

LAW OFFICES OF  
**DAVID J. REED**  
1503 BOMBAY LANE  
OAKBROOK CENTRE  
ROSWELL, GEORGIA 30076  
TELEPHONE (770) 751-0900  
FACSIMILE (770) 751-1806

September 21, 2021

Via E-Mail and Regular Mail

Ms. Pam Thors  
Zoning Board of Appeals, Town of West Tisbury  
PO Box 278  
West Tisbury, MA 02575-0278

Re: 371 Edgartown West Tisbury Road

Dear Ms. Thors:

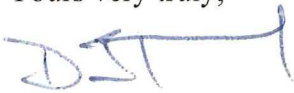
Please find enclosed the following:

- 1) Application
- 2) Survey
- 3) Description of Business
- 4) Application fee

I am requesting approval to use my property as a wedding venue. I have enclosed a \$200 application fee. I saw that number somewhere, not sure where, hope that is the correct amount, please advise if not.

Please let me know if you need any additional information. I will look forward to hearing from you or the Board.

Yours very truly,



David J. Reed

DJR/bs

Encl.

Received by the Town Clerk: \_\_\_\_\_ Date: \_\_\_\_\_

Application complete \_\_\_\_\_

Signed: \_\_\_\_\_

Application incomplete \_\_\_\_\_

APPLICATION COVER PAGE

Date: 9-3-21 Date Received by ZBA: \_\_\_\_\_

Name of Applicant and Mailing Address: DAVID J. REED

Email Address: DavidJReed@DavidJReed.com Telephone Number: 404-784-4674

Name of Owner and Mailing Address (If not Applicant): \_\_\_\_\_

1503 BOMBAY LANE, ROSWELL, GA 30076

Map and Lot #: \_\_\_\_\_ Street Address 371 E-TOWN W. TISBURY RD

Applicant is: OWNER (Owner, Tenant, Purchaser, Other)

Nature of Application (Special Permit, Appeal, Variance): SP I THINK

Applicable Section of Zoning Bylaw: I WAS TOLD S.S.2

Date of Denial by Building Inspector, Zoning Inspector, or Planning Board (If Applicable): \_\_\_\_\_

Plot Plan: Must provide a plan by a registered surveyor showing the total property with the existing buildings, including the proposed project, all setback distances to be provided.

Plans: 2 sets of scaled drawings of floor plans that show total sq. ft. per floor (measured from exterior of wall), at least 2 elevations with one showing proposed height to ridge. If the project is an addition to existing structure please clearly identify proposed work.

Please check if main dwelling (proposed or existing) is over 3,000 square feet.

Description of proposed project: Please attach a detailed narrative.

I have read the overview of the ZBA process attached to this application and completed all sections of the application cover page and therefore request a hearing before the West Tisbury Zoning Board of Appeals with reference to the above noted application.

Signed: [Signature]

Title(s): OWNER

Application fee of \$200.00 is required. Date Paid: \_\_\_\_\_

**Revised Project  
Description  
Received Sept. 22,  
2022**

## Proposal for Wedding Venue

### General

The applicant is David J. Reed. I am applying for a special permit to use my property at 371 Edgartown West Tisbury Road as a wedding venue on an occasional basis.

The property is well known to Islanders. It is the first house on the north side of the Edgartown West Tisbury Road as you travel west on that road from the airport. The property sticks out into the State Forest and the bike trails and fire lanes border the property on the east and west side. The property features a 5.5 acre field that is visible from the road.

I am not a resident of Martha's Vineyard but I am nearing retirement and am plan on residing at the property for considerably longer periods in the relatively near future. Before me my father John "Jack" Reed owned the property. Before him my grandfather, Roger Engley, owned the property. My brother, Edward Reed owns the land immediately to the east of this property.

