

Zoning Board of Appeals

From: Marc Rosenbaum <marc@energysmiths.com>
Sent: Monday, June 5, 2023 12:35 PM
To: zba@westtisbury-ma.gov
Subject: note of support for Stillpoint project

To the West Tisbury Zoning Board of Adjustment:

I am writing in support of the Stillpoint project that is before you. I believe its mission and programs will be a much appreciated addition to community life in West Tisbury. It appears that the conditions that the MVC applied to their approval will provide appropriate relief to abutters. Thank you for allowing this project to go forward.

Marc Rosenbaum
Great Plains Road

October 2, 2022

To: MV Commissioners and Alex Elvin, MV Commission DRI coordinator

From Tess Bramhall and David Foster

Subject: DRI 279-M. Stillpoint (Meadows) MV, Inc.

We are residents of West Tisbury and co-organizers of the Martha's Vineyard Land Protection Fund (LPF), which donated funds to the Martha's Vineyard Land Bank (MVLB) to support the purchase and permanent conservation of Stillpoint Lots 4.3 – 4.8 that directly adjoin the Stillpoint Meadows property. One of us (Tess) is a long-time resident of an abutting conservation property—Seven Gates Farm— and the other (David) has been a senior associate at another abutter—Polly Hill Arboretum— and conducted ecological research on the conservation lands in the Mill Brook watershed for the last two decades.

We are strongly committed to securing a conservation future for the Stillpoint properties, the larger landscape in this corner of WT, and the entire Mill Brook watershed. We write to share questions and perspectives concerning the Stillpoint Meadows project to advance that goal. In order to frame these concerns, we would like to provide a few background details.

Background. Over the past two years, we have worked with Thomas Bena, MVLB, LPF and others, especially Brenden O'Neill at the Vineyard Conservation Society to help develop a conservation future for the Stillpoint property and the larger landscape stretching from Priester's Pond to the MV Agricultural Society (MVAS). This engagement began when Thomas approached David in 2019 for his perspective on Thomas' proposal to purchase a portion of MVAS lands to construct a new building and parking lot to serve as a permanent home for the Film Festival. David's response was frank; he felt that the Film Festival would be incompatible with this rural forest and farm oriented corner of West Tisbury and that the large parking lot pointing directly into PHA would have a gravely detrimental impact on that organization. To his great credit, Thomas responded thoughtfully to these concerns and began exploring other options. This led to a consideration of Stillpoint, where a beautiful structure already existed. The possibility was raised in a discussion that included Thomas, Brendan, David and others of using the barn at Stillpoint for a limited-audience film festival, sharing parking with PHA, and then collaborating with MVLB and conservation groups to purchase and conserve the rest of the Stillpoint property for the benefit of the entire island.

Though much changed in the ensuing two years Thomas has remained committed to the Stillpoint land and use of the existing barn, and he played a critical role working with Claudia Miller, representatives of LPF and MVLB, and others in developing the agreement that led to the purchase of the ten developable lots, six by MVLB and four by Stillpoint Meadows. The intent of this collaborative effort is captured well by the MV Times article of April 12, 2022. This article was initiated by a Stillpoint Meadows press release and includes quotes from that release, Thomas, and his advisors. As presented in the article, the project intends to:

- “increase collaborative land protection,” (press release)

- [provide a] “gathering place for educational offerings, including but not limited to classes, discussions, meditation, and the arts,”
- [protect] “a magical place to walk, be quiet, and enjoy nature. (Thomas Bena)
- offer “a discussion series that would use quiet, rather than film, as a tool to bring conversations deeper” (Jake Davis)

The MV Times article included some guiding wisdom that is consistent with all of our discussions. “In order to maintain land authenticity and avoid detrimental ecological impacts, [Ben] Robinson [a Stillpoint advisor and MVC Commissioner] said, “when considering any sort of development, there needs to be a responsibility to do as little damage as possible.”

