

VINEYARD MEADOW FARMS ROAD ASSOCIATION

P.O. Box 590645 Newton Center, MA 02459 | 617-529-8900 | vmfr.association@gmail.com

August 10, 2022

Kim Leaird, Board Administrator

Zoning Board of Appeals (the "ZBA")

Town of West Tisbury

Sent via email to: zba@westtisbury-ma.gov

RE: Petition of 213 Vineyard Meadows Farm Road for setback relief

Dear ZBA Board Members:

I am writing this letter to inform the ZBA that it did not send an abutter notice to the Vineyard Meadow Farms Road Association/Trust ("Road Association") which is an abutter to 213 Vineyard Meadow Farms Road. Based on the fact that not all the appropriate abutters received a notice of the August 11th ZBA public hearing, we kindly request that the ZBA reschedule the August 11th public hearing regarding the setback relief matter for 213 Vineyard Meadow Farms Road until all required notices are sent out. I believe the Road Association members should be made aware of this setback request since this project will impact the character of our neighborhood. I would appreciate an email acknowledging receipt of this letter. Thank you!

Sincerely,



Clerk to the Road Association

[REDACTED]

PAM BOIROS AND ERICH METTLER 205 VINEYARD MEADOW FARMS ROAD

182 Homer St. Newton Center, MA 02459 | 617-529-8900 | equinoxvmf@gmail.com

August 5, 2022

Kim Leaird, Board Administrator

Zoning Board of Appeals (the "ZBA")

Town of West Tisbury

Sent via email to: zba@westtisbury-ma.gov

RE: Petition of 213 Vineyard Meadows Farm Road for setback relief

Dear ZBA Member:

We are writing this letter to the ZBA to register our **opposition** to the granting of any setback relief or any other approval for this proposed project for several reasonable reasons which we will detail out further in this letter. As a direct abutter to this proposed project, we were hoping the new owner was going to propose a building plan that was consistent with the values of West Tisbury and our neighborhood. We specifically acquired our property for the rural and natural character of the area. The neighborhood (or development) was formed in the 1970's with protective covenants which embraced the same values of West Tisbury. These protective covenants and the size of the properties influenced the acquirers/homeowners as most homes in the neighborhood are reasonably sized and modest. We hope you will consider the following reasons to reject the approval of this proposed project.

1. Section 1.1 of the West Tisbury Bylaws highlight the Town's planning goals. The proposed project plans (as currently drafted) do not provide the ZBA or any other Town department the means to assess whether the project meets the Town's rural and natural character objectives. For example, this property is currently filled with many mature trees which directly influences the character of the property. The plans do not provide any indication of how the project will retain trees to preserve the rural and natural landscape for the neighborhood and/or the direct abutters. Based on our calculation, using the proposed survey plot plan and project building plans, the project's total floor area coverage ratio impacting the current rural landscape will be approximately 1/6th of the total property square footage.
 2. Section 1.4 of the West Tisbury Bylaws are enacted to promote the health, safety and general welfare of the inhabitants of the Town of West Tisbury as authorized by Chapter 40A of the Massachusetts General Laws (known as the "Zoning Act") and by the Massachusetts Home Rule Amendment (Massachusetts Constitution, Amendment 89). It is enacted for the purposes
- [REDACTED]

enumerated in the Zoning Act as well as those additional purposes contained in the Town's Master Plan. This proposed project must adhere to the Town's Bylaws when it comes to land use (Section 2¹), allowable uses (Section 3²), dimensional and density including but not limited to setbacks (Section 4³), definition of setback (within definitions⁴), definition of bedroom (within definitions⁵), definition of structure (within definitions⁶), minimum 10,000 square feet of buildable land area per bedroom (Section 4.4-7A 3⁷), and other Board of Health requirements. In our opinion, the proposed project should be rejected due to the following:

