

## Zoning Board of Appeals

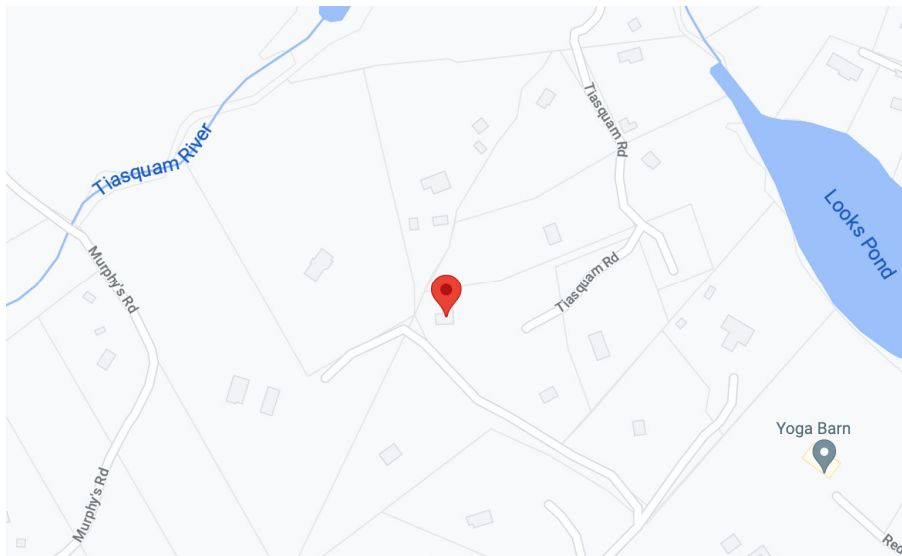
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**From:** Thomas Hodgson <tiasquam@gmail.com>  
**Sent:** Thursday, September 7, 2023 3:17 PM  
**To:** Clare Harrington  
**Subject:** Sheriff's Meadow Foundation 78 Campbell Road hearing  
**Attachments:** Screen Shot 2023-09-07 at 9.10.13 AM.png

To the ZBA,

I am Off-Island until the middle of the month, and am sorry that I cannot be present at your September 7th hearing about the Sheriff's Meadow Foundation's 78 Campbell Road proposal.

To orient you, my wife and I live at 65 Tiasquam Road, Which may be found on Map 32, Lot 10 of the West Tisbury Assessors' maps. Our house is only about forty feet from Campbell Road. See the red "pin" on the map below. 78 Campbell Road is to the WSW of the pin --- note the side-by-side existing maintenance barn structures on the map.



I am profoundly conflicted about this proposal. In favor of the proposal is that SMF are "good guys". They've conserved a lot of land, and we all benefit from that. On the other hand, their proposal requires my family, and our entire neighborhood to accept an awful lot of permanent disruption.

Presently about a half dozen homes are located on Campbell Road. There is so little use of the road that any passing car is an event to be noticed. There are walking trails that branch out from the end of Campbell Road, which generate modest but consistent use by walkers, animals, and bicyclers. It's pretty quiet back here.

The uses proposed by Sheriff's Meadow would hugely increase traffic compared to current levels. Extrapolating from reporting in the papers, the increase would not be a mere doubling or tripling of traffic, but would be well over an order of magnitude increase, or perhaps more. That is a LOT to ask a neighborhood to accept.

Some issues raised by this proposal include safety, noise, and loss of peace.

SMF must address these issues if it wishes to be welcomed in the neighborhood. It is important that you address potential problems. Noise mitigation efforts could include decibel limits, days and hours of operation limits, installing and maintaining fencing if and where needed, and so on.

Increased traffic brings the need for more maintenance. How will Campbell Road be maintained with this large increase in use? Massachusetts law allows for the formation of road associations to take care of commonly owned private ways. If Campbell Road does not already have such an organization, creating one would be one way to clarify responsibility for road care. I would suggest that SMF assume full responsibility for the road, as it would generate almost all of the traffic on it. Since SMF would already have equipment on site, it would be a natural and neighborly fit for them to be custodian and caretaker of the road.

Safety issues: How will SMF address the safety issues caused by their increased traffic? The interior half of the road is paved. It is unfortunately true that drivers go much faster on a paved surface than they will on a dirt road. Are speed bumps a reasonable request? Sections of the road have growth encroaching on the sides of the road. The road is a single lane. There are no turnouts on the road, and no real places for pedestrians, bikers, or animals to move safely out of the road when confronted with traffic. We have a dog who we (and others) love very much. Were she to be harmed or killed by a vehicle we'd go mad with grief. Is it beyond reason to ask SMF to put in a fence to keep this from ever happening? If SMF creates a nuisance or a potentially harmful situation, shouldn't they be required to mitigate those potential harms?

Section 8.5-2 has some very specific conditions regarding nonresidential uses in residential districts. Can SMF meet and abide those conditions? You will find them listed on pages 68 and 69 of the West Tisbury Zoning Bylaw.

Source: <https://www.westtisbury-ma.gov/bylaws/files/zoning-bylaws-april-2022>

Other impact issues. Noise and lights: of all the homes on the road, ours is located nearest to the traffic that will be generated. The road extends the full length of the SW side of our lot. Nighttime use will send headlights into our kitchen and bedrooms. Is it appropriate to ask SMF to address this issue?

Is the location, down a half mile of one lane road, even suitable for the use proposed? Could SMF make improvements to where they are now, and stay where they are? Is it truly impossible for SMF to stay at its current location? These questions may be out of your purview, but if they have not been fully answered, shouldn't they be?

