



Town of West Tisbury
BUILDING & ZONING INSPECTOR
West Tisbury, Massachusetts 02575

June 22, 2021

Alexander BenDavid
P.O. Box 2093
Vineyard Haven, Ma 02568

Re: 43 Old County Rd.: Service Business

Dear Mr. BenDavid,

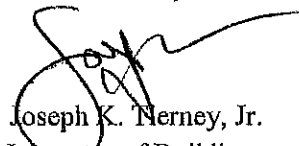
It has come to my attention that you are operating a landscaping business (Service Business), as defined in Section 14.2 of West Tisbury Zoning Bylaws (WTZBL), from your property located at 43 Old County Rd., Map 10 Lot 18.1.

The Town of West Tisbury does allow Service Businesses, however, the Use requires a Special Permit from the Zoning Board of Appeals (ZBA), under the Use Table Section 3.1-1 of the WTZBL. Currently you are in violation of the WTZBL, Section 10.1-1, for failing to secure a Special Permit.

I have enclosed a copy of the ZBA application for your convenience. I am requiring you to submit an application to the ZBA by July 6th, 2021 or cease any activities related to the service business use of the property.

Feel free to contact me directly if you have any questions or if you need any assistance with the application.

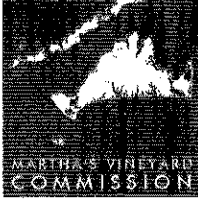
Sincerely,


Joseph K. Nerney, Jr.
Inspector of Buildings
Town of West Tisbury

COPY

Cc: ZBA
Planning Board
Assessors

Be advised appeals of orders, decisions, determinations and failures to act made by any local agency or any person or local agency charged with the administration or enforcement of the West Tisbury Zoning Bylaws or any of its rules and regulations shall be addressed by the West Tisbury Zoning Board of Appeals (WTZBA). WTZBA appeals shall be filed within 30 days of this notice.



Martha's Vineyard Commission

OLD STONE BUILDING • 33 NEW YORK AVENUE
PO BOX 1447 • OAK BLUFFS, MA 02557
PHONE: (508) 693-3453 • FAX: 508-693-7894
INFO@MVCOMMISSION.ORG • WWW.MVCOMMISSION.ORG

June 22, 2021

Benjamin Zachs
Fine Fettle Dispensary
510 State Road
West Tisbury, 02575

Re: LUPC approval of DRI 696-M Landscape and Lighting Plans

Dear Ben,

I am writing to inform you that on Monday, June 21, 2021, the MVC Land Use Planning Committee (LUPC) discussed the landscape and lighting plans for 510 State Road (Map 16, Block 101) in West Tisbury, as required by Condition 4.1 of the 2020 MVC Decision for DRI 696-M. The LUPC voted to approve the Landscaping Plan dated Dec. 4, 2020, as well as the locations and heights of the proposed lighting in the Lighting Plan dated Dec. 4, 2020, further requiring that none of the lighting fixtures will exceed 3,000 Kelvin, and that the final fixture types and specifications will be subject to approval by MVC staff by July 12, 2021.

The LUPC noted that the landscaping at the site was already complete, and that the Applicant had expected to open this week. There had likely been some miscommunication during the change of ownership from Patient Centric to FFD this year, which led to the plans moving forward without LUPC approval. In terms of the lighting fixtures, Commissioners indicated that the final selection should be simpler, rounder, and more traditional in appearance. It was pointed out that the lighting company selected by the Applicant offers other "Period Lighting" options that may be appropriate. Commissioners also noted that the Applicant should be able to open the dispensary prior to the lighting fixtures being installed, since the summer hours will be 9AM-7PM, and the property has infrared cameras for security.

The Town may now proceed with the permitting process.

If you have any questions, or if there is anything we can help with, please let me know.