- a. The proposed ZBA special permit application does not request setback relief for the proposed septic system. The septic system is not an allowable exclusion from the definition of structure.
 - b. The proposed ZBA special permit application does not reflect the correct bedroom count. The definition of a bedroom should include the mudroom as it can be closed off for privacy.
 - c. The proposed ZBA special permit application does not reflect the correct setback relief request. The setback relief request should be 10 additional feet. As defined in Section 4 of the Bylaws, the min. side yard setback must be 50 feet. There are no other sections, sub-sections or clauses within official Bylaws that allow for exemptions to this setback requirement. Any concept of grandfathering of alternative setbacks are not documented within the Bylaws and any grandfathering of setbacks were lost when the new owner acquired the property.
 - d. The proposed ZBA special permit application does not reflect the Planning Boards or ZBA approval to allow the construction of a dwelling that does not meet the minimum 10,000 square feet of buildable land area per bedroom.
3. In April 2022, the West Tisbury voters voted overwhelmingly to approve a proposed zoning bylaw that would restrict home size to less than 3,500 square feet. The bylaw proposal was suggested by Preserve West Tisbury, a subcommittee of the West Tisbury planning board. Preserve West

¹ Section 2.3-1. RU: The purpose of the Rural District is to maintain the Town's historic pattern of rural settlement, characterized by large expanses of open space and unspoiled views from the road, a scattering of residences and small businesses and clustered development surrounded by open spaces.

² The Use Table designates what requires special permits granted by the ZBA and it appears that the project requires additional special permits rather than just setback relief.

³ Section 4.2-1 states that the minimum side yard setbacks must be 50 feet and the maximum height is 30 feet

⁴ Setback is defined as the areas of a lot extending inward from a lot line for the distance specified in this bylaw, in which no building or structures other than fences, mailboxes, and permitted signs may be placed.

⁵ Bedroom (with or without Detached) is defined as any room, other than a kitchen, bathroom, living room, dining room, or unfinished cellar, that can be closed off for privacy and that does not provide access to another room (except a bathroom), including but not limited to a bedroom, study, den, family room, studio or office.

⁶ Structure is defined as static construction of building materials affixed to the ground, including but not limited to a building, dam, display stand, gasoline pump, installed mobile home or trailer, reviewing stand, shed, sign, swimming pool, tennis court, storage bin, or wall.

⁷ Section 4.4-7 states that the Town established this section to allow the construction of individual residences on lots that do not satisfy minimum lot size requirements. There are very specific requirements.

Tisbury member Samantha Look explained that the work to get the bylaw proposal to town meeting took two years, and the first question the subcommittee reviewed was whether the town actually needed the bylaw. Look said this bylaw lets the town control building scale and community development. "The focus is that it takes one small step in doing our best to protect our natural, cultural, and overall character," Look said. Even a West Tisbury voter that makes his living from constructing houses agreed that this Bylaw modification was necessary to preserve the environment, culture, and aesthetics. This dwelling structure exceeds the 3,500 sq ft Residential Floor Area requirement based on the currently available drawings and plot plans. Until there are more constructive and definitive drawings available to assess the adherence to this recent Bylaw modification, the ZBA and Planning Board should reject the application since the application should adhere to all Bylaw matters (with documentation that supports the RF calculation) before seeking setback relief or other ZBA exemptions.

4. An appropriate MA Title V septic system is critical to the island. It is even more critical to our neighborhood due to the unique soil characteristics and water shed. The current project proposal is seeking to building a home with more than 9 bedrooms and six bathrooms (as previously mentioned the home actually has more rooms than outlined in the document). Based on my conversation with the Board of Health and other subject matter experts, this project will require an advanced technology, large capacity, high maintenance system where **soil** becomes an integral part of the design. Given the delicate environmental conditions, this proposed project is not appropriate for this area of West Tisbury and the ZBA should reject the application since the application does not state whether the proposed septic system meets the MA Title V septic system requirements approved by the appropriate subject matter expert.
5. The proposed plot plan does not reflect the direct abutter structures (i.e. dwellings, decks, roads, detached structures, and trees/vegetation) which should be considered a required element of the submitted documents. It would not be prudent for the ZBA to evaluate the proposed project without these elements. How can the ZBA fully understand and determine the visual impact, the shade impact, noise impact, environmental impact, and health impact of the proposed project without these critical elements? Based on my understanding of the provided plot plan, our house will be less than 45 feet away from the proposed project dwelling. We would need to complete a survey and plot plan of the 205 Vineyard Meadow Farms Road, 219 Vineyard Meadow Farms Road and 213 Vineyard Meadow Farms Road to fully understand the impacts of having three dwellings so close together. Unfortunately our dwelling and 219's dwelling cannot be moved or modified and it seems only appropriate that the proposed project be modified (reduced in size and location) to mitigate the impact of their proposed project (with the appropriate setbacks included in their drawings and application).

