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Martha's Vineyard Commission

Land Use Planning Committee

Notes of the Meeting of May 24, 2010 – NOVA VIDA Only

Held in the Stone Building, New York Avenue, Oak Bluffs. 5:30 P.M.

Commissioners Present: Linda Sibley and Chris Murphy.

MVC Staff Present: Paul Foley; Mark London; Bill Veno

LUPC SUMMARY:

- The LUPC reviewed three projects:
 - **DRI 624 Katama Airfield Hangar – Pre-Public Hearing Review**
 - **DRI 620 – Morning Glory Farm – Landscape Plan**
 - **DRI 603-M Nova Vida/ Alliance Tent – Modification Review**
- **DRI 603-M Nova Vida/ Alliance Tent – modification**
 - The proposal is to construct a 50' by 50' tent to house church services for the summer. This is a temporary solution for the church because they have no other place to meet. It is just for the summer. They would have live amplified music including drums.
 - **Chris Murphy made a Motion that this absolutely requires a full Public Hearing review as a DRI because it is a significant change to the original decision. Linda Sibley duly seconded the Motion which passed unanimously.**

1. DRI 603-M Nova Vida/ Alliance Tent – Modification Review

Applicant: Valci Carvalho (Pastor); Darran Reubens (Agent)

Audience: Chris Chvatal; Mac Starks and Ann McManus; Russ Wendt; other neighbors.

Presentation:

- Darran Reuben said he had a meeting with the Building Inspector regarding their proposal to construct a 50' by 50' tent to house church services for the summer. The Oak Bluffs bylaws say a temporary structure has to meet the 50 foot setbacks. This is a temporary solution for the church because they have no other place to meet. It is just for the summer. There are a lot of things that go on during the summer time.
- The church services would be held three nights a week on Wednesday 7-9:00 pm and Friday and Sunday from 6:30 to 8:00 pm.
- The MVC Staff indicated that the big concern was likely to be noise so Darran did some research on decibels. Harvard Medical School has done some research on how loud different things are. Most of the houses on Ryan's Way are at least 150-200 feet away. That should diminish the impact of the noise on the neighbors.
- They can try to control the amplification coming out of the tent so that it is not detrimental to the neighborhood.
- Typically a church would produce similar decibel levels to a lawn mower. Once the tent goes up they would use trial and error to control the music.

Commissioner Questions:

- Chris Murphy noted that at a public hearing for a modification one of the things that will be important is where the Applicant stands with regard to the MVC DRI Decision Conditions that they said they were going to do and how well you did them.
- Darran Reubens said that the church does not have the financial resources to complete the approved project.
- Linda Sibley asked if this will be amplified live music or recorded. Darran Reubens said it would be amplified live music. It is not as intense as it sounds. You can control it.
- Linda Sibley asked how much the tent affects the distribution of music.
- Darran Reubens said that they are going to close the tent. There is no way of knowing how much the noise is controlled
- Mark London said that there is another church that has been meeting outside for a number of years behind Mahoney's that we could possibly monitor. They meet once a week on Sunday morning.
- Ann McManus, a neighbor, said they had to go talk to the church behind Mahoney's because it was so loud. They are further away than this would be and there is no way they will not hear this.
- Linda Sibley said that the question before the MVC at this point is simply whether this is a significant change to the original approval or not.
- **Chris Murphy made a Motion that this absolutely requires a full Public Hearing review as a DRI because it is a significant change to the original decision. Linda Sibley duly seconded the Motion which passed unanimously.**
- One of the neighbors in the audience stated that they were skeptical about trying trial and error to control the music. Once the tent is up it's a done deal.
- Valci Carvalho (the Pastor) noted that the existing outdoor church uses an open tent. He would have a closed tent and try to be as quiet as possible.
- Linda Sibley asked if they were going to buy or rent the tent.
- Valci Carvalho said they are going to buy a tent which they have reserved.
- Russ Wendt, a neighbor, said he operated Celebration Tents for 17 years so if you have questions about how tents control noise he would be happy to give the MVC his opinion. In response to Mr. Murphy's question you should look through your decision and conditions and it won't take long to see how little has been implemented.
- Mark London suggested they should address the loss of 14-16 parking spaces that are indicated where the tent is now proposed.
- Darran Reubens said that the parking spaces that are being displaced are overflow spots.
- Russ Wendt noted that there is an oak tree in the middle of the location that they are proposing to put the tent.
- Valci Carvalho said that they will not cut the tree.
- Chris Murphy noted that the full Commission still has to vote on whether this is a significant change or not but suggested staff pencil them in for a public hearing on June 17th so that they can have a final answer as soon as possible.
- Russ Wendt said he would like to hear from the Building Inspector and the CEO of the Hospital to find out more about the daycare. The Decision said that the Hospital daycare would only be there for three years and would then revert back to the Hospital. From what he can gather there does not appear to be any place at the new hospital that is designated for day care. The Building Inspector should be here. The daycare never came to the MVC. What's going on the second floor? Is there going to be a boarding house up there or not.
- Bill Wilcox said they need to make sure that we have water meter readings. Adjourned 6:05