

FW: The Yard for Dance - LUPC Oct 20

Middleton, Blake <dbmiddleton@handelarchitects.com>

Mon 10/17/2022 7:06 PM

To: Alex Elvin <elvin@mvcommission.org>;

📎 4 attachments

The Yard.TPA.10.14.22 - compressed.pdf; TreePreservAssess.TheYard.10.13.22.doc; Yard Letter 10_14_22.pdf; VE FINAL 2.pdf;

Resending – had misspelled your email address.

From: Middleton, Blake

Sent: Monday, October 17, 2022 7:02 PM

To: elvin@mvcommission.org

Cc: Hanks, Scarlett <shanks@handelarchitects.com>; Michele Sasso <mis.sasso@gmail.com>; Yvonne Mendez <yvonnemendez@dancetheyard.org>; Sig Van Raan <sigvanraan@gmail.com>; Cody Coutinho <Cody@vlse.net>; Kris Horiuchi <khoriuchi@horiuchisolien.com>; Matt Flanders <flanders.matt@gmail.com>

Subject: The Yard for Dance - LUPC Oct 20

Hello Alex:

Respectfully, we are submitting the updated documents for the LUPC meeting on Thursday. Enclosed are documents updating the design for the Yard in Chilmark. Included too is a statement from The Yard regarding re-purposing of the existing residential structures. Also, we have summarized in the presentation deck the modifications we have made in response to the last LUPC meeting in July, and there have been minor aesthetic changes made to reduce construction cost for The Yard (less metal siding, more wood shingle).

The following is a response to the issues you raised after the meeting in July. Hopefully they will either clarify our design or intent, and address any outstanding concerns the MVC LUPC may have about the modification to the previously permitted 2019 scheme:

To follow up on the LUPC meeting last night, here is a list of questions/info that will need to be addressed prior to the modification review on Thursday. I realize that is a tight turnaround, so if you can provide this info by Thursday morning at 11, we can still plan to go forward with the meeting. Otherwise, we may need to postpone until early August.

1. *Any further information about the possibility of battery power for the pump house, and the possibility of permeable surfaces for the walkways.* Theoretically, battery power may be used as a back up system for running a fire pump. But it is extremely costly, and very uncertain the local Authority Having Jurisdiction (AHJ) will approve. Our building Code consultant, Rockwell Edwards PE of Cosentini Associates in Boston, had this observation:

“In all my time as a registered Fire Protection Engineer, I have not seen batteries as a power supply for a fire pump. Per NFPA 20 sec. 9.1.5: All power supplies shall have the capacity to run the fire pump on a continuous basis (A generator could run out of fuel I suppose). If battery is intended to be used as the source of power for a fire pump, then it must be reviewed and approved by the authority. Also, batteries are not listed as an allowable source of Normal or Alternate power.”

9.2.2

The normal source of power required in 9.2.1 and its routing shall be arranged in accordance with one of the following:

- (1) Service connection dedicated to the fire pump installation
- (2) On-site power production facility connection dedicated to the fire pump installation
- (3) Dedicated feeder connection derived directly from the dedicated service to the fire pump installation
- (4) As a feeder connection where all of the following conditions are met:
 - (a) The protected facility is part of a multibuilding campus-style arrangement.
 - (b) A backup source of power is provided from a source independent of the normal source of power.
 - (c) It is impractical to supply the normal source of power through the arrangement in 9.2.2(1), 9.2.2(2), or 9.2.2(3).
 - (d) The arrangement is acceptable to the authority having jurisdiction.
 - (e) The overcurrent protection device(s) in each disconnecting means is selectively coordinated with any other supply side overcurrent protective device(s).
- (5) Dedicated transformer connection directly from the service meeting the requirements of Article 695 of *NFPA 70, National Electrical Code*

9.3.4

Where provided, the alternate source of power shall be supplied from one of the following sources:

- (1) A generator installed in accordance with Section 9.6
- (2) One of the sources identified in 9.2.2(1), 9.2.2(2), 9.2.2(3), or 9.2.2(5) where the power is provided independent of the normal source of power