6. Section 4.3-3D of the Bylaws describe how a the ZBA can grant a special permit to build, alter or extend a structure at a location having less than the minimum setback or frontage distances specified above in Section 4.1. As mentioned earlier, the ZBA should immediately reject the application since the special permit application for setback relief is materially incorrect and does not reflect the correct minimum setback distances as specified in Section 4.1. Besides the fact that the application does not reflect the correct setback, this application contains several material errors and we believe that it would be difficult for the ZBA to properly assess without creating a situation that can be easily challenged in court or through other legal means. That being said, we, as the abutter, should also have full transparency into how the ZBA evaluated the impact of the proposed project. From our perspective, the applicant needs to justify to the ZBA and the ZBA would evaluate whether the applicant was successful in providing sufficient reasons to grant the special permit. As a reasonable person, I'm having a hard time understanding how this proposed project can reach a determination of more likely than not of having no material detrimental effect upon the established and future character of the neighborhood and the Town.
7. As mentioned in reason number 6, we believe that the current proposed project materially impacts the direct abutters, the neighborhood and the Town. The following provides additional information on the neighborhood:
- a. The neighborhood has no other houses with 8 bedrooms (7 bedrooms within the main dwelling as reflected in the application and one additional bedroom due to an application error).
 - b. Based on information received from the assessor's database, approximately 52% of the neighborhood dwellings contain less than 4 rooms (not bedrooms), approximately 45% of the neighborhood dwelling contain 6 or 7 rooms (not bedrooms) and 3% of the neighborhood has more than 7 rooms (not bedrooms).

The ZBA should not grant any relief in this matter which would facilitate or enable the construction of such a large residential home. This project is still in the planning stages and the property owners should redesign their project to make it fit within the applicable setback limits, neighborhood character and Town preservation goals.

Sincerely,



ERICH METTLER AND PAM BOIROS

CC: ATTORNEY

Zoning Board of Appeals

From: Ronald Balasco <ronaldbalasco@yahoo.com>
Sent: Thursday, August 4, 2022 8:19 AM
To: zba@westtisbury-ma.gov
Subject: Petition of 213 Vineyard Meadows Farm Road for setback relief

196 Vineyard Meadow Farms Road

Vineyard Haven, MA 02568

August 3, 2022

Kim Leaird, Board Administrator

Zoning Board of Appeals

Town of West Tisbury

RE: Petition of 213 Vineyard Meadows Farm Road for setback relief

Dear ZBA Member:

I am writing this letter to the board to register my very strong opposition to the granting of any setback relief for this proposed project.

As a property owner within the Vineyard Meadow Farms Road development, I selected our community the rustic nature and scenic roadways. In addition, I am concerned that building such a large structure will create challenges now, and perhaps even more in the future. At the present, the structure will be out of scale for the size of our lots and is substantially larger than any home on our road. In the future, I consider what the market might be for a 7-9 bedroom home, and the use that they may find for it? The size seems to be a better fit for a bed and breakfast vs a residential home.

The current setback restrictions are designed and intended to protect our views and cushion our neighbors from one another. The zoning board should not grant any relief in this matter which would facilitate or enable the construction of such an outsized structure. Given the limited setback restrictions that are currently in place, and the modest lot sizes within this development, I urge the Board not to allow any setback incursions for such a large project.

This project is still in the planning stages and the property owners should redesign their project to make it fit within the applicable setback limits.

Thank you so much for your valued consideration.

