



A MARTHA'S VINEYARD LAND TRUST

October 5, 2023

West Tisbury ZBA
1059 State Road
P.O. Box 278
West Tisbury, MA 02575

Re: Special Permit Application for 78 Campbell Road

Dear West Tisbury ZBA:

Thank you for your consideration of Sheriff's Meadow Foundation's request for a Special Permit for the "Community Use" of the land and buildings at 78 Campbell Road by a charitable organization. The purpose of this letter is to respond to the various questions posed by the Board and by the neighbors at the September 7, 2023 public hearing.

1. Charitable Organization

Sheriff's Meadow Foundation is a charitable organization. The original Articles of Organization for "corporations for charitable and certain other purposes" were filed with the Commonwealth of Massachusetts on December 8, 1958, with notification of approval sent to the Town of West Tisbury and the Town of Edgartown. Further, the Internal Revenue Service determined in 1961 that Sheriff's Meadow Foundation is a 501(c)(3) public charity. Sheriff's Meadow Foundation annually files a Form PC ("Public Charity") with the Public Charities Division of the Massachusetts Attorney General, and it annually files a Form 990 with the Internal Revenue Service.

In addition, the West Tisbury Zoning Bylaws define a charitable organization as:

A not-for-profit corporation or association organized for charitable purposes including but not limited to education, social welfare, environmental conservation, scientific research, cultural enrichment, and the arts.

Sheriff's Meadow Foundation qualifies as a charitable organization according to this definition.

2. Rural District

The 78 Campbell Road property is located in the Rural District. The Zoning Bylaws state that "the purpose of the Rural District is to maintain the Town's historic pattern

of rural settlement, characterized by large expanses of open space and unspoiled views from the road, a scattering of residences and small businesses, and clustered development surrounded by open space.”

Sheriff’s Meadow Foundation’s mission is to conserve the natural, beautiful, **rural** landscape and character of Martha’s Vineyard for present and future generations. Sheriff’s Meadow Foundation’s proposed use of 78 Campbell Road is consistent with both the purpose of the Rural District and also the mission of Sheriff’s Meadow Foundation.

3. Allowed Community Use

The use of 78 Campbell Road by Sheriff’s Meadow Foundation is allowed in the Rural District as a “Community Use” by a “Charitable Organization.” As the proposed Sheriff’s Meadow Foundation use involves more than 1,500 square feet of floor area, a Special Permit for this use must be obtained from the Zoning Board of Appeals.

4. Not a DRI

The 78 Campbell Road property is not a DRI (“Development of Regional Impact”).

5. Need

The need for this acquisition was questioned. Sheriff’s Meadow Foundation greatly needs the 78 Campbell Road property and the opportunity that it offers. Our field staff have, for years, lacked an adequate workshop or garage. We are currently using the basement of the small, Land Bank structure at nearby Murphy Road, and a small barn at the Elinor Moore Irvin section of Cedar Tree Neck Sanctuary. Both of these structures lack water, heat, and toilets. The Irvin building lacks electricity.

We have outgrown the office space in the Wakeman Center, which cannot accommodate all the members of our small staff when the field staff needs to be inside. In addition, the Wakeman Center is inaccessible from an ADA standpoint, whereas the 78 Campbell Road property would be universally accessible to those working in or visiting the building.

Finding an adequate maintenance and office facility is the highest priority for Sheriff’s Meadow Foundation. The buildings at 78 Campbell Road offer the best available solution to this pressing need.

6. Traffic

Sheriff's Meadow Foundation has a small staff. The field employees do not come into the office every day, and they take their work vehicles home with them at night. The office workers typically arrive at work between 7:00 am and 9:00 am, and leave between 3:00 and 5:00, depending on what is happening on a given day. Occasionally workers may need to work late to attend a Planning Board meeting or the like, if held on Zoom, and therefore may leave the office later than 5:00 pm.