However, to reduce the both size, noise output, and exhaust characteristics of a diesel generator, we have substituted the diesel fuel fire pump with an electric fire pump powered by a propane-driven generator. The propane generator will be relatively quiet. Jonah Sacks, Principal Consultant at Acentech, renowned acoustical consultants in Cambridge, made this observation about the proposed generator: *“The generator produces sound at 62 dBA at a distance of 23 feet when running for routine engine exercise. The nearest residential property line is about 75 feet from the generator location, and the nearest residential structure (a cottage at Lot 133) is 120 feet. The generator sound will be approximately 52 dBA at that property line and 48 dBA at the structure. 52 dBA is typical of quieter outdoor sounds: a car passing at 30 mph 150 feet away, for example. It may sometimes be noticed and at other times will not be, depending what other sounds are occurring. Most municipal noise limits would permit this level of sound from daytime exercise of a generator. It is very likely that this level would be found to be within 10 dB of the existing site ambient sound level, which would indicate compliance with the MA SEP noise control policy.”*

2. *Statement regarding willingness to donate the existing structures for use offsite.* Please see the attached letter from Yvonne Mendez, Acting Director of The Yard.
3. Explanation as to why both specimen trees can't be preserved, including how ADA compliance comes into play. Matt Flanders, a local ISA Board-certified Master Arborist Qualified Tree Risk Assessor, have made a detailed inspection of both major specimen trees near the existing performance barn. Matt believes the northern tree (“Tree B”), a red maple, has a high likelihood of structural failure due to its existing conditions, and recommends it be removed. However, the southern tree (“Tree A”), a large black oak, is generally in good health and can be preserved. We have revised the site design, relocating the driveway to the north parking area, a sufficient distance to protect the root structure of this tree. We have tried to route the accessible walkway paths in such a way to preserve as many of the existing trees on the campus that would not be affected by construction excavation.
4. *Clarification about the proposed septic capacity.* (The approved plan on page 11 of the applicant presentation appears to show a total capacity of about 3000 gallons, while the proposed plan on page 12 appears to show a total capacity of about 7000 gallons.) **The design criteria is and remains 3000 gallon maximum capacity.** This has not changed since the permitted 2019 scheme. We apologize for any confusion with any nomenclature on the previous submission.
5. *Clarification as to what town-level permits are required.* (Our records show that the project required 2 special permits from the ZBA, for the expansion and alteration of a pre-existing non-conforming use and structures. Were these already obtained for the previous proposal?) The previous 2019 proposal did not receive any special permits prior to MVC review and approval. While the Board at the time was generally supportive of the proposal, the application was referred to MVC for review, and upon approval by MVC, Chilmark ZBA was to review for the special permits for use and the structures. The pandemic delayed ZBA review, and during the last year The Yard reconsidered the size and scope of the project to meet a lower construction budget target, and to consolidate and rebuild the residences into fully accessible, energy efficient houses.
6. *Total number of trees to be cleared in approved plan, versus proposed plan.* The 2019 Plan cleared 26 trees (Tree B was indicated preserved, but we now know its health is in severe decline), and the current plan clears 33 trees. However, the plan proposes planting approx. 45 trees 4” caliper or larger, not including shrubs and ground cover.
7. *Confirmation as to whether the number of lighting fixtures will increase as a result of the new plan, and where the fixtures would be located.* There are currently seven lighting poles (6’ tall) in the north parking area. There are three wall mounted flood lights attached to the performance barn on the south and west faces adjacent to the theater entrance. The new plan removes existing light polls and unshielded flood lights, and proposes approximately 25 40” tall downlight bollards in key locations for vehicle and pedestrian way finding, and shielded downlighting at the entry way, bathrooms, and emergency egress of the theater. See the Proposed Landscape Plan for bollard locations and type.

If you have any questions please feel free to reach me by cell or email. I am travelling Wednesday but should be able to return calls. Look forward to seeing everyone on Thursday evening. Please send an invite for the meeting to Scarlett Hanks in my office: shanks@handelarchitects.com Also, I expect Sig Van Raan sigvanraan@gmail.com and Michele Sasso, the Yard Board Chair, to attend mis.sasso@gmail.com

Best regards-

Blake.

Blake Middleton FAIA LEED AP

Partner

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