Based on the successful collaboration leading to the MVLB purchase, Tess Bramhall sent a letter to the MVC supporting the Stillpoint Meadows project in general terms. However, after the two island newspapers reported on the MVC meeting and the nature of the proposed activities under consideration, Tess sent a second letter rescinding her support. [Note: that second letter has not been posted on the MVC website]. We then reached out to Thomas to share our concerns and he readily agreed to meet with us. We joined Thomas and advisors Jake Davis and Chris Murphy at Stillpoint for a pleasant exchange of information and ideas. Thomas invited us to share our concerns, considerations and recommendations as they moved forward with this project, which we did freely while he took notes. The following is a synopsis of the major points we discussed, with a few additional thoughts that have arisen through a reading of the Applicant Presentation and entire docket of material on the MVC website.

Concerns, Considerations and Recommendations for the Stillpoint Meadows Project

1. **There is a new 2022 baseline for the Priester’s Pond-Stillpoint area.** It is no longer 1988, and yet the Applicant Presentation persistently compares the impact of its development and plans to that of the twelve-house development approved in 1988. This is a faulty comparison. Through the MVLB and its supporters like LPF, millions of public and private dollars have been expended to conserve intact all but a small portion of the Priester’s Pond and Crocker Pond shoreline. Since 1988, Polly Hill Arboretum has developed into a quiet sanctuary and renowned educational center for the peaceful exploration of native and cultivated plants and intact woods. Over this period, Seven Gates Farm has demonstrated a steadfast commitment to defend the intact and natural status of Crocker Pond, the opposing shoreline, and more than one thousand acres of adjoining land. Recognizing this setting, Thomas Bena articulated his intention in purchasing the land for Stillpoint Meadows clearly in the MVTimes article: to “increase collaborative land protection” and protect “a magical place, be quiet, and enjoy nature.”

Thus, the baseline for the proposed plan should be one of nature conservation, quiet edification, and shared conversation in the peaceful setting of this vulnerable landscape in one of Martha’s Vineyard’s most important watersheds.

2. **The full plan for the property should be understood at the outset. Each component should be evaluated in light of that.** There are two dimensions of this issue to consider: the full Stillpoint Meadows property and the full scope of future development by Stillpoint Meadows.

i. **Complete property.** The focus in the Applicant Presentation is limited to Lots 4.11 and 4.12. But, what about Lots 4.9 and 4.10? These are approved, fully developable lots that are closer to Mill Brook and directly adjoin every single lot purchased by MVLB. The intended use for these and all lots should be understood and considered as part of the current DRI review or, at least, a binding commitment should be secured to limit the scope of activity allowed on the entire property. To best complement the fully protected nature of the abutting properties owned by MVLB, PHA, Seven Gates Farm, and TNC, the most appropriate commitment would be to conserve Lots 4.9 and 4.10 intact with conservation restrictions.

ii. **Future scope of development.** The Applicant Presentation references phase one and phase two developments. A second phase was also referenced in our conversation, with the understanding that this would include the construction of two or three cabins akin to detached bedrooms for visiting instructors and guests with no bathrooms or cooking facilities. What is the full nature of this second phase, and is there a third or fourth phase? Similarly, there are 43 parking places, presumably for the 100 guests to an event. But, what of the parking for the Stillpoint staff, the catering staff, the catering trucks, and the associated musical and other entertainment necessary to support the activities of the 100 visitors?

It is critical to understand and evaluate the full intention for this property and its consequences, and to place constraints at the outset to limit the allowable scope of future activities.

