

Zoning Board of Appeals

From: Lawrence Cohan <lawrence.cohan@gmail.com>
Sent: Sunday, February 6, 2022 12:44 PM
To: Zoning Board of Appeals
Cc: Pat Kreger; elizabeth joakim; Jack Cushman
Subject: Application of Christina Hsu and Peyton T Wallace, zoom meeting August 10

Lawrence Cohan and Patricia Kreger
46 Skiff's Lane, WT
Map 17, Lot 3.5

Mr. Larry Schubert Chair
West Tisbury Zoning Board of Appeals
c/o Ms. Pam Thors, Administrator

To the Zoning Board of Appeals:

I am writing because of large concerns my wife and I share about the Application for a Special Permit, proposed by Christina Hsu and Peyton T Wallace for a variance to permit construction on their property at 63 Otis Bassett Rd, Map 17, Lot 16. I hope to be able to attend the scheduled Zoom meeting on Thursday February 10, 2022 at 5:35 pm, however I may have a work conflict at that time.

I'll make my remarks brief.

While the Hsu-Wallaces should be able to enjoy their property, the enjoyment of their property should not interfere with Mrs. Joakim's enjoyment of her home. To my knowledge, the Hsu-Wallaces have never approached their abutters about ways to reduce the negative impact of their proposed construction. The Hsu-Wallaces have already taken down a great number of trees which removed the green zone between the Joakim home and theirs and Otis Bassett Rd. The noise and light pollution of a swimming pool and the mechanical structures required for the pool so close to the Joakim property would have further negative impact on the Joakim property and the neighborhood.

Further destruction of the green zone between properties will negatively impact the habitat of deer and other wildlife that regularly migrate through the area between the homes of Skiff's Lane and Otis Bassett Rd.

I strongly urge the Board to make a site visit to fully visualize the negative impact that the Hsu-Wallace proposal would have on the area and to deny the request for a property line variance.

Should the Board agree to the proposal for a swimming pool: at a minimum, the property line variance should be denied and the pool be set further away from the Joakim/Cushman property lines. Also, all mechanical equipment (pumping equipment, heat exchangers, etc). should be sited as far from the Joakim/Cushman properties as engineering allows. Conduits to a swimming pool can be tunneled underground so noise-producing mechanical equipment is sited away from the Joakim/Cushman property lines.

Additionally, because of the loss of green zone that has already occurred from extensive tree cutting, the Hsu-Wallaces should install and maintain a dense evergreen barrier between their property and the Skiff's Lane abutters.

Thank you for your consideration.

Best regards,

Lawrence Cohan and Patricia Kreger
46 Skiff's Lane, WT
Lot 17 Map 3.5

Zoning Board of Appeals

From: jack cushman <cushjs@gmail.com>
Sent: Sunday, February 6, 2022 11:39 PM
To: Zoning Board of Appeals
Subject: Re: Public hearing. February 10, 2022

Pam Thors
Board Administrator

Hi Pam,

This is a letter I want to be submitted to ZBA public hearing on February 10, 2022. I hope to be able to talk and read this myself on the zoom meeting. if for some reason I can't please read this into the record.

Hello Appeals Board members,

My name is Jack Cushman. I am an abutter to Payton Wallace who is seeking a special permit to install an in ground swimming pool. My property is located on Skiffs Lane. My wife and I have owned it for just under 30 years. Approximately 100 feet of my back property line abuts the back of the Wallace property. My house is located fairly close to Skiff's Lane. The distance from the back of my house to the Wallace line is 300 ft. My back acre is an undeveloped wood lot. I have made a few nature / walking trails thru the area.

When i bought my property , the land to my east was owned by Mike and Betsey Joakim. They had built a house close to Skiff's lane . A portion of their back line abuts the Wallace back line. The Joakims had also constructed a smaller house at the back end of their property before zoning went to 3 acres. The house is set back 60 feet from the Wallace line.

In the last 30 years I have been notified many times by the ZBA that I am an abutter, or abutter to an abutter, of a neighbor requesting permission to alter their properties. In all cases i had no objection. My first reaction to the ZBA hearing for special permit for Payton Wallace to install an in ground pool was the same.... his property, it won't impact me that much. It certainly would not impact me as much as when Hsu-Wallace had 40 or so trees removed from the rear portion of their property shortly after they moved in. His property, his right , even if it is not my style. For 28 years I could not see that house except in winter time when I could see the peek of the roof. Now I see the Wallace house day and night, and lights inside the house day and into the night. I can now also see and sometimes hear traffic on Otis Bassett Rd. In West Tisbury even our designated rural districts are shrinking, and this is just another sad example. Most of the trees that were cut were oak, estimated to be 80 to 90 years old.

Sadly Mike Joakim passed a few years ago. Betsey lives in the small house at back of the property. The clear cutting of trees and brush have had a tremendous negative affect on her. The view from her deck is now the backside of the shed and directly out the Hsu-Wallace driveway. At night the lights of cars coming into the driveway shine directly thru the patio doors and light up her living room. She has had to endure days and days of listening to chainsaws , brush-cutters, chippers, bobcats, track hoes , and dump trucks. Finally the lawn was seeded, and then daily she was awakened early when the automatic sprinkler system came on. Now they want to put a big hole in in the new lawn. That will be more weeks of noise for Betsey to live with. Payton Wallace has the right to do what he has done in terms of his property. Betsey's right to pursuit of happiness is being trampled. The approval of the special permit will make life more miserable for her with a pool 125 feet from her house.

I request that before approval the ZBA would consider the pool and pump house be moved closer to the Hsu-Wallace house.

If the ZBA approves the special permit I would like to see it be a requirement that Betsey Joakim be given some relief from noise and visual pollution by screening with trees the length of property line that she and Hsu- Wallace have in common. It should be Betsey's decision as to what kind, size and where. A recommendation I got from Tim Boland, Executive Director of Polly Hill Arboretum, would be two rows of Green Giant Arborvitae . The rows should be a bit more than 5 feet apart. The trees should spaced 12 feet apart in the rows and staggered row to row. I would second that, however it should totally up to Betsey. I would think trees should be a minimum of seven feet tall when planted to give immediate relief to Betsey Joakim. She should not have to wait for trees to grow. There should be a condition attached requiring maintenance of trees and replacement if they die. When the property is sold that condition should be assigned to a new owner.

My concern is that after changing the character of the neighborhood the owners willsell the property and move on at Betsey's expense. Her land has been devalued the way things stand now. A pool will make it even worse.

I request that before making a decision the ZBA make an on site inspection of the proposed site in order to get a clear picture of what I have tried to convey.

Thank you for bearing with me,

Jack Cushman
54 skiff's Lane