Sincerely,

Alex Elvin
DRI Coordinator

cc: Joe Tierney
Pam Thors
Ellen Kaplan

Zoning Board of Appeals

From: Jen Rand <townadmin@westtisbury-ma.gov>
Sent: Wednesday, June 30, 2021 5:20 PM
To: Joe Tierney (inspect@westtisbury-ma.gov); Pam Thors; Matt Mincone (mmincone@wt-pd.com); Greg Pachico; Ben Retmier (ttemschief@vineyard.net)
Subject: FW: CCC Notice to Commence Operations - FFD Enterprises MA, Inc.

FYI

Jennifer Rand
Town Administrator
PO Box 278
West Tisbury, MA 02575
(508) 696-0102

From: Matt Giancola <Matt.Giancola@cccmass.com>
Sent: Wednesday, June 30, 2021 4:39 PM
To: townadmin@westtisbury-ma.gov
Subject: CCC Notice to Commence Operations - FFD Enterprises MA, Inc.

Dear Ms. Rand:

I hope you are well. I write to provide notice that the following Marijuana Treatment Center located in your Town has been approved to commence operations by the Cannabis Control Commission:

Company Name: FFD Enterprises MA, Inc. f/k/a Patient Centric of Martha's Vineyard
License #: MTC1165
License Type (including adult/medical designation): Medical Treatment Center
Address: 510 State Road, West Tisbury, MA 02575 – Retail
90 Dr. Fisher Drive, West Tisbury, MA 02575 – Cultivation and Product Manufacturing
Executive Summary: <https://masscannabiscontrol.com/wp-content/uploads/MFL-XS-PCMV-RMD1165-v3.pdf>

If you have any questions, please do not hesitate to reach out to me directly. Thank you!

Best regards,



Matt Giancola, *Director of Government Affairs and Policy*
Cannabis Control Commission
Union Station
2 Washington Square
Worcester, MA 01604
(O) 774.415.0462
Matt.Giancola@CCCMass.com

www.MassCannabisControl.com

Dan and Alix Small
70 New Lane
P.O. Box 3005
West Tisbury, Mass. 02575

June 15, 2021

Via U.S. Mail and Email: zba@westtisbury-ma.gov

Zoning Board of Appeals
1059 State Road
West Tisbury, Mass. 02575

Re: Zoning Complaint

Dear Sir/Madam:

My wife, Alix De Seife and I have owned the property at 70 New Lane, West Tisbury, for 25 years, and have always enjoyed the rural nature of the area.

Starting several years ago, Kim Cottrell and other owners of the property next door to our property which is off Dan's Way, began on the weekends clear cutting and digging up that property which was then zoned as protected species land. We complained to the town and believed that work had stopped. However, in recent months, they have started much more aggressively clearcutting and digging, again, mostly on weekends, which large scale earth moving equipment creating large piles of dirt and other materials piled against our property line. Periodically they have posted a sign for a rock and dirt business. We believe they have clear cut and dug over the property line onto our land, and have certainly acted without regard to any setbacks. We have not received the courtesy of any notice of this work or change in land usage and do not believe they have received any permitting or approvals for running essentially an industrial park in a rural area.

With every day more and more damage is being done to the land, and we ask that this be investigated, stopped and mitigated immediately.

Please let us know what further steps we can take to address this problem. I can be reached most easily at my law firm, Holland & Knight, dan.small@hklaw.com or at (617)-854-1453.

We look forward to your prompt response.

Sincerely,



Daniel I. Small

read at meeting

Zoning Board of Appeals

From: Joe Tierney <inspect@westtisbury-ma.gov>
Sent: Tuesday, June 8, 2021 2:33 PM
To: Dan O'Connell
Subject: RE: Chris Cottrell, Indian Hill Road

Dan,

Thanks for contacting me. I have referred your email on to Maria, the conservation administrator, for the conservation issue you mentioned.

As for the commercial vehicles, I am the enforcement vehicle for that. As I stated previously, Mr. Cottrell still has an open building permit for his main house. Commercial vehicles would be allowed in, out and stored overnight until construction is completed and a CO has been issued. This is no different than when your house was originally constructed or your garage, currently under construction.

That being said, if after the CO is issued the vehicle issue persists, I will begin enforcement.

