

7/5/23

To: West Tisbury Zoning Board of Appeals re Stillpoint

Dear Board Members,

Please excuse my lack of finesse with this letter; working upwards of 70 hours every week during our busiest time of the year reduces my ability to be graceful or articulate.

I am a life-long, year round resident of West Tisbury. While I serve on West Tisbury's Mill Brook Watershed Management Committee, I write this letter as a private citizen to reiterate concerns raised by fellow townspeople and organizations re the Stillpoint proposal.

I have reviewed all of the materials in both the MVC and the ZBA record, and offer the following thoughts/background and suggestions:

1. Over many years, our community of West Tisbury came together and overwhelmingly approved our zoning bylaw. In its current state, this bylaw represents decades of difficult conversations and deliberations by our town meeting, as we have wrestled with development and change in our town.
2. The Stillpoint proposal before you is not special nor more unique than any other proposal that comes before you- it is not a unicorn. Throughout MVC and ZBA review, the lack of detail about proposed uses, particularly off mission uses, and development potential here has been vexing. The applicant has repeatedly stated that there is an extreme need for what they are offering, but when pressed for details, the response is always 'we don't know what the community will want here, we don't know what our donors will support'. This is unacceptable, and you must apply our zoning bylaws to their fullest effect as you review this proposal. I am eager to hear town counsel's opinion on this proposed use in what is now a rural and agricultural district, as well as town counsel's opinion/response to the 6/5/23 letter submitted by applicant's counsel.
3. Questions raised by board members at your 6/8/23 meeting about the absence of a business plan that supports the proposed level of activity are valid, and warranted in the extreme. Throughout MVC review, the applicant pushed back on every effort to restrict development potential; during a discussion about two of the lots where the applicant had reluctantly offered that building footprints be restricted to 1,200 square feet, commissioners proposed a further condition prohibiting pools or tennis courts on these two lots. This was rejected out of hand by the applicant, citing the need to retain the market value of the lots and protect their donors' investment in the event that the mission failed and they had to sell the property.
4. Midway through MVC review, as evidenced in the public record, the applicant reached out to the MV Land Bank and the Land Protection Fund to discuss an additional conservation purchase involving two of the lots. Though a fair market offer that would have cut the applicant's debt obligation in half was quickly returned, this also was rejected by the applicant, who said they had decided to keep their options open.

5. All of this is concerning. While there is no longer a 12 lot subdivision on the books here, thanks to the conservation purchase by the Land Bank and the Land Protection Fund, there remains a 4 lot subdivision on 13.1 acres with ample development potential. Concerns about traffic (this section of State Road routinely experiences unsafe traffic conditions), nitrogen inputs, noise and light pollution are real, and remain.

6. As an alternative to outright rejection of this proposal MVC commissioner Kathy Newman (Aquinnah) proposed the following during deliberations: due to all of the unknowns about this proposal, approve it in a phased way as has been done multiple times before (ex; Fine Fettle) - allow only a certain amount of events for the first year, and see how it goes. This idea of 'starting small' is an excellent way to deal with any problems as they arise- noise, lighting, traffic and nitrogen, and to allow the applicant to test the waters without getting in too deep financially, then finding themselves forced to sell this land for development. While Ms. Newman's proposal did not find traction with her fellow commissioners, I strongly urge you to consider this avenue, as opposed to blanket approval of a largely undefined proposal.

For a group that defines themselves by the mantra that they are keen to have difficult conversations and to help work out the differences that divide us, I find it disingenuous of them to come before you with counsel claiming that the Dover Amendment exempts them from abiding by local town bylaws. The Stillpoint team needs to decide whether they are part of our community, and so abide by our rules and bylaws, or they're not.

Thank your time,
Prudy Burt

P.O. Box 1044
West Tisbury, Ma., 02575

Zoning Board of Appeals

From: MIKE COLANERI <MCPA72@hotmail.com>
Sent: Wednesday, July 5, 2023 10:01 PM
To: Ginny Jones; Jane Rossi; greg orcutt; zba@westtisbury-ma.gov <zba@westtisbury-ma.gov>; LARRY SHUBERT; Julius Lowe
Subject: STILL POINT MUST BE HELD TO THE COMMUNITY STANDARD...NO WILLIE NILLEY...LOOSIE GOOSIE

GINNY AND LEAH ARE RIGHT ...CHRIS IS WRONG ..

THE COMMERCIALIZATION OF ANY RESIDENTIAL PROPERTY MUST BE LIMITED...ZONNING SAYS NO TO STILLPOINT...38K VISITS ARE A BAD IDEA.

Don't restrict Stillpoint guests

By
[The Martha's Vineyard Times](#)

-

July 5, 2023

[0](#)

To the Editor:

While driving around town a couple of weeks ago (June 17), I was thinking about the letter Ginny Jones and Leah Smith sent to the ZBA about Stillpoint. I find it hard to believe that two women I have known and admired most of my life could be so out of touch that they could write such a vitriolic letter purporting to come from the entire planning board. They would like us to think they are representing the town, and not just their own distorted views.

Such letters so filled with inaccurate and misleading statements have no place in our town government. If their idea of what makes a "for-profit business" is that any use for which the nonprofit gets paid, then the Ag Hall (a nonprofit) should be right up there at the top of the list. For this shoulder season weekend, there was the West Tisbury eighth grade graduation on Thursday evening (way over 100 people), which the Ag Society gets paid for, there was the Farmer's Market Saturday morning, with again way over 100 people, and in the evening a very large wedding, with amplified sound I could hear at my house at least a mile away (hundreds of people, and of course the Ag Society gets paid). This is the other side of Polly Hill from Stillpoint, but very

much part of the same neighborhood. I think all of those uses were great; they are part of what makes us a community. They are not some awful events to be shunned.

Not to pick on the Ag Society alone, but trying to put Stillpoint in perspective, on Friday evening there was a lovely fundraiser at the Field Gallery with 220 sold tickets, and 40 or so catering staff and board members. There was amplified music and amplified speeches, people milling about having a good time, and all this in a space with no parking at all, and neighbors nearby in all directions. I thought it was totally appropriate and really well done, but still two or three times bigger than anything Stillpoint will ever do, and of course, just across the street there was a fairly large meeting going on in the church parish hall.

This business of trying to calculate the total number of people using a particular place in the course of a year is absurd, and very misleading. The total at a given event might be useful for planning purposes, but putting together annual totals is just to scare people. The Ag Society has well over 40,000 people on their grounds during the week of the fair, more than Stillpoint will see in a year, and again it is a wonderful event, and beloved by the Island community. Please do not let the fear mongers rule the day. When Stillpoint is up and running, it will go unnoticed by almost all of us, and for those who do use it, it will be a great gift.

Chris Murphy
Chilmark

Judith A. Fisher
750 State Road
Map 22 Lot 5
West Tisbury, MA 02575

Martha's Vineyard Commission
c/o Lucy Morrison
morrison@mvcommission.org

Dear Members of the Commission,

First, allow me to thank you for the long hours, hard work and thoughtfulness that you have put into considering the proposed Stillpoint Project.

I live directly across State Road from this proposed project in an 1840 Vineyard farm house that sits very close to State Road. The following map shows the proximity of my property and home to the proposed project:

<https://massgis.maps.arcgis.com/home/webmap/viewer.html?layers=d8f20f0cbcac42e792d030b6e8acd838>.

When Thomas Bena first purchased the property, he came to myself and other neighbors. He was proposing a small, quiet, meditative space with 31 parking spaces for Stillpoint and 3 parking spaces for the Land Bank property. There was to be no loss of trees or bushes on the property. Thomas emphasized that he was conserving the land. He also emphasized that he cared about the neighborhood and being a good neighbor himself. I commend him for this.

From our first discussion, I supported Thomas' project as stated and told him that my concerns as he moved forward were noise, lights, traffic and preserving the natural barrier along State Road.

I continue to be concerned about these same issues. As you are aware Thomas' mission statement has changed and project has morphed as well as his future plans for the lands that he has purchased.

Thank you for addressing the request for amplification at Stillpoint and setting sound limits for the property.

As for lights, every headlight leaving Stillpoint will shine directly onto my property, into my screened-in porch, living room, upstairs family room and bedrooms. Any lights for parking or at the venue have the potential to do the same. I often have grandchildren living with me. This will make evenings and bedtimes difficult.