I love this property and I love the Island of Martha's Vineyard. I have made substantial improvements to the interior of the home on the property always keeping in mind the character of the house and the character of the Island. My wife and I find ourselves in a position in which we need to do something with the property to earn money sufficient to pay the considerable expenses associated with keeping the property the way it is. The candidates are to rent the house as a short term rental via VRBO or Airbnb, subdivide and sell, or to rent the property as a wedding venue. The latter is our preference and thus this application.

### Property

The property is as described above and as depicted in the Plan of Land prepared by Vineyard Land Surveying & Engineering, Inc., copy attached.

The field is hayed by the Athearn family with whom my family has had a very positive multi-generational relationship. The haying arrangement is apparently profitable for the Athearn family business but pays us only a nominal fee annually. We would like to continue and expand that relationship. Currently there is a plan to begin planting a significant garden sized plot in lavender. If that takes and becomes profitable for the Athearn family we would support planting additional portions of the field in lavender which we believe would enhance the appearance of an open field which we know is preferred by the Town as much as it is by us.

### Proposed Business

We propose to use the property as a wedding venue. The idea would be to rent the property on Friday or Saturday evenings in the late Spring, a portion of the Summer, and early Fall, primarily for wedding receptions with some wedding ceremonies taking place on the property as well.

Our original expectation was that we would rent the property approximately 10-20 times per year. We are revising our application to seek approval for only 10 wedding events per year. We would not

anticipate providing catering services, that would be provided by third party vendors. Initially we would not anticipate providing anything more than the physical space. Over time we might contract for or provide a tent, tables, chairs, and other physical items necessary to host a wedding.

The rental price would be somewhere between \$5,000-\$10,000 per occasion. We have done some a reasonable amount of market research. It appears that the wedding business is alive and well on Martha's Vineyard. In fact, my wife and I got married on Martha's Vineyard 33 years ago. Sadly we could not afford our own wedding now. The price of meals, alcohol, and facilities appears to have skyrocketed, sending the cost of a 100 guest wedding to well over \$50,000 and over \$100,000 at some venues. We believe our pricing combined with the ability for the bride, groom, and their families to source their own alcohol, source their own catering, and otherwise customize their wedding planning to their budget would make our site reasonably affordable even if only from the perspective of its relationship to other potential wedding venues on Martha's Vineyard. We would propose to offer a one half discount to brides or grooms whose parents are full time residents of the Island.

We would anticipate being in residence during weddings or receptions or having a person responsible for the property on premises during those occasions. We would anticipate tent setup, service setup, and other preparations to occur a day or two before a wedding, and to be taken down a day or two after a wedding.

#### Facilities' Location

In an effort to minimize the impact of the business on our one neighbor across the street and any interruption of the view of the field we would propose to have wedding tents erected in the part of the field which is behind the house and the garage. That part of the field is not only blocked from the street by the structures but is lower by several feet than the house and garage making temporary wedding facilities not very visible from the road at all.

Parking would be in the field at the front of the property to the right of the driveway. Our research shows that each car requires 300 sqft to park and for a driveway access. That is 300 sqft per car. The field is large and could accommodate any number of vehicles. We would propose that for any wedding requiring parking for more than 40 vehicles that the wedding party pay for an off-duty police officer to manage entry but primarily exit traffic onto the Edgartown West Tisbury Road. We recognize that parked cars and access to the road would be the significant impact in terms of sight lines and traffic. Ingress is far easier. Fortunately egress management would occur in the mid to later evening when the traffic on the road is substantially diminished.

Portable toilets would be required to be rented by wedding parties and would be sited so as to not be visible from the road.

#### Noise

We have an understanding that there may be a West Tisbury ordinance regarding amplified music after 10:00 pm and would of course comply with that ordinance if that is in place. We understand that in theory our one neighbor across the street might be able to hear music from wedding celebrations.

Weddings would occur a minimal number of times per year, and we would submit that the noise from any wedding reception music would be substantially less than the noise from cars travelling down the road at 45 mph.