4. **Renters: the unknown users.** We fully concur with the Applicant and the majority of correspondence regarding this property: the stated mission of Stillpoint Meadows is commendable and many of the proposed activities by the organization, all of which will adhere to that mission, should provide real benefit to the community and the island. Although we do have concerns about the scale of those activities and their impacts on the property and adjoining property, an even larger concern is the stated intention to allow outside groups to rent the property for their own purposes. It is clear from the Applicant Proposal and our conversations that the purpose of this rental activity is financial, both to support Stillpoint Meadows and to reduce costs to mission-related activities. **It is also clear that rentals would be open to users and uses that do not adhere to the mission of Stillpoint Meadows.** In our minds, this unknown outside use, which is ill-defined in the Applicant Proposal but would include weddings and other large indoor and outdoor gatherings, is completely unacceptable. PHA does not allow weddings or other uses that are unrelated to its mission, precisely because their limited experience demonstrates that this kind of use by people not centered on the mission of the organization and the integrity of the land is incompatible with the best interests of both.

We believe that all activities conducted on this property should be consistent with the stated mission of Stillpoint Meadows, the intent expressed by the applicants, the greater good of the surrounding landscape, and the well-being of the abutters. The DRI process should ensure this.

5. **The concern for development is Lots 4.9-4.12 owned by Stillpoint Meadows.** Throughout the Applicant Presentation there is reference to adjoining properties, including Lot 4.13, Lots 4.3-4.8, and the many trails and intact woodland in the area and statements that these will not be

developed. These other properties are permanently conserved by other organizations and are not under question. The MVC should focus its concern over development on Stillpoint Meadows Lots 4.9-4.12 and on the impacts that this will have on this land and all abutting land and neighbors.

6. Direct impact on the Stillpoint property. The Applicant Presentation asserts that the impact on the property will be substantially less than that allowed in 1988. While the development of two houses is certainly a large and highly undesirable impact, we do not automatically agree with this assertion. What is proposed is the cumulative impact of development of parking for 43 cars; development of at least one new building, plus office and workspace for 4-5 fulltime and 5-6 part-time staff; the addition of septic facilities for up to 100 visitors plus staff; the hosting of outdoor events by renters; and the use of two or at most four lots by tens of thousands of people every year. This level of activity would readily exceed the impacts of two residences.

7. Direct and indirect impact on adjoining public and private lands. Of even greater concern is the potential for impacts emanating from Stillpoint on the ecological condition of the adjoining land, the public use and enjoyment of Land Bank and Polly Hill Arboretum property, the mission of these other organizations, and the serenity of this quiet corner of West Tisbury for all, including private residential abutters. MVLB purposefully constructs small parking areas in order to limit the number of users. In the case of the MVLB land at Stillpoint, the parking will be restricted to three cars, which will maintain the beauty and integrity of the property and offer each visitor a quiet and individual experience. How will that change when 43 additional vehicles are added by Stillpoint Inc. and its daily programs begin using that property? What will restrain instructors and renters from simply treating MVLB property or PHA as an extension of the Stillpoint domain? What will restrict the nature of the activities that spill into these woods? Under Claudia Miller, the property has had a history of extremely light use, as seen by the thick layer of emerald moss that covers the trails alongside Crocker Pond. Intensive and extensive use have the potential to transform that condition.

The concerns raised by the O'Neals and PHA over indirect impacts are also significant: noise from large crowds, caterers, outdoor music and amplification that disturbs the quiet at day and night; headlights of cars arriving and departing; lighting of the rural sky at night; and impacts on plants and animals throughout the area as a consequence of physical changes in the landscape and food left by visitors in the surrounding woods.

8. Traffic Safety. One of us (David) lives three miles down State Road (Buttonwood Farm Road) from the proposed development and experiences daily the challenges and danger of pulling out into the nearly constant traffic on that road. Just three weeks ago, a terrible accident occurred when a car pulling out of Buttonwood Farm Road was totaled by a truck travelling down State Road. The site lines at Stillpoint are significantly worse than at Buttonwood Farm Road and worse than at Polly Hill Arboretum where there is a longer view, especially to the south. The traffic report is silent on this issue, and yet thousands of vehicles are projected to enter and depart from this location annually.