As for traffic, if there are a total of 34 parking spaces, how and where will more than 34 cars park given there are events up to 100 people? And what will be the traffic control on State Road to prevent accidents and allow others to safely use their driveways on State Road? There is a traffic study looking at the volume of traffic to Stillpoint. My understanding is that Prudy Burt suggests it will be upwards to 60,000 cars/year. This is an enormous increase in volume on an already busy road.



Town of West Tisbury
PLANNING BOARD
P. O. Box 278
West Tisbury, MA 02575-0278
508-696-0149
planningboard@westtisbury-ma.gov

June 6, 2023

West Tisbury Zoning Board of Appeals
P.O. Box 278
West Tisbury, MA 02575

Dear Board Members:

The ZBA is now reviewing the radically revised Stillpoint plan as approved by the MVC. The Planning Board was disappointed and surprised by the MVC's decision to approve the current proposed Stillpoint project in West Tisbury. First presented to us about a year ago, the original plan was to be a non-profit entity providing space for low profile community activities encouraging effective communication through group discussions and conversations, and a place to enjoy a beautiful natural environment. That was the original concept that we reviewed and that many people supported.

Unfortunately, over time and as it passed through the MVC review process, the focus switched from non-profit to allowing substantial commercial use: large numbers of events such as weddings and other uses as a rental facility were added. Further and of great concern, the numbers of possible attendees grew exponentially. At the MVC weddings were disallowed as was live music outside. However, the possible numbers which could be participating is truly staggering. In addition, we know of several potential applicants who are watching carefully in the hopes that they can pursue similar projects. If allowed

as the applicant requests, rather than being at the heart of a quiet natural retreat and unspoiled area of great beauty, Stillpoint would be irrevocably changed and despoiled. All the work and energy as well as money that have gone into preserving that part of town would be for naught.

The Town does not allow commercial entities in the RU District except as home businesses. This is not a home business nor is it in the business district where this sort of facility might be allowed. (The barn was approved to be erected as a stand-alone structure for the storage of road maintenance equipment.) The Commonwealth does not allow "Spot Zoning" so a change in use as requested would have to be denied. The impacts of people, traffic, and light and sound pollution would mandate that decision because instead of being a place of peace and calm, the commercial activities and associated traffic would damage the neighborhood, the community and West Tisbury. Our/your neighbors have been very respectful and in return they deserve equal treatment.

It is our firm suggestion that the application be denied without prejudice so the applicants may return with an application that would be less disruptive and have less negative impact on the neighborhood, the roads and the Town.

We respectfully submit this letter to you for your consideration.

Thank you.

Sincerely,

Leah Smith, Chairman
Virginia Jones, Co-Chair
Matthew Merry
Heikki Soikkeli
Amy Upton
John Rau, Associate Member

Zoning Board of Appeals

From: Contact form at westtisburyma <cmsmailer@civicplus.com>
Sent: Saturday, July 1, 2023 3:08 PM
To: KLeaird
Subject: [westtisburyma] Stillpoint's "off mission" events (Sent by Selena Roman, selenaroman@gmail.com)

Follow Up Flag: Follow up
Flag Status: Flagged

Hello KLeaird,

Selena Roman (selenaroman@gmail.com) has sent you a message via your contact form (<https://www.westtisburyma.gov/user/1986/contact>) at westtisburyma.

If you don't want to receive such e-mails, you can change your settings at <https://www.westtisburyma.gov/user/1986/edit>.

Message:

Dear Zoning Board of Appeals Members,

We are unable to attend the meeting on 7/6/23 so are submitting our concerns here via email. We understand the MVC has approved up to 20% of the events to be "off mission". As a neighboring property owner we strongly object to the use of this facility as a commercial private party venue. What's the difference between 100 people at a birthday party, anniversary party, or a family reunion and a wedding? This is not a use protected by the Dover Act.

We ask for limiting the "off mission" events to non-party uses. As stated in our letter of objection to the MVC, further, "this change of use is simply a commercial events venue in a residential area under the guise of an educational non-profit. Allowing any sort of party rental use of this property for rentals outside the mission of the non-profit, particularly with amplification, would seem to be in direct conflict with that mission statement and a great detriment to the surrounding neighbors as well as the animal and bird populations of the immediately abutting conserved woodlands and pond.

Given that we are neighbors that would be directly impacted by this type of rental noise, traffic, impact on the land, and commercial use of what is a residential and agriculturally zoned property, we strongly object to any type of use beyond the applicant's proposed quiet, meditative, and limited salon type of occupancy. And even that would have a significant impact on the area.

Further to the change of use in general, please bear in mind the quiet, rural, residential, agricultural, non-commercial nature of this part of West Tisbury. This area is already affected by the limited allowed uses at the Ag Society, which we were fully aware of when we moved in 2011, and we support their mission and the functions that follow it. I cannot imagine the impact of dueling events on a summer night or any night of the year, particularly with amplified music and/or outside events. Consideration must be given to the impact of dozens of headlights, parking lot lighting, and the number of cars entering and leaving with doors opening and closing up to 10PM at night. 40 cars, 80 doors, 80 car round trips in and out of the property on a blind curve of a narrow road. With several meetings a week of 50 or more people gathering at 7:00PM, this is a significant change in the character of this currently residential and agricultural corridor. Our move to West Tisbury came about in conjunction with Ann Nelson and a sale to the MV Land Bank that put 25 acres and a half mile of the Mill Brook into conservation ownership. We write out of the desire to preserve and for the protection of this unique tract of land and historical corridor from North Road to the town center for the benefit the entire island."

The MVC approval does include limitations in consideration of many of our concerns. It fails in the specificity of weddings as the only potential commercial party use. Once this type of commercial use is allowed, where does it end? How could the town disallow any other non-profit the same sort of commercial rental use? Please restrict the "off mission" use to prevent the creation of a commercial party venue in this rural, residential, pastoral, serene, and quiet location.

Thank you for your service to the town.

Sincerely,
Selena and Bill Roman

Zoning Board of Appeals

From: MIKE COLANERI <MCPA72@hotmail.com>
Sent: Wednesday, June 14, 2023 8:11 AM
To: zba@westtisbury-ma.gov <zba@westtisbury-ma.gov>
Subject: FROM THE MV GAZETTE ON THE STILLPOINT PROPOSAL BEFORE YOU.

•

Tom Turlow, Tisbury

I'm trying not to be cynical but this whole project fails the smell test. Seems like a way for the new owners to use a non-profit with a progressive, vineyard-friendly mission statement to make a profit for themselves. I don't believe for one second they will abide all the rules and keep for-profit, "off-mission" rentals to 20% (who's going to police this?). Nor do I believe there will be a substantial number of useful programs for the general public to justify the permits and tax-exempt status they are receiving. Additionally, the entrance to the property is on a very dangerous section of narrow road and daily events of over a hundred people will create a safety issue with vehicles entering and exiting. Like many of these MV projects, once it's approved and moves forward, there will be no going back, even if the owners fail to adhere to the rules.

June 13, 2023 - 11:42am

Tom is correct.

This is a very bad proposal in a very dangerous section of the state highway in the North Tisbury section or the town.

I urge the ZBA to deny this application.

M C

Zoning Board of Appeals

From: MIKE COLANERI <MCPA72@hotmail.com>
Sent: Monday, June 12, 2023 10:47 AM
To: zba@westtisbury-ma.gov <zba@westtisbury-ma.gov>
Subject: STILL POINT.

Follow Up Flag: Follow up
Flag Status: Flagged

DEAR ZBA

As a close neighbor to this proposal,

I adamantly, and in the strongest of language, oppose the Still Point request to have any events beyond what is allowed on a residentially zoned property in west Tisbury.

This is the commercialization of a single property, and it must not be allowed .

It has the appearance of "SPOT ZONING", on a very blind curve and dangerous stretch of Mass State highway.

This proposal is not in keeping with the rural character of the town.

I thank you for accepting my concerns and that the ZBA will deny this Still Point proposal.