### New Information About Noise

We have done some fairly extensive research about noise. Below is what we found out.

#### Wedding Band Sound Volume

Most wedding bands will be in the range of 95 - 105 dB, depending on the size of band and instruments playing. Source: <https://www.fixthemusic.com/sound-limiters-guide>

#### Decibels Scale Not Linear

The decibel scale is not linear like volume with 2 gallons taking up twice the volume of 1 gallon. Rather the decibel scale is logarithmic with each 10 decibels approximately doubling the volume. Below is a list of some common sounds so you can get an idea of how loud these sounds are when you are given your decibel noise limit for the venue you have chosen.

10dB at ticking watch  
30dB a whisper  
40dB a library  
60dB normal conversation  
75dB a toilet flushing  
80dB a dishwasher  
90dB a diesel truck  
100dB a motorbike  
110dB a rock concert  
120dB a thunderclap  
145dB a firecracker  
150dB burst eardrums

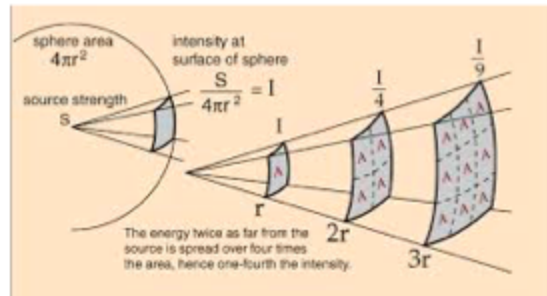
Source: <https://www.goldcoastdjs.com/understanding-wedding-venue-noise-limits/>

#### Sound Dissipates Over Distance

The area of a surface around a point sound source increases with the square of the distance from the source. This means that the same sound energy from the source is distributed over a larger area and the energy intensity reduces with the square of the distance from the source (Inverse Square Law).

For every doubling of distance, the sound level reduces by 6 decibels (dB), (e.g. moving from 10 to 20 metres away from a sound source). But the next 6dB reduction means moving from 20 to 40 metres, then from 40 to 80 metres for a further 6dB reduction. See chart below.

Distance		Level c/w 10 metres
From source	c/w 10 m	
5	½	+6
10	1	0
20	2	-6
30	3	-10
40	4	-12
50	5	-14
60	6	-16
70	7	
80	8	-18
90	9	
100	10	-20



Source: <https://www.acoustical.co.uk/distance-attenuation/how-sound-reduces-with-distance-from-a-point-source/#:~:text=For%20every%20doubling%20of%20distance,away%20from%20a%20sound%20source>).

### Sound Testing

I placed a sound system in the yard at the approximate location of a band under a tent as envisioned in this application. I was able to generate 95 decibels of sound from the speakers. I pointed the speakers toward the State Forest. Back at the house just 30 meters from the sound system my decibel meter read just 65 decibels. I could hear the sound but I could hear the noise from the road just as well. By the time I got to the road 40-45 meters from the sound system the decibel meter was back up to 80-90 decibels, varying with the sound of the cars and trucks every few seconds along the Edgartown – West Tisbury Road. With the house and garage in between the sound system and the road, and the road noise I could barely hear the music, and only when there was a brief respite from the traffic noise.

### Analysis

My neighbor's house across the street is approximately 350 feet from the site of origination of wedding music. The next closest house is 550 feet away. So according to the table above by the time the sound arrived at the neighbor's house it would be at a volume somewhere between a toilet flushing and normal conversation. As mentioned above my decibel measuring showed significantly more noise attenuation with distance, primarily due to the direction in which I pointed the speakers. I plan to insist that wedding tent rentals be equipped with curtains, white or clear plastic from the edge of the tent to the ground at the location of any wedding band. That would further attenuate any noise from a wedding band.