A further aspect of the "location" question. Is SMF intending to move all its affairs to this location? If so, does that mean there might be "special events", fundraisers, etc., held at this location? This sort of usage can experience "bracket creep" over time. Please have this question answered.

There are some legal and zoning issues to be clarified.

If this were being proposed as a new build it would likely be an instant Development of Regional Impact. Although this is not a new build, it IS a major change of use of a large property with extensive square footage. I am not sure of the total square footage of the two existing buildings, but believe them to be in excess of what would trigger a development of regional impact. I do not have at hand current requirements or numbers, but ask that the ZBA take no action regarding this project until you have investigated and verified whether this proposal should trigger a DRI. It may be that change of use on property and buildings as extensive as these would require a DRI. Please verify whether this is so.

What is the current zoning and stated use of the parcel? Is this proposed change of use properly addressed by special permit? Or is the change large enough that a variance is the correct way to deal with this?

When this parcel was developed as an estate maintenance center, there were issues regarding sufficient right of way width at the point where the road makes a 90 degree turn near the westernmost extension of our lot. four or five properties converge at this spot. My memory is that this issue was resolved by easements and/or exchange of property. Due diligence would require that you verify whether legal passage at this corner exists and whether it would continue if and when SMF obtains this property. You should ask Michael Post about this, as he was the one most affected.

How extensive will use and "footprint" on the 7.5 acres of this property be? The land contains marshland and frontage on the Tiasquam River. Are there assurances that the brook will not be impacted? This question is not unreasonable. The new owner of the property across the way recently did unauthorized and unpermitted clearing right up to the brook. This section of the Upper Tiasquam contains one of the very few brook lamprey populations in the entire State of Massachusetts. Assurance is needed that these creatures, and the Tiasquam will be respected.

For more information, see: <https://www.mass.gov/doc/american-brook-lamprey/download#:~:text=There%20are%20currently%20twelve%20known,and%20extreme%20water%20level%20changes.>

Thank you.

Sincerely,

Thomas S. Hodgson  
65 Tiasquam Road  
West Tisbury, MA

Martha and Michael Post  
66 Campbell Rd.  
West Tisbury, MA 025675

September 7, 2023

Larry Schubert, Chair  
West Tisbury Zoning Board of Appeals  
PO Box 278  
West Tisbury, MA 02575

Dear Mr. Schubert,

We are writing to you as Chairperson of the West Tisbury Zoning Board of Appeals in regards to the application for a Special Permit from the Sheriff's Meadow Foundation for the buildings at 78 Campbell Rd.

We believe that to grant permission to Sheriff's Meadow Foundation to assume control and use of the buildings at 78 Campbell Road would have permanent and detrimental impact on the neighborhood and those who live on the road.

Sincerely,

*Martha Post*  
*Michael Post*

Martha and Michael Post

## Zoning Board of Appeals

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**From:** FRED BARRON <fbprod2@mac.com>  
**Sent:** Monday, August 28, 2023 1:33 PM  
**To:** Zba@westtisbury-ma.gov  
**Cc:** Jeanne  
**Subject:** 78 Campbell Road Acquisition

Good Afternoon, and apologies for our tardiness in weighing in.

My name is Fred Barron and my wife Jeanne and I are long time residents at 65 Campbell Road, down the hill from the old Kenny Maintenance barn at 78 Campbell Road. We have no problem with Sheriffs Meadow buying the property. We are all grateful for the work they do in preserving the environmental well-being of the island.

That said, would like to add a stipulation to our approval:

Since Sherrifs Meadows employees will be using the unpaved portion of Campbell Road on a regular basis, we would like the new owners to help maintain the entirety of our common road, and not just the paved section the previous owner put in.

Also, when the previous owner paved the portion of Campbell road leading up a steep incline to their property, they didn't seem to account for the run off effect when the water hits the unpaved road at the bottom of the hill.

Thank you very much and good luck with the sale.

Fred Barron  
65 Campbell Rd  
West Tisbury 02575

## Zoning Board of Appeals

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**From:** Laura Murphy <nurselauraclancy@gmail.com>  
**Sent:** Wednesday, September 6, 2023 2:03 PM  
**To:** zba@westtisbury-ma.gov  
**Subject:** 78 Campbell Rd hearing

To Larry Schubert and ZBA members

I write regarding the proposed changes to 78 Campbell Rd.

I live on Murphy Rd, a close neighbor to the property.

I support SMF and am a member.

78 Campbell Rd was once zoned residential, but since then became a light industrial area maintenance center for the Kenny's properties, 2 large buildings, approx 7000 sq. ft of storage for equipment which was used sporadically. Now the proposal is for a commercial business and maintenance center for a large organization.

My concern is about increased noise levels in our quiet residential neighborhood, at least 6 trucks, other vehicles and traffic, more people, moving machinery. Noise in this valley can be magnified, and it carries loudly, especially machines and music.

I would like to see a plan that limits use to regular business hours, e.g. 8-6.

If there are plans for more bathrooms I hope they will be composting toilets. The septic system is not far from the river.

Happy to note consideration of lower western acres to be protected by a conservation restriction, I would hope to see this a more firm intention.

Question: Is this property still zoned as residential? If so, how much housing or additional buildings would be permitted on it? And if it's not residential, what is the district category?

Thank you, and hoping this expansion works out for all of us.

Laura Murphy

Sent from my iPad