Sincerely,

Zoning Board of Appeals

From: Shelly <mriel19@comcast.net>
Sent: Thursday, August 4, 2022 1:36 PM
To: zba@westtisbury-ma.gov
Subject: 213 Vineyard Meadows Farm Road

August 5, 2022

Kim Leaird, Board Administrator
Zoning Board of Appeals
Town of West Tisbury

Sent via email to:
zba@westtisbury-ma.gov

RE: Petition of 213 Vineyard Meadows Farm Road for setback relief

Dear ZBA Member:

The purpose of this letter is to register my opposition to the granting of any setback relief for this proposed project. I have been a property owner within the Vineyard Meadow Farms Road development for over thirty years and I greatly enjoy the tranquil and scenic nature of the homes and their surroundings. I am also one of the impacted property owners who have received written notice from the board concerning this matter.

The proposed seven bedroom house and possible two bedroom addition is a drastic increase from the existing homes within this subdivision. The building lots throughout this development are small in size and a house this large would be greatly out of place with the surrounding homes.

The petition seeks relief from the zoning board from having to comply with the existing setbacks that protect and insure the privacy and views of homeowners, residents and visitors. These important setback buffers should not be relaxed or waived by the board to allow for the construction of this unduly large structure.

The application for relief in this matter should be denied by the zoning board.

Sincerely,

Michel Riel
197 Charles Neck Way
West Tisbury, MA 02575
mriel19@comcast.net

Zoning Board of Appeals

From: Andrew Zaikis <andyzaikis@gmail.com>
Sent: Thursday, August 4, 2022 8:35 PM
To: Clare Harrington
Subject: Fwd: Objection to petition for setback relief for 213 Vineyard Meadow Farms Road

----- Forwarded message -----

From: Andrew Zaikis <andyzaikis@gmail.com>
Date: Thu, Aug 4, 2022 at 8:29 PM
Subject: Objection to petition for setback relief for 213 Vineyard Meadow Farms Road
To: <zba@westtisbury-ma.us>
Cc: Jane Rossi <planningboard@westtisbury-ma.gov>, Andrew Zaikis <andyzaikis@gmail.com>

August 4, 2022

Kim Leaird, Board Administrator
Zoning Board of Appeals
Town of West Tisbury

Sent via email to:
zba@westtisbury-ma.gov

RE: Petition of 213 Vineyard Meadows Farm Road

Dear ZBA Members:

I write this letter to express my deep opposition to the requested setback relief that is set out in the petitioner's request to the board. I would strongly recommend that the board deny relief being sought by the petitioner.

I am a full time resident of the Vineyard and currently live at 219 Vineyard Meadow Farms Road. My property line runs right next to the property lot of the petitioners and as such I am most directly affected and impacted by this proposed project. With respect to the proposed project before the board, I was never contacted by the owners of the property and they have made no effort to discuss their construction plans with me as an adjacent property owner.

Vineyard Meadow Farms Road is a large development comprising approximately 113 house sites. With a single exception, these lots are generally more or less an acre and a half in size and tend to be long, narrow and rectangular in shape. The development was created in the 80's and I purchased my lot over 40 years ago when there were 40 foot setbacks in place. Since that time, setbacks have been increased to 50 feet and minimum acreage to 3 acres.

My lot is only 1.4 acres in size and is one of the smallest sized lots in the development. The property lot at 213 Vineyard Meadow Farms Road is also 1.4 acres in size and as such is also one of the smallest lots in the development. I built my house 4 or 5 years ago with the assistance of an architect and was able to design a modest house without having to encroach or invade the applicable 40 foot setbacks. A similarly modest house is being constructed across the street from me at 220 Vineyard Meadow Farms Road and it too was designed to fit within the applicable setbacks.

By contrast, the proposed house being suggested by the petitioners has not been designed to fit within the applicable setbacks. Instead, it seeks to invade and encroach upon the existing setback lines in an effort to create a massive house that is totally inappropriate for this area. To the best of my knowledge, most if not all homes within our development range from 2 to 4 bedrooms for the main houses with an additional 1 or 2 bedrooms for an accessory apartment if one is constructed. There are no 7 bedroom homes anywhere within our development and the scale of this project is considerably larger than anything that currently exists throughout the development. Nor is there any primary home within the development that comes close in size to the 3439 square foot proposal that is being submitted by the petitioners.

