

From:

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8 Ryan's Way, PO Box 2523
Oak Bluffs, MA 02557

To:

Martha's Vineyard Commission
33 New York Ave.
Oak Bluffs, MA 02557

August 21, 2014

Re: Nova Vida Modification: SOUNDPROOFING

Dear Commission:

The greatly expanded structure, applicant offers and the sound engineer's recommendations inadequately address the noise pollution expected to be generated by church services and its congregation. They offer no improvement over the specifications of the 2008 agreement.

Limiting the number of services by headcount (no change offered from 2008 agreement) is simply unworkable. There is no method by which the Town or the Commission could possibly monitor or enforce this. This is also true for the restriction on weddings and other services (no change offered from 2008 agreement). And as a commissioner has already pointed out in a previous hearing, these restrictions may in fact be unconstitutional.

The recommendations by the applicant's sound engineer are likewise inadequate. Turning on the air conditioning and closing windows are seasonal, insufficient and (again) unenforceable attempts at remedies, and offer no change from the 2008 agreement.

In fact, the structure proposed by the applicant may be the least able to contain noise than any other construction type for a habitable space. This is particularly true for low-frequency noise (such as bass guitar, drums, amplified electric guitar and amplified male voice), a fact disclosed by the applicant's sound engineer at a hearing for the previous modification. A similarly constructed church on Edgartown-Vineyard Haven Rd., the Assembleia de Deus Church, has already proved inadequate to contain low-frequency noise at much greater distances.

The Commission should also take into consideration the admission by one of the church's musicians that he "likes to play loud."

Instead of relying on performance-based restrictions (which the Commission knows to be unworkable), and in the absence of any sufficient options offered by the applicant, the Commission should ask for structure-based conditions. These are enforceable by the Town and the Commission, have the potential to offer relief to the project's abutters, do not place an unreasonable burden on the applicant, and offer better options than the 2008 agreement.

Even the briefest of conversations with an architect or engineer would provide the Commission with a number of options.

- 1) 2 x 6 exterior wall framing. The more airspace within the exterior walls, the greater the dampening potential.
- 2) 2 x 6 sill plate with staggered 2 x 4 studs. Alternating studs on either side of the sill plate stops sound transmission through the studs from one side of the wall to the other.
- 3) Double-layered drywall. An additional layer of drywall spaced with acoustic caulk or foam (or acoustic-dampening adhesive like Green Glue) will also create an acoustically dead air gap.
- 4) Acoustically rated windows (for low-frequency). Standard dual pane, low-E windows are not very effective sound barriers because the frames transmit most of the sound.
- 5) Stone or brick-faced exterior. The greater the mass, the less resonance.

Outside the structure, any of these measures should be accompanied by a six-foot fence along the length of Ryan's Way.

I can think of no reason why the Commission should not actively consider these alternatives. I also ask that, if the acoustical engineer's report is offered prior to the written correspondence deadline, that the hearing chairman allow the public to ask questions about its recommendations.

Sincerely,

Kris Wm. Chvatal
8 Ryan's Way
Oak Bluffs, MA 02557

The preceding are my own opinions and not that of my employer nor any Town entity.