9. **Synergies with the abutters.** Our approach to land conservation is collaborative and so we were surprised to learn that Stillpoint Meadows, which has a mission that is strongly complementary to that of MVLB and PHA, has not reached out to these organizations (or TNC, SGF, and MVAS) to discuss collaborations in programming and activities or synergies in their development. One major question that was brought up when we first discussed the Film Festival use of the barn at Stillpoint was whether there could be some shared-use parking lot across PHA and Stillpoint. This would eliminate the need to create two parking lots for 45-50 cars a couple hundred yards apart. What about a landscape-wide set of trails that link the three properties and provide opportunities for public education and organizationally-based classes? The potential for shared oversight, maintenance, and programming seems immense.

10. **Ensure the conservation future of the landscape in perpetuity.** Every new venture needs to commence with a solid contingency plan. In the case of Stillpoint, what happens if the new venture is not financially viable, or the visionary leader finds a new calling? **All of the discussion concerning this property assumes that the landscape will be conserved forever if Stillpoint is given a green light, but the reality is quite different.** Four lots within a magnificent and permanently conserved landscape owned by the public and many private organizations remain fully developable. A solid contingency plan in the event of a faltering or the demise of Stillpoint Meadows might include permanent conservation restrictions on much of the land and a right of first refusal of land purchase by the MVLB. Both would allow the public and the conservation community, rather than the real estate market, to determine the future fate and best use of this invaluable land.

Looking forward. A hopeful platform for further planning and detail

After thirty-five years of uncertainty over its fate, there is now great hope for the permanent conservation of the Priester's and Crocker Pond landscape. This would ensure the ecological integrity of the land and this portion of the Mill Brook watershed in ways that will benefit all people on the island into the foreseeable future. Thomas Bena has played a critical role in securing this opportunity. His vision for Stillpoint Meadows is guided by deep sentiment and thoughtful language that is highly compatible with that conservation future. However, sentiment and words will not secure the future. Now is the time to ensure the intact nature of that landscape by developing a complete long-term plan for lots 4.9-4.12 that complements rather than detracts from the natural and cultural qualities of that property and the larger landscape.

We hope that this plan will be comprehensive of the entire site, benefit from strong collaboration with the abutters, and include contingency plans that guarantee continuity regardless of the fate of the current applicant and owner.