Similarly, all homes within the development have traditional septic systems which generally limit any property to a maximum of 6 total bedrooms. The petitioners' project can only achieve the excessive amount of 9 proposed bedrooms through the use of a high efficiency septic system, an enhanced system that does not exist anywhere else in the development. The use of such a sophisticated septic system on such a small lot should raise numerous questions and concerns when utilized primarily to force an excessive number of bedrooms onto an already undersized property lot.

Finally, the petitioners apparently can only achieve the construction of such a massive and inappropriate structure with the assistance of the zoning board through the granting of relief from applicable setback limitations. It is not enough that the petitioners have proposed such a massive project but they now enlist the blessing and approval of the zoning board with the current application for relief.

It is my position that the zoning board should in no way grant any setback relief in this matter. The petition is absolutely silent as to any need or reason as to why such a project has to invade the applicable setbacks. If I could build my house within the applicable setbacks and if my neighbor across the street can currently build his house within the same setbacks, then so should the petitioners. These setbacks have always been designed to buffer and protect adjacent property owners from each other and I, and my similarly situated neighbors, are entitled to the insulation and protections that such setbacks provide to us.

I would accordingly respectfully request that the zoning board members deny this petition in its entirety.

Sincerely,

Andrew Zaikis
219 Vineyard Meadow Farms Road
West Tisbury
andyzaikis@gmail.com
617-791-7945

Cc: West Tisbury Planning Board
planningboard@westtisbury-ma.gov

August 4, 2022

Larry Schubert, Chair
Zoning Board of Appeals
Town of West Tisbury

Sent via email to:
zba@westtisbury-ma.gov

RE: Petition of 213 Vineyard Meadows Farm Road for setback relief

Dear Mr. Schubert and Members of the West Tisbury Zoning Board of Appeals,

My husband John and I have been owners of 199 Vineyard Meadow Farms Road (Map 37, Lot 8) since 1983. We were one of the first ones to build a home at this end of the road. We have enjoyed seeing the development of the end of this road. It is a quiet neighborhood with many natural beauties. We have seen the plans for the development of 213 Vineyard Meadow Farms Road (VMFR) and are concerned. This projected plan appears very different from the other properties in size and purpose. The following are some of our concerns.

- The proposed plan for this property is out of proportion to the other homes on VMFR. Seven bedrooms with the potential for 2 additional bedrooms could accommodate 18 or more people at a time. That is not the average size of a family.
- Will this property be used as a multi-residence? It certainly seems that this is a good likelihood. Again, this is a neighborhood, not a commercial area.
- 7+ bedrooms will increase the number of residents and traffic on this narrow road. This is an area with little traffic. VMFR ends at Scrubby Neck Road, a narrow dirt road abutting the Long Point Wildlife Refuge.
- The proximity of VMFR, Charles Neck Way, and Waldron Bottoms Road to Long Point Wildlife Refuge makes our neighborhoods very special. We have to consider how the overdevelopment of properties on these roads will impact the natural balance of Long Point that we have learned to respect.
- Allowing these plans to go forward will set a precedent for the development of other properties in our area as well as other West Tisbury areas.

Please consider restricting the overdevelopment of this property. Please consider requesting that the owners and developers create plans that are consistent in size and purpose with other homes in this neighborhood.

Thank you for your consideration.

Sincerely,



Valerie DeWitt
199 Vineyard Meadow Farms Road
845-661-2543



John DeWitt
199 Vineyard Meadow Farms Road
914-629-5583

Zoning Board of Appeals

From: Lillian Damast <optiker@aol.com>
Sent: Thursday, August 4, 2022 5:11 PM
To: zba@westtisbury-ma.gov
Subject: Special Permit for 213 Vineyard Meadows Farm Rd W. Tisbury

Dear Mr Schubert,

With regard to the above mentioned case, I want to express my strong opposition to granting any setbacks for the proposed building and indeed question the wisdom of placing such a large house on a rather small lot. A 7 and eventually a 9 bedroom house is unlike anything in this neighborhood, is grossly misplaced and not in keeping with its surroundings

I am the owner of 202 Charles Neck Way and share a border with the lot in question. We bought our house in 1996 and chose this neighborhood for its natural beauty and judical spacing of residences and I believe other homeowners share my love of its rustic character and privacy and the required setback rules ensure that.

