Perry Cabin and they're going to have band turn it down
9/25/2022	2:29 PM	108 Chew Ave.	working on roof on a Sunday. Emergency repairs are allowed by tow ordinance.
10/8/2022	9:47 PM	305 Mulberry St.	Event coming from museum. They are shutting down in 10 minutes.
10/11/2022	4:38 PM	409 Talbot St. S.	Car playing loud music. Driver has lowered the music.
10/15/2022	8:56 PM	305 Mulberry St.	loud music coming from boat.
10/16/2022	5:11 PM	Grace St.	
10/16/2022	2:13 PM	125 Mulberry St.	Unable to locate loud music, tried contacting complainant multiple times with no answer.

Planning Meeting
SMRA Presentation of Data
Thurs 11/3/2020

Last season - In March & April of 2021, when COVID restrictions were still in place, some restaurants in St. Michaels opened their season with live music to entertain customers as they had done so for many years in the past. COVID restrictions allowed for expanded outdoor seating and patrons gathered and ate under tents and at tables across parking lots. With most people eating outside, as well as music being played outside, some residents were upset by the loud noise levels, and complained to the town. There ensued many heated discussions, but no solution to the problem.

This season, in June 2022, to avoid a repeat of contentiousness regarding live music, we reached out to members of the Historic Commission; private residents who had testified at Planning and COSM meetings on the effects of loud music; musicians and business owners, in order to understand the problem and to help mitigate complaints.

Partnering with the St. Michaels Police Department, and the St. Michaels Community Center a **self-policing** and music accountability procedure was developed. SMRA's goal was to define shared responsibilities to mitigate noise complaints as they pertain to music. These were presented by Terye at a prior planning meeting and we put them into practice for this process.

One issue preventing this problem from being resolved, was the lack of sound data. There was no baseline data, no factual decibel data mentioned in complaints or testimony in any of the town meetings when noise was on the agenda. So, the Restaurant Association reached out to the Planning Commission with a proposal to collect music data from its restaurant members, as well as venues having live music events at their establishments.

The Planning Commission then tabled noise ordinance discussions until we could develop a process of data collection, and we will show you the results today.

Before we discuss the data, I'd first like to clarify our methodology.

- The Restaurant Association contacted the venues that had permits for live amplified music events in St. Michaels. This included three SMRA members – Foxy's Harbor Grille, The Galley Restaurant and Corah's Corner. Post COVID, the Galley moved all their music inside, and so did not participate in this process.
- The three businesses - not members of the Restaurant Association - include the St. Michaels Community Center which hosts Concert in the Park, the Inn at Perry Cabin and The Chesapeake Bay Maritime Museum which are popular wedding venues.
- Both the Museum and the Inn supported our efforts and were willing to participate in the process. It is our understanding that both entities reached out to work directly with the Town Administrator.
- Partick Rofe of the St. Michaels Community Center did collaborate with us in this process and we have that data to share.
- The data was collected by manager level employees using an iPhone 10, and iPhone 11 and two iPhone 12 devices. Readings taken simultaneously, standing in close proximity, and taking into account microphone direction, the difference in the readings was less than 1 decibel between instruments.
- DECIBEL X is the digital sound level meter application that was selected as the measuring tool. Our research found positive ratings for its ease of use and accuracy. The iPhone instruments are factory set to the A-weighted decibel response scale. "A"-weighting is the standard for determining hearing damage and noise pollution, and our research indicated that iPhones are more accurate than Androids when using this app. (TechTarget Research)
- Length of time recording was less than 30 seconds, with most recordings being in the range of 10 to 15 second intervals.
- The location of the recordings was specific to each property and is detailed in the data.

- There was an ambient reading taken, prior to the music event beginning which recorded the level of background noise in a particular location. Up to two additional readings were taken throughout the performance time.
- The data presented took place between July 4th and October 31st 2022.
- The days of the week when data was collected were Wednesday – Sunday during day and evening hours. The music did not start before 4:00 p.m. and ended by 8:00 p.m.