Regards

Michael Colaneri and family
41 Rogers Path
WT

P O Box 400
West Tisbury
MA

8 June, 2023

STILLPOINT PROJECT

Dear ZBA Board:

Unresolved Carpal Tunnel syndrome in both hands, lingering since last fall and unresolved despite treatment and surgery severely hampers my ability to write or type so my apologies for typos in this message. It is personally very frustrating because the The Stillpoint project – if permitted in its current “evolved form” has the ability – by its size, its location, and its nature -- to profoundly affect and impact our community town in very unfortunate ways. A bit of context: I have served the Town for many years in various capacities but most effectively as a planning board member since 1986. During my time I have had a variety of opportunities to help plan projects which positively affect the community and, as well, participate in reducing, even eliminating, the size and impacts of those which would negatively impact it and our island way of life. I am very grateful for those opportunities and it gives me (and others) great pleasure to note many projects all over town which have benefitted.

As a Planning Board member I participated in the original subdivision in 1988, which created a number of potential lots, an affordable housing lot, and a lot for the original old Priester house, as well as a lot for a house moved by Ben Clark. The conditions and restrictions – which are still in effect – are extremely well thought out and detailed. I believe that you have a copy. Please reference Condition VI 1 B about the validity.

The affordable housing condition was fulfilled, the Clark's "old house" was moved onto a lot, following which the property remained undeveloped for many years. In 2008, all of the property was purchased by Claudia Miller and she contracted with South Mountain Company to design and construct a solar powered barn as an accessory structure to the "Clark" House as a private yoga studio with half of the barn used to store landscaping equipment. In 2012 It was given a special permit as an accessory structure, appurtenant to the lot previously belonging to Clark. It all remained in the Miller ownership until sold several years ago to the current owners. The yoga barn was only permitted as accessory to the lot now owned by E. B. White et al. its legality could be tenuous.

Bur more importantly, I am saddened, and alarmed by the current plans for the barn lot and the other two lots now owned by Bena et alia. The uses now planned (very different from the initial proposal) as a commercial use (even if only 20% of the use) venue actually constitutes "spot zoning" which Massachusetts does not allow. This is also not a version of the relief allowed in some instances under the so called Dover Amendment; it is for profit commercialism. Pure and simple. Note: this is also not a home business eligible for either a permit by right or by special permit in the RU district. IT IS THE BLATANT SUBVERSION OF ZONING AND A SINGLE FAMILY RESIDENTIAL LOT IN THE RU FOR COMMERCIAL PURPOSES. As explained by the proponents this could allow up to 38,000 attendees annually just for the for-profit events and activities with no estimate that I have seen of those which could be claimed to be not for profit. This would be an absolute travesty of the intentions outlined to us in the original application narrative. It would destroy the very qualities that the owners purport to value so highly!

I am so proud of what has been planned and conserved: so much that is truly important to our town – for all the residents, of every variety. We have a stretch of land which extends from the North Shore and Seven Gates Farm across the island to the Atlantic Ocean with great natural resources such as the brooks, streams, small ponds and Tisbury Great Pond, the Arboretum and Agricultural Society grounds, mixed woods, pastures and scenic vistas as well as peaceful residential neighborhoods, walking and riding trails, etc. West Tisbury is a fabulous community and one that treasures the peace and quiet and all the options for places to find solace and well being in the natural world without any intrusions from the banal and 21st century profit seekers.

This project must be denied and/or withdrawn without prejudice. The the of that building and lot must be “re-visioned” in harmony and in scale with the surrounding acres and uses. This will require vision, great thought and an enormous reduction in size and scope in order to even approach being legally permissible. I believe that it would be possible to do so. I would be glad to help.

Thanks.

Ginny

Virginia C Jones

*certificates
of No Unpaid Common
Expenses 5/15/1994*

507 376

DECLARATION OF PROTECTIVE COVENANTS

PREAMBLE

This Declaration of Protective Covenants is made on this day of August, 1988 by Millbrook Associates of Hartford, Connecticut as owner of certain real estate in the Town of West Tisbury, Dukes County, Massachusetts (Property herein), being more particularly described in Article II and known as "PRIESTER'S POND".

It is the intention of the Grantor, in furtherance of a plan for the improvement and sale of the property, to sell and convey all of said property subject to the conditions, limitations, and restrictions as set forth in this Declaration of Protective Covenants.

It is the purpose of these Covenants to provide an outline for development of the property for Single-Family Residential Use for the benefit of its future Owners as well as for the benefit of the residents of the Town of West Tisbury. Every person, by acceptance of his or her lot does thereby agree to be bound by the Covenants contained in this Declaration and each deed shall provide that the lot is subject to these Covenants.

ARTICLE I

DEFINITIONS: Unless the context otherwise specifies or requires, the terms defined in this Article I shall, for all purposes of this Declaration, have the meanings herein specified.

GRANTOR: The term "Grantor" shall mean Millbrook Associates or its nominees, successors and assigns. Any and all obligation imposed by these Covenants on the Grantor shall pass to and be assumed by its successors in title.

RESIDENTIAL LOT: The term "Residential Lot" shall mean numbered parcel of the Property which is shown on the Plan as numbered Lots 1 through 11.

OPEN SPACE LOT: The term "Open Space Lot" shall mean each a parcel or property which is shown on the Plan as Lot A - "Open Space" and Lot B - "Walking Trails".

BUILDING ENVELOPE: The term "Building Envelope" shall mean the area within the numbered Residential Lots within which

507 377

above-ground Improvements relating to Single-Family Residential Use must be confined.

OWNER: The term "Owner" shall mean the person or persons whose interest in a lot aggregates a fee simple title thereto.

PERSON: The term "Person" shall mean an individual, corporation, unincorporated association, partnership, joint venture, trustee, conservator, administrator, executor or entity which has the right to hold title to real property.

PLAN: The term "plan" shall mean Plan entitled "Priester's Pond", West Tisbury, Mass., Surveyed for Mill Brook Associates March 17, 1988, Scale 1 in. = 100 ft., Vineyard Land Surveying, Box 1548, Vineyard Haven, MA 02568, Revised March 30, 1988 and further Revised June 29, 1988.

IMPROVEMENT: The term "Improvement" shall mean and include all buildings, out-buildings, garages, carports, sheds, walls, stairs, decks, poles, signs, driveways, tennis courts, swimming pools and structures of every type and kind including fences.

SINGLE-FAMILY DWELLING: The term "Single-Family Dwelling" shall mean a detached house designed and used as a residence for a single family including any appurtenant attached or detached garage or carport or similar out-building not suitable for habitation.

SINGLE-FAMILY RESIDENTIAL USE: The term "Single-Family Residential Use" shall mean the occupation or use of a single-family dwelling in conformity with the requirements of the Zoning By-laws of the Town of West Tisbury and applicable state, county, and other municipal or regional rules and regulations.

RESIDENTIAL AREA: The term "Residential Area" shall mean those areas of the Property designated on the Plan as numbered Lots 1 through Lot 11.

COMMON AREA: The term "Common Area" shall mean those areas of the Property designated on the Plan as Lots A and B, Ways and 40 foot Road Reserve.

ROADWAY AREA: The term "Roadway Area" shall mean those areas of the Property designated on the Plans as Ways 40 ft. wide.

507 378

COMMITTEE: The term "Committee" shall mean the three members of the Homeowners Committee established for the enforcement of these Covenants and for the management of the Common Areas and the Roadways.

ARTICLE II

PROPERTY SUBJECT TO DECLARATION: The Property subject to this Declaration of Protective Covenants shall be all the land owned by the Grantor herein as shown on the Plan entitled "Priester's Pond", West Tisbury, Mass. Surveyed for Mill Brook Associates March 17, 1988 Scale 1 in. = 100 ft. Vineyard Land Surveying Box 1548 Vineyard Haven, Ma. 02568, Revised March 30, 1988 and further revised June 29, 1988 and also Lot 2 as shown on said map which Lot was previously conveyed to Benjamin S. and Susan G. Clark on June 26, 1987. Lot 12 as shown on said Plan shall not be subject to this Declaration but shall be subject to separate easements and restrictions contained in the deed by which it is conveyed.

APPROVAL OF GRANTOR FOR IMPROVEMENTS: None of the Improvements permitted in the following Article III shall be erected, placed or allowed to stand without the prior written approval by the Grantor or the Committee elected under Art. IV, of the size, plans, specifications, and location thereof. The Committee shall adopt rules and regulations for architectural compliance with the intent and purposes set forth herein. Such approval shall not be unreasonably withheld and a certificate thereof, in a form satisfactory for recording, shall be furnished, if requested by an Owner seeking to erect, place or allow to stand upon any lot any Improvements aforesaid. The Grantor or the Committee shall not be responsible for any structural defects in such plans or specifications or in any building or structure erected according to such plans or specifications submitted for his approval.