November 15, 2022

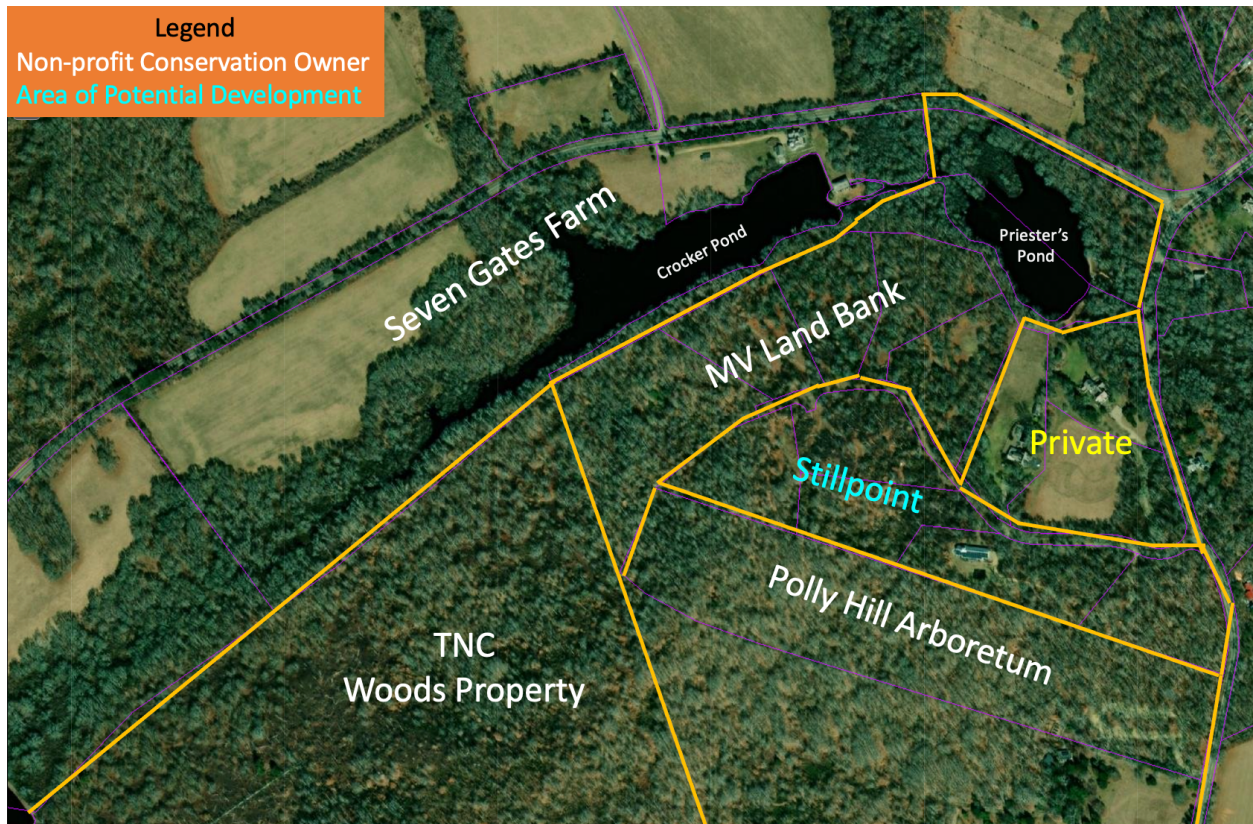
To: MV Commissioners and Alex Elvin
From: Tess Bramhall and David Foster
Subject: DRI 279-M. Stillpoint (Meadows) MV, Inc.

We are writing a second letter to expand on our previous concerns, based on new aspects of the project that emerged on November 3 and in subsequent newspaper articles.

2. The proposal is not about land conservation. It is about destroying nature.

Statements supporting the project tout its conservation benefits. In fact, this magnificent landscape has been conserved already, through public land acquisitions by the MVLB and private conservation restrictions on Polly Hill Arboretum (PHA), Seven Gates Farm, and the TNC-Woods Preserve. The public can enjoy the splendor of this landscape through MVLB and PHA lands. Nothing proposed at Stillpoint will improve the extraordinary qualities of the Mill Brook watershed. It can only undermine it.

The DRI decision will determine to what extent the natural qualities of Stillpoint will be compromised through the destruction of forest for parking lots, driveways, septic fields, a workshop, and housing. It will determine whether the existing conservation land and its undisturbed quiet will be damaged by development, noise, and activities on Stillpoint.



Stillpoint proposes to convert much of its wooded landscape into parking, driveway, a workshop, two residential structures, a new septic facility, and public well to accommodate many weekly small to large (80-100 person) events in the middle of a rural conserved landscape. This landscape has been protected at considerable private and public expense as part of long-standing town and regional planning efforts in a critical watershed and one of the island's largest intact forest areas.

2. The land is the central issue of concern.

Statements supporting this project focus on the personal qualities of the proponents and the mission of their organization. In our view, these qualities are red herrings. The central issue in front of the MVC is the island landscape and the impacts that will be allowed to alter the Stillpoint and adjoining property in the future. People and organizations are ephemeral, but the conditions established by the MVC today will guide all future land use. Legally binding restraints on those activities, not assurances and reputations, are needed to ensure an environmentally sound future for Stillpoint and the Mill Brook watershed.