Let's review the data...

**St. Michaels Restaurant Association – Music Data Presentation
 Planning Meeting - Thursday, November 3, 2022**

St. Michaels Community Center

Day Date	Band Name	Ambient Level (Church)	1st dB Sound Ck	2nd dB Sound Ck (Flagpole @ Muskrat Park)
Thurs 6/16/22	JCT 33	58	61	67
Thurs 6/23/22	Cancelled	NA	NA	NA
Thurs 6/30/22	Ampersand	56	71	80
Thurs 7/7/22	Down the Road	61	83	82
Thurs 7/14/22	Saved By Zero	67	89	90
Thurs 7/21/22	Anthony "Turk" Cannon	51	78	79
Thurs 7/28/22	Comfort Zone	69	71	74
Thurs 8/3/22	Three Penny Opera	62	72	70
Thurs 8/11/22	Blues DeVille	69	72	76
Thurs 8/18/22	Chris Noyes	62	68	70
Thurs 8/25/22	New & Used Bluegrass	NA	NA	NA
Thursday 9/1/22	Southbound	64	73	78

Foxy's Harbor Grille

Day Date	Band Name	Ambient LV (Bar/Stage)	1 st dB Sound Ck	2 nd dB Sound Ck (Location)
Weds 6/24/22	Ward Ewing	79	68	74 Table 5 55 Muskrat Pk 51 Mulberry St
Sun 6/26/22	Pete Baker	75	77	78 Table 5 54 Muskrat Pk 55 Mulberry St
Weds 6/29/22	Pete Baker	72	69	53 Muskrat Pk 49 Mulberry St
Fri 7/1/22	Jeff Washington	71	74	73 Table 5 60 Muskrat Pk 60 Mulberry St
Tues 7/5/22	John Belser	82	84	80 Table 5 58 Muskrat Pk 51 Mulberry St
Weds 7/6/22	Chris Sacs Duo	68	62	49 Muskrat Pk 52 Mulberry St
Weds 7/13/22	Joe Hickey	72	68	68 Table 5 49 Muskrat Pk 46 Mulberry St
Sun 7/17/22	Wye River Band	72	74	74 Table 5 52 Muskrat Pk 48 Mulberry St
Weds 7/20/22	Sam Pugh	84	72	72 Table 5 54 Muskrat Pk 43 Mulberry St
Fri 7/29/22	Ward Ewing	72	69	69 Table 5 61 Muskrat Pk 52 Mulberry St
Weds 8/3/22	Alexander Peters	81	81	77 Table 5 58 Muskrat Pk
Fri 8/19/22	Anna Burges	82	74	74 Table 5 55 Muskrat Pk 54 Mulberry St
Weds 8/24/22	JCT 33	72	70	70 Table 5 57 Muskrat Pk 56 Mulberry St
Fri	Ward Ewing	82	70	70 Table 5

8/26/22				57 56	Muskrat Pk Mulberry St
Sun 8/28/22	Listen Inc.	88	71	71 62 58	Table 5 Muskrat Pk Mulberry St
Weds 8/31/22	Chris Sacs Duo	70	68	68 54 54	Table 5 Muskrat Pk Mulberry St
Mon 9/5/22	Ward Ewing	82	76	76 61 54	Table 5 Muskrat Pk Mulberry St
Weds 9/21/22	Alexander Peters	61	60	60 49 47	Table 5 Muskrat Pk Mulberry St
Fri 10/7/22	Jeff Washington	64	64	64 46	Table 5 Muskrat Pk
Sun 10/16/22	Bird Dog	72	70	70 62 50	Table 5 Muskrat Pk Mulberry St