Board members attending meetings of the Board or of committees drive to the office for the meetings if they are attending in person. The Board only meets eight times per year, typically on Friday mornings from 8:30 to 10:30. Even in this post-Covid environment, a significant portion of the members attend via Zoom. There would be relatively little traffic on weekends and holidays. The office receives only a couple deliveries per week, no more than a typical residence.

Sheriff's Meadow Foundation owns limited vehicles. Most of our equipment is used once a week on average. Specific projects may require the use of a piece of equipment for five days in a row, but the equipment may then not be used again for months. During mowing season and other longer term projects, the equipment is left on the property where the work is being conducted, and the equipment would not return to the garage until the project is complete.

A reasonable estimate for anticipated traffic would be two trips per work day for each of the seven employees, totaling fourteen trips per day. We would be willing to install traffic counters at the beginning of Campbell Road and at the driveway entrance to 78 Campbell Road, so the actual use that Sheriff's Meadow Foundation puts on the road can be determined. We have done this at Cedar Tree Neck Sanctuary, and it has been helpful.

We are not similar to a landscaping business, which would have trucks and trailers coming in and out, every morning and afternoon, six days a week. Sheriff's Meadow Foundation is a good neighbor and would be a good neighbor on Campbell Road.

7. Road maintenance

Sheriff's Meadow Foundation is willing to assume responsibility for the maintenance of Campbell Road at its expense. We are also willing to form a road association, if desired and necessary.

8. Quiet

The proposed use will be quiet. Unless vegetation at the Campbell Road property or along the road needs to be cut or chipped, there will not be noise from the cutting or chipping of vegetation. The chipper is occasionally taken to various properties where it is used on-site; we would not bring vegetation to Campbell Road for it to be chipped. We would be willing to plant vegetation around the developed area in order to help with reducing noise and with screening buildings from view.

9. No Events

While Sheriff's Meadow Foundation meetings would take place at 78 Campbell Road, there will be no public events and no fundraising events at this property.

10. Road Safety

Sheriff's Meadow Foundation is willing to install turn-outs, speed bumps, speed limit signage, fencing, gates, and a pedestrian path along Campbell Road.

11. Limited Hours

Sheriff's Meadow Foundation will limit its business use of the property to the hours of 7:00 am to 5:30 pm, Monday through Friday, with occasional business use on weekends and the occasional holiday and occasional use after hours.

12. No Public Trailhead

While those working at or visiting 78 Campbell Road are welcome to walk on the trails while parked at the office, there will be no public trailhead created at 78 Campbell Road. We believe that the existing, nearby trailheads on South Road and on Middle Road provide sufficient public parking for the trail system in the neighborhood. The 78 Campbell Road property will not be identified as a trailhead on the TrailsMV mobile app or on the Land Bank map.

13. Proper Lighting

We would ensure that any new lighting is unobtrusive.

14. Denitrifying Septic System

Sheriff's Meadow Foundation will install a denitrifying septic system within five years.

15. Right of Way

The 78 Campbell Road property has a legal right of way to South Road via Campbell Road.

16. Tiasquam River Protection

We will protect the Tiasquam River by limiting activity in the vicinity of the river to forestry, habitat management, bridge maintenance and replacement, and trail creation and maintenance.

17. Future Buildings

We have no plans for additional building construction, other than the proposed new porch. If we decide an additional building is needed in future years, we will return to the ZBA for a modification of the special permit.

18. Screening and appearance

The buildings are fairly well-screened from view by virtue of their placement below the top of the ridge and by virtue of the dense forest vegetation surrounding them. Sheriff's Meadow will improve the appearance of the property through attention to the siding of the buildings, the landscaping around the buildings, and through the planting of native vegetation around the perimeter of the developed area.

We are pleased to discuss these points with the ZBA and would be willing to accept these points as conditions of a special permit.

Thank you.

Sincerely,



Adam R. Moore
President