It seems to me a reasonable solution would be to scale back the size of the house rather than the setbacks, requiring special permits to fit the house on the lot, and strongly believe no setback reductions should be granted.

Sincerely,
Lillian Damast

Zoning Board of Appeals

From: darlaouz@aol.com
Sent: Friday, August 5, 2022 9:45 AM
To: Pam Thors; planningboard@westtisbury-ma.gov
Subject: Re: petition of 213 Vineyard Meadows Farm Rd

August 5, 2022

Kim Leaird, Board Administrator
Zoning Board of Appeals
Town of West Tisbury

Sent via email to:
zba@westtisbury-ma.gov, planningboard@westtisbury-ma.gov

RE: Petition of 213 Vineyard Meadows Farm Road for setback relief

Dear ZBA Member:

We are writing this letter to the board to register our opposition to the granting of any setback relief for this proposed project. This letter is also being forwarded to the West Tisbury planning board.

We have been owners within the Vineyard Meadows Farm Road neighborhood for over 28 years. This is our second home. We chose to buy in this area due to its rural, private and natural environment. Over the last 2 years this peace and privacy has been altered due to construction on an adjacent lot.

And now, we learn of a proposed seven bedroom house, with a provision for 2 additional bedrooms, that is to be built directly across the road from our home. This size dwelling is inconsistent and at odds with the size and scale of the current houses that have been built throughout this development.

We understand this appeal is only related to a request for setback leniency. However, we also want to voice our concern due to the size of this house. It falls outside the norm that has existed for at least 2 decades, as well as our concern for the setback exception.

Furthermore, our home is on a slight downgrade directly across from this location. The fact that they need permission for a special septic system due to size gives us considerable concern. We have enough going on with the PFAS situation coming from the airport.

The current setback restrictions are designed and intended to protect privacy, property, tranquility and the peaceful environment. Given the small setback restrictions that are in place and given the small lot sizes within this development, we are requesting the board not allow any setback exception for such a large project.

Sincerely,
Greg and Carla Ouzunoff
214 Vineyard Meadows Farm Rd.
W. Tisbury, MA

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Ouzunoff  
PO Box 646  
Yorktown Heights, NY 10598

## Zoning Board of Appeals

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**From:** lynndol@aol.com  
**Sent:** Saturday, August 6, 2022 7:19 AM  
**To:** zba@westtisbury-ma.gov  
**Subject:** Property at 213 Vineyard Meadow Farms Road

Hello,

My husband Kevin Wojcik and I have owned the house at 130 Vineyard Meadow Farms Road since 1986. I am concerned about the dwelling proposed for 213 Vineyard Meadow Farms Road. A 7 bedroom house with a provision for an additional 2 bedrooms seems to be way out of character with the other houses in the Vineyard Meadow Farms community. Have you been able to determine the use of this proposed dwelling? It sounds more like a rooming house than a private residence. The lot size is only 1.4 acres. It seems likely that the proposed house and garage would take up almost all of that space.

I would urge you to investigate further why it is necessary for these owners to have 7-9 bedrooms and also to look at the other houses in the neighborhood to understand that the proposed dwelling would stick out like a sore thumb, especially on such a small lot.

Thank you.