A. **Improvements In Residential Lots:** It is the intention of the Grantor to minimize the prominence of all buildings and above-ground Improvements built in the Residential Areas. The placement of lot lines and the use of Building Envelopes are to ensure that buildings be placed on the Lots to blend with the natural landscape and to minimize the impact on the surrounding landscape.

B. **Improvements In Open Space Lots:** It is the intention

507 379

of the Grantor that the Open Space Lots shall be perpetually devoted to maintaining the existing character of the landscape by preventing unpermitted clearing or development. The two Open Space Lots shall provide the amenity of open space and a buffer between the proposed development and neighbors. No Improvements of any kind or additions or alterations thereto shall be made, erected, placed or allowed to stand, except as otherwise provided or allowed herein.

(i) Those Improvements relating to the construction and maintenance of underground utility services as may be required to provide services to the Residential Areas.

(ii) Those Improvements relating to the construction and maintenance of the Roadway Areas and their appurtenances as shown on the Plans including any such drainage as the Grantor and the Town of West Tisbury may deem appropriate for the construction and maintenance of the Roadway shown as "Way 40 feet wide".

(iii) Necessary maintenance of the walking trails on Open Space Lot B and the fire protection easement.

C. Improvements In Roadway Areas: It is the intention of the Grantor that the Roadway Areas function as an integrated landscape element giving access to the Lots. The roadway improvements allowed shall be:

(i) Those Improvements relating to the construction and maintenance of the road surfaces, associated clearings, drainage structures and ways and appurtenances, underground utilities, landscape improvements, and such other improvements allowed or required by the Definitive Plan Approval of the Property by the Town of West Tisbury Planning Board.

(ii) Those Improvements relating to the construction and maintenance of underground utilities to service the Residential Areas.

(iii) Those Improvements relating to the reconstruction and maintenance of the stonewalls or other barriers, to be approved by the Grantor.

507 380

ARTICLE III

1. **LAND CLASSIFICATIONS:** The Property has been divided into the following use classifications:

- A. Residential Areas, including special boundary areas
- B. Common Areas
- C. Roadway Area

2. **PERMITTED USE AND RESTRICTIONS:** Each Lot or Area within the Property shall be for the use and benefit of the Owner(s) thereof, subject, however, to all of the following limitations of use and Restrictions.

A. **Use of Residential Areas:** The Residential Areas may be improved and shall be devoted exclusively to Single-Family Residential Uses as may be further restricted and controlled by the Town of West Tisbury Zoning By-Laws and any further conditions made part of the Definitive Plan Approval of the property.

B. No guest house shall be allowed on any lots with the exception of Lot 7 as shown on the Plan and the guest house on Lot 7 shall be limited to 800 square feet.

C. **Use of Common Areas:** The Common Areas shall not be improved, except as allowed herein, and shall be devoted to open space and walking trails as described herein.

D. **Use of Roadway Areas:** The Roadway Area shall be used by any Owner for all purposes for which roads and streets may be used in the Town of West Tisbury. All costs for maintenance of the Roadway Areas shall be the responsibility of the Owners, and the Roadway Areas shall be managed and maintained by the Committee with costs equally allocated as provided herein.

3. **RESTRICTIONS:**

A. No Improvements are permitted on Residential Lots except one Single-Family Dwelling together with a garage for the storage of not more than two (2) private automobiles, and such out-buildings, as are customarily appurtenant to Single-Family Dwellings in the Town of West Tisbury.

- (i) Improvements Within the Building Envelope: All

507 381

residential buildings, garages, carports and similar structures shall be contained within the Building Envelopes shown on the Lots, and there shall be a 50 foot buffer zone along the perimeter of all of the property of the Grantor shown on said Plan in which no structures shall be allowed.

(ii) On-site waste disposal systems and their appurtenances, underground wires and lines for the transmission of energy or information, and accessory outbuildings are permitted beyond the building envelope.

B. Groundwater Protection: No underground storage tanks for fuels or chemicals of any type may be installed or placed or allowed on any part of the Property herein. Any outside fuel tanks shall be at the rear or side of the improvements.

C. Temporary Occupation: No trailer, mobile home, basement of any incomplete building, tent, truck camper, shack, garage or barn or temporary structure of any kind shall be used at any time for a residence on the Property, either temporary or permanent, unless in any specific instance such use shall have been authorized by the Committee. Temporary buildings or structures for office use or storage during the construction of "Approved" structures shall not be placed on the property until a Building Permit has been issued, and shall be removed upon the completion of construction or the expiration of said Permit or the issuance of a Certificate of Occupancy, whichever occurs first.

D. Nuisances: No refuse, rubbish, vehicle parts, junk, waste, fill, stumps, brush or debris of any kind shall be placed or permitted to accumulate upon or adjacent to any Lot which will or may render any such Lot or any portion thereof unsanitary, unsightly, offensive or detrimental to any other part of the property, and no activity, structure or device shall be conducted, built or maintained which is or may be offensive or detrimental to any other part of the Property or its Owners or occupants. All unregistered motor vehicles shall be garaged and completely hidden from the view of those persons traveling along the Roadway Areas.

E. Repair of Improvements: No Improvements upon any Lot shall be permitted to fall into disrepair, and each such Improvement shall at all times be kept in good condition and repair and adequately painted or otherwise finished.

507 382

F. Trash Containers: No garbage, refuse or trash shall be placed or kept on any Lot, except in covered containers, and said containers shall be garaged or otherwise hidden from the view of those persons traveling over the Roadway Areas at all times, except on the day(s) of collection.

G. Subdivision of Lots: No Lot or Lots shall be divided or subdivided in any manner which would increase the planned residential density beyond the eleven (11) permissible Single-Family Dwellings allowed on Lots 1-11 as shown on said plan.

H. Removal and Disturbance of Earth: No loam, peat, gravel, sand, clay or other mineral resource of any kind shall be excavated or removed from the Property in such a manner as to affect the surface thereof, except in conjunction with the construction of allowed Improvements. At all times during said construction when the surface of the Lot or Property is disturbed, the Owner or his agent shall undertake adequate siltation and erosion protection measures in accordance with good landscaping and construction practices.

I. Surface Drainage: All surface drainage created or altered by runoff water resulting from the construction of Improvements shall be contained on the Lot upon which the construction has taken place, or shall be directed to flow into either the Common Areas or the Roadway Areas, with care provided in accordance with the procedures referred to in "H" above.

J. Recreational Vehicles: No motorized recreational vehicle of any kind which is not duly registered as a motor vehicle for use on public ways may be operated on the Property.

K. Exceptions for Grantor: Nothing contained in these Covenants shall be construed to prevent the erection or maintenance by Grantor or its duly authorized agents, of structures or signs necessary or convenient to the development, sale, operation or other disposition of the Property and in accordance with the West Tisbury Zoning By-Laws. All such structures or temporary signs shall be removed by the Grantor no later than the date of the sale of the last Residential Lot owned by the Grantor.

L. Tree Removal: No commercial harvesting of forest products shall be allowed on the Property, and "clear-cutting"

507 383

and other "de-nuding" shall be prohibited, except if in conjunction with the Grantor's construction of the roads, fields, and other elements of the Plan for the Property. Further tree clearing in various areas shall be controlled and limited as follows except for the minimum amount of clearing and cutting necessary for the construction and maintenance of allowed underground utilities including on-site water supplies, on-site waste disposal systems, wires and lines for the transmission of energy and information, and construction of driveways and allowed Improvements.

(i) **Building Envelopes:** In conjunction with anticipated or allowed construction of Improvements within the Building Envelope, no trees or other natural live vegetation shall be removed, cut or trimmed in any area on a Lot other than within the Building Zone of such Lot without the prior written approval of the Committee, and no herbicides, pesticides or chemical fertilizer shall be used on any property within the area designated on the Plan shown as Special Area Boundary.

(ii) Any exterior lighting installed on any Lot shall be installed and operated in such manner as to prevent undue glare or illumination from emanating beyond lines of the Lot.