If you believe I should be doing more than what I have specified above, you have the right to appeal my perceived inaction to the Zoning Board of Appeals (ZBA). See link below for ZBA application, if needed.

https://www.westtisbury-ma.gov/sites/g/files/vyhlf4036/f/uploads/zba-application-procedure-2018_0.pdf

Feel free to contact me if any additional issues arise.

Best,

Joe

-----Original Message-----

From: Dan O'Connell <doconnellmv@gmail.com>
Sent: Friday, June 4, 2021 3:15 PM
To: inspect@westtisbury-ma.gov
Subject: Chris Cottrell, Indian Hill Road

Joe,

Cottrell is again parking "East Coast trucks, unrelated to the site construction, along Indian Hill Road as commercial advertising sign boards. He has clear cut the property, exacerbating runoff into the immediately adjacent wetlands. Please ask the Conservation Commission representative to visit the property and determine compliance.

The "home office" in the historic building appears to being utilized for other purposes. Commercial vehicles are regularly stored overnight on the property.

Please consider revoking outstanding building permits until the property is brought into compliance.

Should I request a hearing before the Planning or Zoning Board? I am confident other Indian Hill Road abutters would testify at such a hearing. Thank you,



FOR IMMEDIATE RELEASE:
May 25, 2021

CONTACT
Governor's Press Office

gov.press@mass.gov



Governor Baker Files Legislation to Extend Certain COVID-19 Emergency Measures

BOSTON — Today, Governor Charlie Baker will file legislation to extend certain emergency measures currently in place via executive orders that are set to expire on June 15 when the State of Emergency will be rescinded. Most restrictions, including limitations placed on businesses, will be rescinded effective May 29 as Massachusetts nears the goal of vaccinating four million residents.

This legislation proposes to extend measures providing for a temporary suspension of certain open meeting law requirements, special permits for expanded outside dining at restaurants, and billing protections for COVID-19 patients. When the State of Emergency ends, these orders will expire, and temporarily extending these measures will allow for time to transition. Extending these measures, which were instituted by executive order, requires legislation.

To allow public bodies to safely meet during the pandemic and ensure public access to meetings, Governor Baker issued an Executive Order in March 2020 allowing these

bodies to meet quorum requirements even if meetings were held remotely through electronic means as long as measures were taken to ensure the public with electronic access to the proceedings. The bill filed by Governor Baker today will extend these provisions related to the Commonwealth's Open Meeting Law until September 1, 2021, which will allow additional time to consider possible permanent changes to the open meeting law to provide for greater flexibility in conducting open meetings through reliance on electronic streaming and similar measures.

The bill will also grant municipalities authority to extend special permits for restaurants offering outdoor dining issued under the State of Emergency through November 29, 2021. Under an Executive Order issued in 2020, municipalities were permitted to use an expedited process to approve temporary permits for new or expanded outdoor dining and alcohol service. Without a legislative extension, special permits granted under the Governor's Order will expire 60 days after the end of the State of Emergency.

The legislation will also extend a protection adopted in an executive order that prohibits medical providers from billing patients who have received COVID-related emergency and inpatient services for charges in excess of costs paid by their insurers. As filed, the protection would extend until January 1, 2022, at which time recently passed federal legislation that included protections for both emergency and non-emergency cases will become effective. Earlier this year, Governor Baker signed legislation establishing surprise billing protections for patients for non-emergency services.

"Massachusetts is leading the nation in the vaccination effort and that progress is enabling the Commonwealth to return to normal," said **Governor Charlie Baker**. "These temporary measures will help businesses and residents in this transition period, and I look forward to working on these and other issues in the week ahead with our partners in the Legislature."

Last week, Governor Baker announced that on May 29, all industries will be permitted to open.

With the exception of remaining face-covering requirements for masks in public and private transportation systems, hospitals and other facilities housing vulnerable

populations, all industry restrictions will be lifted at that time, and capacity will increase to 100% for all industries. The gathering limit will be rescinded.

Before June 15, the administration plans to take additional steps that will permit the continuation of targeted public health measures beyond the end of the State of Emergency, including the mask requirements announced last week.

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