Lynn Dolan

LynnDol@aol.com  
860-918-4256

## Zoning Board of Appeals

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**From:** Bob Botsford <bmbotsford@gmail.com>  
**Sent:** Sunday, August 7, 2022 7:26 AM  
**To:** planningboard@westtisbury-ma.gov; zba@westtisbury-ma.gov  
**Cc:** Andy Zaikis  
**Subject:** Petition of 213 Vineyard Meadows Farm Road for setback relief

August 7, 2022

Kim Leaird, Board Administrator

Zoning Board of Appeals

Town of West Tisbury

Sent via email to:

[zba@westtisbury-ma.gov](mailto:zba@westtisbury-ma.gov), [planningboard@westtisbury-ma.gov](mailto:planningboard@westtisbury-ma.gov)

RE: Petition of 213 Vineyard Meadows Farm Road for setback relief

Dear ZBA Member:

We are writing this letter to the board to register our opposition to the granting of any setback relief for this proposed project. This letter is also being forwarded to the West Tisbury planning board.

We have been owners within the Vineyard Meadows Farm Road neighborhood for over 6 years. This is our second home. We chose to buy in this area due to its rural, private and natural environment. When we were looking to buy on the Vineyard, privacy was one of our requirements and this neighborhood with the distance between houses was very appealing.

And now, we learn of a proposed seven bedroom house, with a provision for 2 additional bedrooms, could be built down the road from our home. The size of this dwelling is inconsistent and at odds with the size and scale of the current houses that have been built throughout this development.

We understand this appeal is related to a request for setback leniency. When the new property owner bought their lot, they must have been aware of the setback restriction but are now requesting an exception so they can build the biggest house in the neighborhood. I understand the board has the ability to grant exceptions for "good reason" but having the biggest house in the neighborhood is not a "good reason". The setback restrictions were written to create the character of our neighborhood and all home owners up until now have abided by these rules. I really don't understand why the ZBA would grant this change to a long standing restriction.

Like previously stated, the current setback restrictions are designed and intended to protect privacy, property, tranquility and the peaceful environment. Given the small setback restrictions that are in place and given the small lot sizes within this development, we are requesting the board not allow any setback exception for such a large project.

Sincerely,

Bob Botsford and Doreen Regan

146 Vineyard Meadows Farm Rd.

W. Tisbury, MA

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Botsford / Regan

140 Seaview Court Apt. 402(S)

Marco Island FL 34145

Zoning Board of Appeals

From: Victoria Malignano <vickimalignano@gmail.com>
Sent: Monday, August 8, 2022 8:21 AM
To: zba@westtisbury-ma.gov
Cc: planningboard@westtisbury-ma.gov
Subject: 213 VMFR

My husband and I have been owners and seasonal residents at 165 VMFR for over 20 years and are planning on retiring there soon. The reason we chose the property was for the quiet character of the community. We are very concerned and not supportive of the proposed 7 bedroom home at 213 VMFR. The amount of construction noise and traffic on our road alone would be incredibly disruptive, and a structure that large is not in keeping with the standards in the community.

We hope you will consider limiting the permit to be more in keeping with standards that preserve the character of existing community.

Vicki Malignano and Ed Monette

Sent from my iPhone

Zoning Board of Appeals

From: Ariel Dickerman <ariel.dickerman@law.northwestern.edu>
Sent: Monday, August 8, 2022 1:29 PM
To: zba@westtisbury-ma.gov; planningboard@westtisbury-ma.gov
Cc: Ariel.dickerman
Subject: Objection to petition for setback relief for 213 Vineyard Meadow Farms Road

August 8, 2022

Kim Leaird, Board Administrator
Zoning Board of Appeals
Town of West Tisbury

Sent via email to:
zba@westtisbury-ma.gov

RE: Petition of 213 Vineyard Meadows Farm Road for setback relief

To whom it may concern:

The purpose of this letter is to register my opposition to the granting of any setback relief for this proposed project. I have been a property owner within the Vineyard Meadow Farms Road development since 2016, when I inherited it from my father, Andrew Dickerman, who purchased it originally in 1995. I have enjoyed the peaceful, calm, and natural character of the area at least once a year for nearly thirty years now.

The proposed mansion at 213 Vineyard Meadows Farm Road is a significant and unwarranted departure from this character that myself, my family, and the guests we host have come to appreciate. Having a seven bedroom home is completely unnecessary and would be much larger than the existing houses in the neighborhood. It would be inconsistent with the homes on the road and could potentially decrease their value by inviting in larger and louder groups.