M. Sightlines and View Easements: It is the Grantor's intention that all views as they exist at the time of completion of the Subdivision Improvements shall be preserved, subject only to the limited impact of the allowed construction of Improvements and the view easements either as approved by the Grantor and/or Committee or as shown on said Plan. Acting under the provisions of Article II concerning Approvals, the Grantor and/or Committee shall consider the protection of views as they may be affected by the placement and height and form of proposed Improvements.

N. Damage to Travelled Surfaces: Any damages caused to the Roadway Areas by any Owner or his agents or guests, resulting from construction or any activity other than routine residential use shall be assessed against said Owner and promptly repaired at his expense.

O. Construction of Improvements: No construction of Improvements as allowed in Article II or upon expiration of said review shall take place without the issuance of a Building Permit and all other appropriate and necessary Permits from the Town of

507 384

West Tisbury. No excavation or site preparation may take place prior to such issuance except as required for work necessary for the proper design of any such Improvements. No building materials, tools, or equipment may be placed, stored or allowed to stand on any Lot unless a Building Permit is in effect during the time of such storage. Any such storage must be terminated upon the lapse of the Building Permit or issuance of a Certificate of Occupancy, whichever occurs first. In any event, all exterior surfaces of any such construction should be 100% completed within six months of the issuance of the Building Permit for said construction.

ARTICLE IV

OWNERSHIP AND MANAGEMENT OF COMMON AREAS: In accordance with the provisions of the Declaration of Protective Covenants, the Common Areas shall be owned and managed as provided by this Article. Unless the Town of West Tisbury and the Grantor elect to dedicate the fee in the Roadway Areas to the Town, said areas shall become, for purposes of this Article, additional Common Areas.

1. **Ownership:** Ownership of the Common Areas shall be divided equally between the numbered Residential Lot Owners and each Owner shall have conveyed to him or her a one-eleventh (1/11th) undivided interest in the Common Areas (including the Roadway Area) at such time as title to the Lot is conveyed.

2. **Control:** At such time as eight (8) of the numbered Residential Lots have been conveyed by the Grantor, Grantor shall then act as the Owner of the remaining three (3) Lots which have not been conveyed, and the collective Owners, with each Lot having one vote, shall then select three Lot Owners, of which the Grantor may be one, to serve a three member Homeowner's Committee. The Committee shall then represent the collective interests of the Owners in managing the Common Areas and shall exercise those duties and functions as set forth herein.

3. **Homeowner's Committee Terms:** Each member of the Committee shall serve a two (2) year term, except for the original three members. Of these three, one shall serve a one (1) year term, one shall serve a two (2) year term and one shall serve a three (3) year term. The original three members shall determine which member shall serve which initial term.

507 385

4. Elections: Upon completion of any said term, the Owners shall elect a new member to the Homeowner's Committee or re-elect the member whose term has expired, for a new two (2) year term. There shall be no limit to the number of terms which may be served by any one Owner. Election procedures will be determined by the original three member Committee. In the event of a resignation at mid-term, the Owner shall elect a replacement member to serve for the remainder of that term.

5. Management by the Committee: The Committee shall have the right to make such reasonable rules and regulations and to undertake such endeavors as to properly carry out the following activities:

a. The regulation of activities within the Common Areas in accordance with the provisions of these Covenants and the needs of the Owners in conformance thereto.

b. The maintenance of the Common Areas for the activities selected by the Owners in conformance with these Covenants.

c. The enforcement of any of the Covenants contained herein, including approval of construction plans and design and the creation of view easements.

d. The collection of maintenance charges or other costs incurred in the performance of the authorized activities of the Committee. Real Estate Taxes and other municipal assessments on the Common Areas and Roadways are "Shared Costs" as provided below, but Lot Owners shall be jointly and severally liable for such assessments.

6. Shared Costs: Each Owner shall have an equal ownership interest in the Common Areas. He or she shall be responsible for an equal share of the costs arising from the ownership of said areas. The Committee shall prepare an annual budget and shall assess a regular fee to each Owner for any such costs in excess of any income that may be derived from approved activities or endeavors within said areas. Any such costs or charges shall constitute and create liens or encumbrances upon the Owner's Lots and acceptance of each deed shall be construed as an agreement to pay said charges. The Committee shall have the right to prosecute all actions or suits or take any such proper actions which may in its opinion be necessary for the collection of such charges including, without limitation, any actions pursuant to Mass. Gen. Laws Ann. Ch. 84, Section 12 or any other pertinent

507 386

statutes, laws, or regulations. The liens hereby reserved shall at all times be subordinate to the liens of any mortgagees or lenders secured by properly recorded encumbrances.

7. Insurance: The Homeowner's Committee shall maintain liability insurance to protect the Owners against any incidents which may arise through use, authorized or otherwise, of the Common Areas and the Roadways.

ARTICLE VI

1. AMENDMENT AND DURATION:

A. Amendment or Repeal: These Covenants, with the exception of those requiring the Town of West Tisbury action, may be amended or repealed at any time by the written consent of two-thirds (2/3rds) of the Owners of the Property. Such amendment or repeal shall not be effective until such times as it has been recorded with the Dukes County Registry of Deeds. Notwithstanding the foregoing, no such amendment or repeal shall be valid, the intent of which is to alter the dedication of the Common Areas to any use other than Open Space Lots, or walking trails or to in any way result in an increase in the residential density of the Property or in the amount of acreage dedicated to Residential Lots.

B. Duration of Declaration: This Declaration shall continue in full force and effect for Thirty-five (35) years and may be extended for additional Ten (10) year periods by a two-thirds vote of the lot owners.

2. ENFORCEMENT AND NON-WAIVER:

A. Right of Enforcement: This Declaration is for the benefit of the property and shall run with the land. Except as may otherwise be provided herein, any authorized Board or Agency of the Town of West Tisbury or any owner of any Lot, including the Grantor, shall have the right to enforce any or all of the provisions of this Declaration.

B. Violation of Law: Any violation within the Property of any state law or Town of West Tisbury,

507 387

By-Law or any regulations pertaining to the ownership, occupation or use of the Property is hereby declared to be a violation of these Covenants.

C. Remedies Cumulative: Each remedy provided in this Declaration is cumulative and not exclusive.

D. Non-Waiver: The failure to enforce any of the provisions of this Declaration at any time shall not constitute a waiver of the right thereafter to enforce any such provisions of said Declaration.

3. CONSTRUCTION AND SEVERABILITY; SINGULAR AND PLURAL; GENDER;

A. Restrictions Severable: Each of the provisions of this Declaration shall be deemed independent and severable, and the invalidity or partial invalidity of any provision or portion thereof shall not affect the validity or enforceability of any other provisions.

B. Singular Includes Plural: Unless the context requires a contrary construction, the singular shall include the plural and the plural the singular; and the masculine, feminine or neuter shall each include the masculine, feminine and neuter.

C. Captions: All captions or titles used in these Covenants are intended solely for the convenience of reference and shall not affect that which is set forth in any of the provisions of said Declaration.

4. EASEMENTS:

A. The Grantor reserves to itself, its successors and assigns the right to construct, permit or grant easements for the installation and maintenance of drainage facilities as may be required by the Town of West Tisbury. The Grantor further and similarly reserves the right to grant easements for the construction and maintenance of any underground utility services being distributed to the Property as such rights

507 388

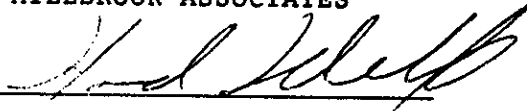
may be required by the Town of West Tisbury or those private companies providing said services to the property herein.

B. Reserving to the Grantor the right to install and maintain all public utilities, in, over, under, along and upon the private ways as shown on said Plans; reserving also to the Grantor the right to grant easements to public service corporations for the installation and maintenance of such public utilities in, under and upon said private ways, and anchors and guys to support the lines in said private ways and on land adjacent thereto; reserving also to the Grantor the right to installation and maintenance of necessary equipment in, under and upon strips of land ten feet in width abutting said private ways on said Plans; reserving also to the Grantor the title to all public utilities on said premises and private ways, except underground service cable.

IN WITNESS WHEREOF, Howard Klebanoff, Managing Partner of MILLBROOK ASSOCIATES has hereunto set his hand and seal this 15th day of September, 1988.