Corah's Corner

Day Date	Band Name	Ambient Level	1 st dB Sound Ck	2 nd dB Sound Ck	3 rd dB Sound Ck
Sat 6/25/22	Penny Pistolero	75	73	76	77
Fri 7/8/22	Justin Ryan	63	69	73	73
Sat 7/23/22	Reagan Kent	64	66	72	NA
Fri 7/29/22	Reagan Kent	62	65	67	69
Sat 7/30/22	Ward Ewing	66	67	67	68
Sat 8/6/22	Colby Sard	63	63	67	NA
Fri 8/12/22	Justin Ryan	62	66	66	NA
Sat 8/13/22	JCT 33	62	67	66	NA
Sat 8/20/22	John Belser	59	65	65	65
Fri 8/26/22	Justin Ryan	59	62	64	NA
Sat 8/27/22	Penny Pistolero	64	69	70	NA
Sat 9/3/22	Pete Baker	NA	66	NA	NA
Sat 9/10/22	John Belser	67	67	NA	NA
Sat 9/17/22	Ward Ewing	64	73	71	NA
Sun 9/25/22	John Belser	66	67	NA	NA
Sat 9/8/22	Pete Baker	62	67	68	NA
Sat 10/15/22	JCT 33	62	66	NA	NA
Sat 10/22/22	Penny Pistolero	59	NA	NA	NA

Kim Shellem

From: Patricia Faux <PFaux@FauxGroup.com>
Sent: Wednesday, November 23, 2022 9:49 AM
To: Kim Shellem
Subject: FW: PC agenda and packet prep

[Add to packet](#)

From: Patricia Faux
Sent: Thursday, November 17, 2022 2:58 PM
To: 'Kim Shellem' <kshellem@stmichaelsmd.gov>
Cc: Christopher Goettge <CGoettge@FauxGroup.com>; 'Rob Straebel' <rstraebel@stmichaelsmd.gov>
Subject: PC agenda and packet prep

Hi Kim – we will be in town Monday as discussed to work on compiling the PC agenda and list of packet materials to be sent out to the PC members next week.

The email below will need to go in the packets.

Regards, Pat

From: Rob Straebel [<mailto:rstraebel@stmichaelsmd.gov>]
Sent: Thursday, November 17, 2022 8:27 AM
To: Cynthia Allen <cynthia.allen54@gmail.com>; Kristen Lycett <kristen.lycett@gmail.com>; John Novak <novak.john99@gmail.com>; Christopher Thomas <christopherbthomas24@gmail.com>; Helen Herman <helenlevin@gmail.com>
Cc: Christopher Goettge <CGoettge@FauxGroup.com>; Patricia Faux <PFaux@FauxGroup.com>
Subject: Noise Comments

Dear Planning Commission,

See comment regarding the noise issue below. Thanks for all your efforts last night!

Rob

From: Daniel Conway dconway@craftpartnersllc.com
Sent: Thursday, November 17, 2022 8:04 AM
To: Rob Straebel rstraebel@stmichaelsmd.gov
Subject: Planning Commission - Noise Ordinance

Rob:
Good morning. We attended the Planning Commission meeting last night and we're kicking ourselves for not speaking up. We were hoping you could share our email with the Planning Commission as part of the public feedback on the issue.

We live at 103 Mulberry Street. We live right in the heart of it - ~30 yards from The Galley, ~100 yards from Blue Miles and Foxy's, and our back yard is Muskrat Park. We have lived here for a little over 2 years.

We listened to a small number of my neighbors complain about the noise level from live amplified music and other sources. We have not experienced anything even remotely close to what they were complaining about. We have not taken any formal polls but we're confident the vast majority of our neighbors feel the same.

There have been some exceptions along the way but the noise level from music is very benign. We enjoy the music, of course, but even if we didn't we really can't hear much of anything. We certainly can't hear anything if we're inside. We find the restaurant folks to be extremely respectful, conscientious business-neighbors.

We'd hate to see the noise ordinance changed in a way that would prevent live amplified music. It's such an important and pleasant part of living in St. Michaels and we wholeheartedly support our talented, local musicians who are also extremely respectful and conscientious neighbors.

Dan Conway
Jenny Allen

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