3. The Stillpoint non-profit programs is a Trojan Horse for the for-profit enterprise.

The proposed project consists of two elements. One, which garners much public support, involves small-group, contemplative, educational activities organized by the staff and supporters of the non-profit. These will adhere to the Stillpoint mission and philosophy. A second set of for-profit activities will be much larger, led by unknown groups, and is unsupported by letters or testimonials. These activities will not be required to adhere to the Stillpoint mission or philosophy. The nature, frequency, scale and impact of the for-profit activities remain largely conjectural. In our view, the two elements of the proposal should be separated and thoroughly understood and evaluated.

4. Stillpoint employs a flawed comparative model in the Ag Society and Grange Hall

The applicants use the Ag Society and Grange as models for the weddings and large for-profit activities. There are deep problems with this comparison, as exhibited in the photographs below and the map above. The buildings and grounds of the Grange and Ag Society were designed as community centers to host



Stillpoint



Ag Society



Grange Hall

large events, with open grounds to support crowds, compact parking, and excellent access. Their locations were selected to accommodate the significant noise and commotion that they generate.

The Stillpoint region of West Tisbury lacks these features by design and town planning. Stillpoint supports a single secluded structure designed for private use in a rural wooded landscape. The public and non-profit conservation entities have invested heavily to keep that natural landscape intact, quiet, and peaceful and to protect the critical regional resources of expansive forest lands and the Mill Brook.

West Tisbury comprises a varied, rural community and set of landscapes. The MVC should reinforce the long-term planning and significant financial investments that seek to keep this natural landscape intact.

5. Stillpoint will parasitize public and private conservation land for its benefit.

Stillpoint has 7 acres comprising two lots (11 & 13) under consideration and 6 acres in two adjoining lots (9 & 10). All are heavily forested and attractive. The plan is to convert substantial forest area to support frequent events, with the proponents seeking to reserve the potential for future expansion.

Given the proposed conversion of a substantial portion of Stillpoint's natural area, what land will provide the setting for the nature-based, contemplative activities that are proposed by the non-profit? And, what land area will accommodate and absorb the impact of the many for-profit events of 80-100 people and even more events planned for less than 80 people?

The answer is the 24 public acres owned by MVLB and the expansive adjoining acreage of Polly Hill Arboretum that directly borders the entire south side of Stillpoint (see map above). The quality experience promised by Stillpoint will not be provided by Stillpoint lands, as these will be substantially fragmented by development, but by the public and private lands of abutters. What will constrain the spill-over and use of public land by every event at Stillpoint? What will constrain the impact of noise and trespassers from Stillpoint onto the Polly Hill Arboretum, TNC's Woods property, and Seven Gates Farm? Who will guarantee the quiet, contemplative experience of the individual public and private users of those existing conservation lands?

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We have worked with Thomas Bena in the past under the promise of conserving this magnificent landscape. We plan to continue our efforts and would request that the MVC reinforce the long-term planning vision and conservation goals for this delightfully quiet and rural portion of West Tisbury and for the Stillpoint property under consideration.

Zoning Board of Appeals

From: harriet bernstein <harrietjbernstein@gmail.com>
Sent: Monday, June 5, 2023 3:02 PM
To: ZBA Zoning Board of Appeals
Subject: Stillpoint proposal

Greetings, Board Members —

I have great respect for Thomas Bena and his ability to produce events. His Film Festival was a big success. And he has always been helpful and responsive to me personally.

However, the proposal for the quiet little stretch that is Stillpoint concerns me. That is a particularly gentle vista at the entrance there and its proximity to the serenity that is Polly Hill is troublesome.

I encourage you to consider Thomas' wishes with great caution. We are losing so much of our quiet, rural residential life on Martha's Vineyard. I think it is our responsibility to hold fast to the quiet and calm that we have left in West Tisbury.

If any permit would be allowed to Thomas, may it please be with yearly reviews of traffic, light pollution, noise and disturbance to neighbors — human, flora and fauna.

Many thanks for your hard work holding the line for our sweet town.

Respectfully,
Harriet Bernstein