Nancy Nocton

MILLBROOK ASSOCIATES

By 

Howard Klebanoff
Managing Partner

507 389

STATE OF CONNECTICUT
COUNTY OF HARTFORD

ss: Town of Hartford September 15, 1988

Personally appeared, HOWARD KLEBANOFF, Managing Partner of Millbrook Associates, signer and sealer of the foregoing, who acknowledged the same to be his free act and deed and the free act and deed of said Partnership, before me.

Lucille Ciavone
Notary Public
Exp. Comm. exp. 3/31/93

Hartford, Mass. *Sept. 20, 1988*
at *11* o'clock and *07* minutes *A* M
Received and entered with Deeds for Records
book *507* page *326*

Attest: *Suzely W. King*
Register

November 15, 2022

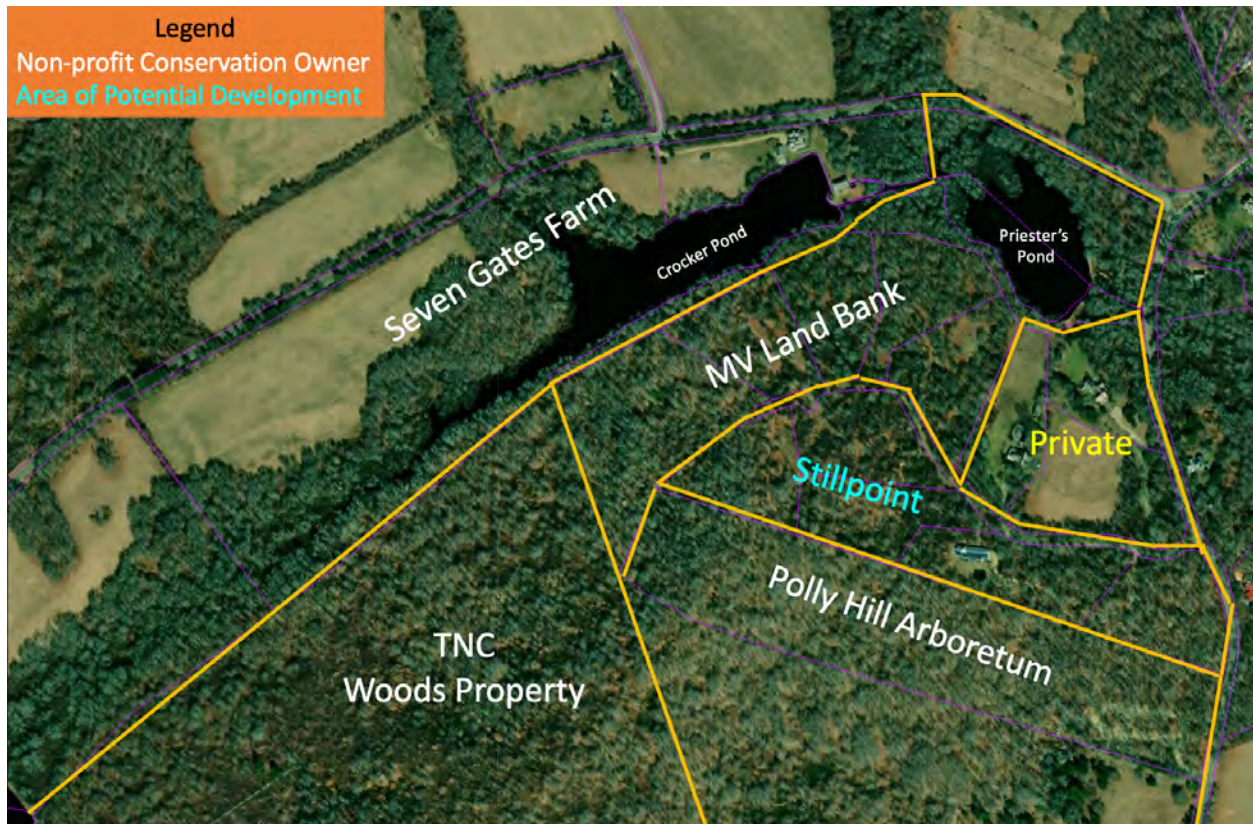
To: MV Commissioners and Alex Elvin
From: Tess Bramhall and David Foster
Subject: DRI 279-M. Stillpoint (Meadows) MV, Inc.

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.

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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



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.

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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?

~ ~ ~

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: Tara J. Whiting <tarajw@yahoo.com>
Sent: Thursday, June 8, 2023 9:01 AM
To: zba@westtisbury-ma.gov
Subject: Stillpoint

First, once again I want to state I admire and respect the work of the ZBA. And once again you all are put in an impossible position as a project is presented that flies in the face of the character of the town of West Tisbury and the will of its voters.

I am writing to express my deep concern over the application in front of the ZBA for Stillpoint. I have tried to be brief, and once again failed!

I am aware that you have received quite a bit of correspondence regarding this project. Quite a few of these letters are dated from when it first appeared before the ZBA and was then referred to the MVC. Some state some concerns about the project but then note how the "MVC" review process should address these concerns. Further, a lot speak about supporting Mr. Bena as a person with very loose reference to the project (which has changed a lot). Sadly, the MVC chose to totally punt on it's job here and dumped it all back onto WT. When you read through the decision, there are multiple places where they list numerous concerns, detriments and used the most obtuse language and yet passed it along anyway.

I feel like I could write pages about my concerns and outlining all the ways this goes against current zoning by laws. Further, this is all located in the RU district at a terrible stretch of the road. (The MVC DID NOT conduct it's own traffic study but relied on the applicant's 'data')

In section 9.2-2 of the by-laws, Review Criteria, when I read that whole page, I can only identify a few of the criteria that this would not affect. At least in the short term.

Examples:

A. General Findings The Zoning Board of Appeals may approve a Special Permit application only if it makes written findings that:

1. The proposed use is in harmony with the general purpose and intent of this bylaw.
2. The benefits of the proposed use to the Town outweigh its adverse effects.

The majority of this project cannot meet these first two general finding.

B. Specific Findings In order to approve a Special Permit, the ZBA shall also make specific written findings

that the proposed use, with appropriate conditions:

1. Is consistent with the purposes and requirements of the applicable land use district, overlay districts,

and other specific provisions of this bylaw (including Site Plan Review requirements) and of other applicable laws and regulations. From what I see, not at all.

2. Is compatible with surrounding uses and protective of the natural, historic, and scenic resources of the

Town. It is dressed up to be something, but it is little more than an elite location for (mostly) for profit gatherings. A want not a need.

4. Will not create excessive off-premises noise, dust, odor, or glare. Unknown, but with the INTENSITY that is proposed, how could it not??

5. Will not cause traffic congestion, impair pedestrian safety, or overload existing roads, considering their current width, surfacing, and condition. Of course it will, this is just a given. Remember there has been NO traffic study conducted except by the applicant. A bad stretch of road coming into or out of an even worse bridge situation, very little shoulder, no line of site....the INTENSITY of this project will be hugely problematic.

7. Will not adversely affect the availability or cost of housing for year-round residents of West Tisbury. Not a fair question in this out of control market, but if build-able lots are off the market, then off course it affects housing.

8. Will not cause significant environmental damage due to flooding, wetland loss, habitat or ecosystem disturbance, or damage to valuable trees. Define significant?? There will be disturbance in a sensitive area (watershed, to name one of many), and again with the INTENSITY of this project, I suspect it will be significant over time.

9. Will not cause other adverse environmental effects. Such effects may include:

- a. Pollution of surface water or groundwater;
- b. Salt-water intrusion in public or private domestic water supply wells;
- c. Inadequate water supply to meet the anticipated demand of the proposed activity or use or reduction of water supply to other properties;
- d. Noise and air pollution;
- e. Destruction of wildlife habitats and damage to wetlands or littoral ecology;
- f. Damage to marine fisheries and shellfish;
- g. Construction which unnecessarily damages the visual amenities of the site and which is not in harmony with the landscape type;
- h. Unnecessary decreases in agricultural use or potential productivity of land;

i. Erosion resulting from or caused by development.

All of these will most likely be affected in some way. Some over time, some right away. Damage/destruction by a thousand cuts.

The boards and committees of West Tisbury are being challenged like never before. Between massive projects like this or big houses, everyone is asking /pushing/wanting more. Then suing or threatening a lawsuit when they do not get their way.