By way of comparison the Ag Hall is 320 feet from closest neighbor. My closest neighbor's house is 150 feet from road. With the road noise more or less constantly in the 80-90 decibel range the road noise attenuates to the 70-80 range at neighbor's house. At 95 to 105 decibels wedding music would attenuate to approximately 80 decibels just based on the distance. This does not account for direction of sound, sound baffling from tent curtains, depth of the field, further baffling from the house and garage. Significant trees and other vegetation on my yard and the neighbor's yard provide further

baffling and attenuation. It is very likely that the predominant sound heard at my neighbor's house would continue to be road noise and not wedding venue music.

#### New Information About Traffic

Our research has determined that West Tisbury makes extensive provision for retention of off duty police officers. The cost at last check was \$240 for up to 4 hours and then \$480 for between 4-8 hours. The program provides an opportunity for off duty police officers to earn additional income and is available to officers from towns other than West Tisbury when West Tisbury officers are not available. The information we received is that the extra compensation is sufficient such that there is not an occasion when off duty officers are not available for a planned in advance event. It would be our plan to insist that any wedding event retain the services of at least one off duty police officer for the duration of their events.

Over the course of two weeks we took the time to engage in car counts at various times during the day and early evening. The average number of cars on the Edgartown West Tisbury Road in front of the house was 15.6 cars per minute or a car every 3.85 seconds. The average in early September after Labor Day was 12.8 cars per minute or a car every 4.69 seconds. Averaging the two together that is 14.2 cars per minute, 852 cars per hour, and a car every 4.26 seconds. If 40 additional cars arrived during the hour near the beginning of a wedding and left near the end of a wedding event it would increase the average traffic burden or congestion by a rather marginal 4.6%.

#### New Information from Conversation with Jimmy Athearn

I had an extended conversation with Jimmy Athearn. The highlights of that conversation are as follows. He indicated that limiting the number of events would sufficiently reduce the impact of parking or placing wedding tent flooring on the hay crop so as not to interfere in any substantial way with the haying operation that he conducts on the property. Thus our reduction to a maximum of 10 events per year. He also indicated that in connection with service on a Board of Directors in connection with the Ag Hall he had become acutely aware of the significant need for wedding venues on the Island. Mr. Athearn provided other advice, I have a great deal of respect for him and his family, and would intend to implement nearly any advice he would offer with regard to my stewardship of the property.

#### New Information on Our Request

I have read the opus prepared by my neighbor's attorney. I have listened with great care to the advice of Mr. Athearn. In an effort to be sensitive to the concerns of others we are now requesting permission to conduct no more than 10 wedding events per year. In addition out of concern for traffic congestion or impact we are proposing to not permit wedding events in the two busiest months on the Island, July and August. So we would propose to conduct wedding events only in April, May, June, September, and October.

#### Changes in Our Application

- 1) We have revised our application to seek permission for only 10 wedding events per year.
- 2) We have increased the discount for Vineyard residents up from one third to one half.
- 3) We have studied the traffic and noise issues and presented new information.



- 4) We spoke with Jimmy Athearn, learned valuable information and have presented that new information.
- 5) We are revising our application to request weddings only in April, May, June, September, and October.

### Conclusion

We are hopeful of using our property in a way that could produce income sufficient to offset the costs of ownership of this property so that we can continue to primarily use the property in the manner in which it has been used for at least the past 70 years. We believe that utilizing the property in the manner proposed could provide a reasonable income; perhaps provide some tiny additional contribution to the economic welfare of the Island; provide a potentially more affordable wedding venue option on the Island, particularly for Islanders; have little impact on the one affected neighbor; and have very little impact on the rural character, the look and feel, and the nature of the property or its surrounding community. After all who doesn't love a wedding. For me at least the notion of a wedding is happy, pretty, and joyous. Sadly if our house is not approved as a wedding venue, it will likely be put up for short term rentals on a site like VRBO or Airbnb. We do need to make some money on the property. Does the Island really need another short term rental? For these reasons we are hopeful that you will approve our request to utilize this property in the manner outlined herein.