

- 3.4 Noise: As offered by the Applicant, there shall be no on-site formal or informal activities that exceed the Commonwealth of Massachusetts Department of Environmental Protection's Noise Control Regulation 310 CMR 7.10 at all boundaries of the property or that exceed any applicable Town of Edgartown noise regulations.
- 3.5 As offered by the Applicant, noise that emanates from the mechanical cooling or ventilation systems shall be controlled by sound baffling panels, similar to a Kinetics Noise Control tongue and groove sound barrier wall panels. Noise emanating from trucks backing up early in the morning shall be controlled by Stop & Shop staff under the supervision of the Store Manager with measures such as requiring that any trucks parked overnight back in so they can leave in the morning without backing up.
- 3.6 The sound attenuating wall nearest to the new loading dock area (north side) shall be connected to the building in order to minimize sound escaping through the gap.
- 3.7 The sound attenuating wall nearest to the new loading dock area (north side) shall be extended along the northern property line and along the western property line from the northwest corner southwards for a distance to be determined before the C.O. is issued.
- 3.8 The Applicant shall develop a fencing plan to maintain a 40dbL or less condition for residential abutters using a combination of fencing and landscaping. The Applicant shall develop a plan to accomplish this with fencing on the western and northern boundary. Such fencing shall be at a minimum of 12 feet in height.
- 3.9 The Commission defers to the Edgartown Planning Board issues related to the design, height and setbacks of the sound attenuating walls/fencing as long as all sound reduction requirements are met as required in Conditions 3.8.
- 3.10 When completed, the applicant shall conduct a sound test at the same locations that were evaluated in the Sound reports submitted in support of this application. The testing shall be conducted under the supervision of a professional INCE Board Certified Noise Control Engineer approved by the MVC, to indicate whether the loading activities and mechanicals meet the Massachusetts DEP Noise Regulations of less than 10 decibels above the existing ambient levels established in the Applicants acoustical study at least at the locations identified in the study to provide a basis for comparison. If the test results indicate that the loading or other activities do not meet the standard set, the applicant shall return to the MVC to indicate what additional noise reduction measures shall be put into place to meet the standard. Such measures might include additions to the sound attenuating walls, enclosing the loading areas, or other measures to ensure that the loading activities and mechanicals shall be operated at a level that does not exceed the Massachusetts DEP Noise Regulations.