The **voters** show up to town meeting and vote for what they want for WT. These by laws have to pass by a 2/3rds vote and pass the attorney general. While there may be a 'need' for some of the projects/events in this proposal, the overwhelming size/scope/impact of this will have a very detrimental effect for West Tisbury. I am asking that you all uphold the by laws of West Tisbury and vote NO. This majority of this project is a WANT and not a NEED.

Thank you for your time.

Tara Whiting-Wells

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

November 15, 2022

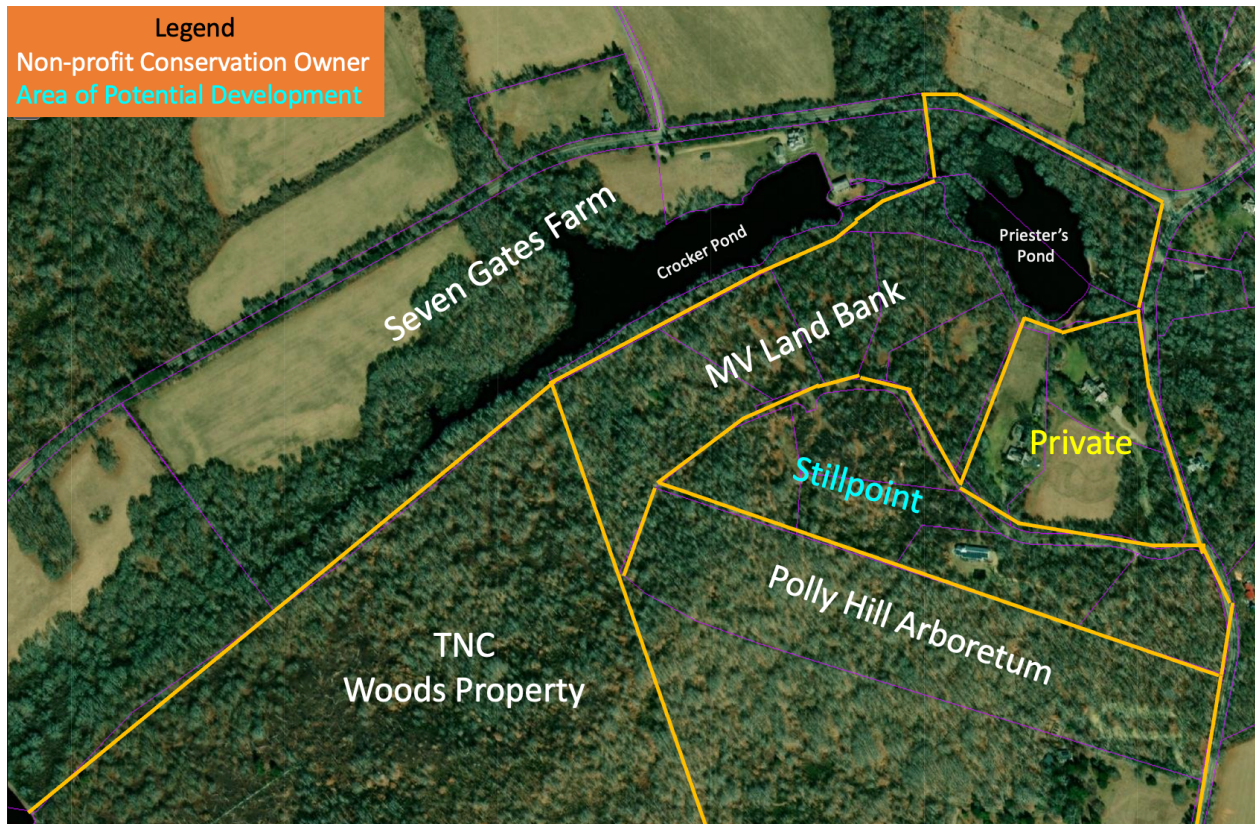
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Stillpoint



Ag Society



Grange Hall

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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.



Martha's Vineyard Commission
Landuse Planning Committee
P.O. Box 1447
Oak Bluffs, MA 02557

April 1, 2023

Dear MVC,

We attended via Zoom the LUPC meeting on March 20, 2023. We remain very concerned about the negative impacts of this development. Below is our response to the LUPC set of possible conditions and the response by Stillpoint representatives.

- Possible Conditions 1A, 1B

PHA Response: This cautious approach to events with continual monitoring is something we support with the uncertainty of how impactful this will be in the State Road corridor and to our visitors and adjacent staff housing. The suggestion by one abutter to install a traffic monitoring device is highly advisable to determine if the amount of events is realistic without severe impacts. The traffic and attendees per event should be monitored as a proof of concept in the operation of Stillpoint given the proposed hybrid events model.

- Possible Conditions 12

A final landscape plan for the property shall be submitted to the LUPC for review and approval prior to receipt of a Certificate of Occupancy.

PHA Response: Light and sound mitigation are of greatest concern to us. Looking at the current placement of parking, we object to the placement of the car parking areas closest to the barn, facing south. The parking lot layout and landscape screening would benefit from a professional Site Analysis employing a landscape architect. This is a standard professional practice with a project of this size.

We specifically agree with the following:

- Stillpoint shall install landscaping (or fencing) sufficient to prevent vehicle, parking area, and barn lighting from spilling onto the Polly Hill Arboretum and Land Bank properties, regardless of the season.



- Stillpoint should consider all available options to mitigate the impacts of parking, including the placement of some of the car spaces
- As a direct abutter, the PHA requests that a separate review be conducted after a year of usage of the site to review the effectiveness of the landscape screening, fencing, and lighting.

While the PHA has expertise in native plants and woodland ecology, we are not master planners. The approval of this project and its land use is not reliant on the PHA to come up with a landscape plan, since no conditions are placed on our properties.

A web-based Plant Selection Guide to native plantings, established by the PHA and MVC can be found at:

http://plantfinder.pollyhillarboretum.org/index.php/plants/read_more

Thank you all for this opportunity to share our thoughts and concerns.

Timothy M. Boland
Executive Director

Emily Ellingson
Curator-Assistant Director



Martha's Vineyard Commission
Landuse Planning Committee
P.O. Box 1447
Oak Bluffs, MA 02557


November 16, 2022

Dear MVC,

We have participated in the hearings regarding Stillpoint and remain very concerned about the proposed plans for events outlined in the November 3 DRI meeting.

- The amount and timing of possible events with amplified music are of great concern for the Arboretum (PHA). Our visitors come to the PHA to commune with nature. They come for the enjoyment of the grounds, the tranquility, and the beauty of the plantings. The PHA is popular with bird watchers, nature explorers, educational classes, and health and wellness courses centered on meditation and the healing power of nature. Noise from large groups of people and amplified music degrades the quiet enjoyment of our grounds and natural areas.
- In 2015, the PHA was placed on the National Register of Historic Places. Today, it is one of the few open agrarian public landscapes encapsulating over 300 years of history. Polly Hill left us this legacy and implored us to preserve this vernacular; it has been a core value with us since our opening nearly 25 years ago.
- The PHA is often asked why we do not host weddings. We don't because they have damaged our collections, grounds, and infrastructure in the past. When you allow outside events, especially rentals, you can expect increased compaction of soils and negative impacts on tree roots and water quality. We also prefer our organization's events to remain mission-focused.
- Finally, we do have staff housing under construction within 150ft. of the Stillpoint barn. Pictured attached. The impact on this development, combined with the impact on the quality of our visitor experience (listed above) must be taken into account.

Thank you all for this opportunity to share our thoughts and concerns.


Timothy M. Boland
Executive Director


Emily Ellingson
Curator-Assistant Director

GORDON M. ORLOFF, ESQ.
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(617) 901-1611
gordace9@gmail.com

September 6, 2022

BY EMAIL (elvin@mvcommission.org)

Martha's Vineyard Commission
P.O. Box 1447
Oak Bluffs, MA 02557

Attn: Alex Elvin, DRI Coordinator

Re: DRI 279 M: Stillpoint Meadows (Priester's Pond Modification), West Tisbury

Dear Mr. Elvin:

I am writing on behalf of Seven Gates Farm Corporation (“Seven Gates”) to request that the MVC correct its record in the above DRI application on a specific point.

Section 3.3 of the August 26, 2022 MVC Staff Report states in part that “The area south of the ponds includes extensive trails, which are not currently mapped, and the public is allowed to fish in the ponds.” To the extent that this language references Crocker Pond (or, the “Pond”), it is incorrect. Similarly, page 15 of the MVC’s June 23, 1988 DRI decision, which also suggests that residents may “fish Crocker and Priester's ponds with permission,” is mistaken with respect to the former—unless that “permission” refers to permission from Seven Gates.

In fact, the public has no right to fish or otherwise use Crocker Pond. Rather, that right is owned exclusively by Seven Gates. Seven Gates takes no position with respect to any public rights in Priester’s Pond.

What is now called “Crocker Pond” was created by Daniel Fisher. Fisher acquired the relevant portion of the now submerged land from Zadock Athearn in 1859. That deed expressly grants to Fisher “all right to the fish in said pond when flowed” by the dam that Fisher constructed. Fisher’s heirs later conveyed the Pond **and** “all right to the fish in said pond” to Rudolphus Crocker, whose name the Pond now bears. Crocker conveyed the Pond and other land to Willoughby Webb in 1909, and Webb later conveyed it to Seven Gates, the current owner. Consistent with this fact, pages 7-9 of the 1988 DRI decision reflect that Seven Gates owns and maintains the Crocker Pond dam. Also, consistent with its ownership thereof, Seven Gates alone has paid real estate taxes on Crocker’s Pond.

For these reasons Seven Gates urges the MVC to (i) no longer state inaccurately that the public has a right to fish in Crocker Pond, and (ii) correct its record on this issue.

Separately, as a neighbor, Seven Gates also requests that it receive notice of future hearings on this DRI and any further information provided by the applicant regarding its proposal (please include, if possible, the type, hours and frequency of events it contemplates on its property).

Please provide this letter to the LUPC and Commission members, and let me know if you have any questions.

Sincerely,

/s/ Gordon M. Orloff

Gordon M. Orloff

cc (by email): Thomas Bena, Stillpoint Martha's Vineyard Inc.
West Tisbury Zoning Board of Appeals
David Leibman, Seven Gates Farm Corporation

11/27/22

To: Alex Elvin, DRI coordinator and MVC Commissioners

Re: Stillpoint MV Inc DRI #279M- Post public hearing observations

Dear Commissioners,

To reiterate, while I have served on the Mill Brook Watershed Management committee for the last 8 years, I submit this letter as a private citizen.

Having attended all of the public hearings on this DRI application and having read everything submitted/posted re this application, I list my persistent concerns below:

1. **Dover Amendment:** During the first public hearing, the applicant's attorney stated their intention to file for town permits using the Dover amendment; this in response to commissioner Brian Smith's question 'how do you intend to get all of these uses by town zoning bylaws?'. It is my understanding that the Commission has greater power and authority to review projects in regards to the Dover amendment than do local town boards. Recall that the so-called Dover Amendment c. 40A SS3 states that no zoning ordinance shall restrict the use of land or structures for educational purposes on land owned or leased by a nonprofit. The amendment **limits local control** over such uses to lot area, setbacks, parking requirement only. Because MVC authority has no such restriction, I urge you to pin down the allowable categories of uses and the types and numbers of permitted uses. Not doing so raises the likelihood of an expensive dispute with local authorities involving Dover. Your action now will deter use of the Dover card in the future.

2. **Comparisons to the Grange Hall and the Agricultural Hall:** The applicant, their supporters and their attorney have made multiple comparisons of their proposed uses to commercial activity at both the Grange Hall, owned by the Preservation Trust, and at the Agricultural Hall, owned by the MV Agricultural Society (MAS). What they did **not** mention is that the town is struggling mightily with expanded use at both of these properties. Indeed, the Preservation Trust has now filed suit in superior court appealing the WT zoning boards' **unanimous** decision to uphold town zoning inspector's ruling that expanded use at the Grange Hall requires a special permit from the town; zoning board members did an excellent job of articulating their position to Preservation Trust- that they are elected to uphold existing town bylaws approved over decades by town meeting voters, and that going through the special permit process makes every project they review come out better in the end- it gets everything on the table so that all parties are on the same page and know what is going to happen. Here too, the Dover exemption is claimed by Preservation Trust attorney. At the Agricultural Hall property, West Tisbury conservation commission and Vineyard Conservation Society (VCS) jointly hold and administer the agricultural preservation restriction put in place at the time of the bargain sale to MAS. Ensuring that the terms of the APR are met and the wishes of the donors upheld involves vigilant oversight on the part of the WT conservation commission, VCS, town counsel, MAS trustees and town zoning officer.

3. **The affordable housing contribution:** At the time of the original approval of this subdivision, I was eligible for an affordable housing lot in West Tisbury so was watching this process closely. At that time, the Dukes County Regional Housing authority decided to sell the lot extracted during that approval process back to the next owner of this subdivision and to use the proceeds to fund DCRHA administration costs at the time. I believe this lot is now owned by Stillpoint MV Inc. To my knowledge, no building lot replaced this lot- it was many years later that affordable homesite lots came up for a drawing, extracted during a different subdivision approval on Great Plains Road (off Old County Road).

4. **Nutrient load:** As in my first letter, I urge Stillpoint advocates, in the strongest possible terms, to follow the lead of the West Tisbury Library building committee's decision **to install composting toilets** during their recent renovation. To have organizations like our public library and Stillpoint lead by example is the only way to show our community that things can be done differently, and for the better, and that these technologies work. Our coastal ponds and freshwater watersheds are in desperate need of this kind of leadership.

Thank you,
Prudy Burt

POB 1044
West Tisbury, Ma., 02575
508-696-3836



Martha's Vineyard Commission
Landuse Planning Committee
P.O. Box 1447
Oak Bluffs, MA 02557

August 4, 2022

Dear MVC,

We have been asked to submit a letter on recently shared plans for the Stillpoint Project.

First off, as conservationists, we are deeply appreciative to see this land preserved by the wonderful collaboration of so many groups. Over the last twenty-four years, we have had immense concern and anxiety over the possibility of large-scale suburban development on our northern border.

We have just received the plans and have these general comments and concerns:

- The projected number of events after 5:30 pm is a concern for us. We have just embarked on the groundbreaking of our staff housing initiative. The homes are projected to be completed by June 2023. They are within close proximity of our shared property lines. Stillpoint is an estimated 150ft. north of our new dwellings.
- The Arboretum begins events at 5:30 pm, and completes them by 8:00 pm in the summer months; this eliminates the need for lighting our parking lot. We also notice the configuration of the parking lots would have car lights shining into our housing development. Our visitors walk far from our parking lot to our paid entryway. Looking at the parking spaces clustered so close to our housing development, it would be better to move many of those to the east. We understand the need for parking close to the barn for those with limited mobility.
- We are not enthused about live outdoor music or weddings. We have this impacting us on our southern border at the MVAG society. It affects the rural vernacular of this primarily agricultural corridor and negatively impacts wildlife.
- Phase 2 is a concern for us as any new structures built along our property line may negatively impact our staff housing development. We would like to see more of a long-term master plan before commenting on those buildings and their placement.



In general, we believe that this current plan should take into consideration our concerns, and those of our neighbors.

In closing, the PHA values collaboration and thoughtful planning. We are happy to see a non-for-profit bring a community-focused organization to the Island.

Thank you all for this opportunity to share our thoughts and concerns.

A handwritten signature in black ink that reads "Tim Boland". The signature is written in a cursive style with a large, sweeping initial "T".

Timothy M. Boland
Executive Director

A handwritten signature in black ink that reads "Emily Ellingson". The signature is written in a cursive style with a large, sweeping initial "E".

Emily Ellingson
Curator-Assistant Director

The traffic study suggests cutting back the trees and brush on the Polly Hill side of State Road to improve visibility for egress to Stillpoint. This is not conservation. The removal of trees for septic, creating more parking and any new building will impact my property in the ways above and change the character of our neighborhood.

In closing, I support Thomas Bena in having a small island think tank as he originally proposed.

Thank you for considering my concerns and helping to maintain our rural, residential neighborhood which has allowed my family and my neighbors' families to enjoy the privacy and quietude of our properties and homes.

Sincerely,

Judith A. Fisher
Home: 508-696-3108
Cell: 302-562-6112
Email: fisher.judith@gmail.com

CC:
Thomas Bena
Martha Flanders
Bernice Kirby