The setback restrictions exist to protect the privacy and quiet enjoyment of homeowners, residents, and their guests. My father would be devastated if he were alive to see large homes being constructed on the road which stray from the isolated, calm nature of the area. No waiver or variance or these restrictions should be allowed by the board for this unnecessary and domineering construction.

I sincerely hope this application for relief in this matter will be denied by the zoning and planning boards.

Sincerely,

Ariel Dickerman
245 Vineyard Meadow Farms Road
West Tisbury, MA 02575
ariel.dickerman@law.northwestern.edu
ariel.dickerman@gmail.com

Cc: West Tisbury Planning Board
planningboard@westtisbury-ma.gov

August 8, 2022

Kim Leaird, Board Administrator
Zoning Board of Appeals
Town of West Tisbury

RE: Petition of 213 Vineyard Meadows Farm Road for Setback Relief

Dear ZBA Member:

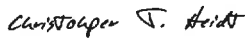
I am writing to the board to register my opposition to the granting of setback relief for this proposed project. As a year-round property owner in Vineyard Meadow Farms, my family and I enjoy the rustic nature and scenic roadways of this area.

The proposed seven-bedroom house with potentially two additional bedrooms in a future addition is out of scale for the neighborhood.

The current setback restrictions are designed and intended to protect our views and cushion our neighbors from one another. The zoning board should not grant any relief in this matter which would facilitate or enable the construction of such a large residential home. This project is still in the planning stages and the property owners should be required to redesign their project to make it fit within the applicable setback limits.

Sincerely,

DocuSigned by:


23C283144AC2457...

Chris Heidt
246 Vineyard Meadow Farms Road
508.326.3363

Zoning Board of Appeals

From: Edward Wholihan <edwholihan@comcast.net>
Sent: Thursday, August 11, 2022 12:20 PM
To: zba@westtisbury-ma.gov
Cc: Sue Kurker; Edward Wholihan
Subject: 213 Vineyard Meadows Farm Road Public Hearing this evening

August 11, 2022

Larry Schubert
Chair, Zoning Board of Appeals
Town of West Tisbury
P.O. Box 278
West Tisbury, MA 02575

Dear Mr. Schubert,

We are owners and residents of 52 Vineyard Meadows Farm Road and are writing to express our strong opposition to this proposed variance and to request that the Zoning Board of Appeals reject the application for a Special Permit. We specifically selected the Vineyard Meadows Farm neighborhood because of the rural ambiance, setbacks, and sense of privacy created by the zoning bylaws. The proposed house is significantly larger than other houses in our neighborhood and inappropriate for a lot of this size. While the owners should have the right to build on their property as they desire, they should have to conform to the same requirements as all other property owners in the neighborhood. Granting a variance for this project will set the precedent for future development, and runs the risk of fundamentally changing the nature of our neighborhood, for the worse. Rejecting this application will impose no hardship on the property owners, as they can easily modify their proposed development to conform to the existing bylaws.

We would like to have expressed our strong opposition in person at the meeting this evening, but only learned of it yesterday and unfortunately cannot attend.

In summary, we respectfully and strongly request that the Zoning Board reject this application, as not in keeping with the bylaws and nature of the Vineyard Meadows Farm neighborhood.

Sincerely,

Edward Wholihan and Susan Kurker
52 Vineyard Meadows Farm Road
West Tisbury, MA 02575

With a CC to follow by regular mail, posted on August 11, 2022

August 11, 2022

Kim Leaird, Board Administrator

Zoning Board of Appeals

Town of West Tisbury

Sent via email to: zba@westtisbury-ma.gov

planningboard@westtisbury-ma.gov

boh-assist@westtisbury-ma.gov

RE: Petition of 213 Vineyard Meadow Farms Road

Dear ZBA Board Members,

As abutters to this property, Brooke and I are writing to the board to register our opposition of requested set back relief requested in the proposed application. We would also like to bring light to other concerns based on limited information provided in this application.

As new property owners to Vineyard Meadow Farms and having gone through the permitting process just a few years ago, it has been made clear that setbacks are important to the neighborhood and to be followed. We were met with a heavy opposition in our original plans which requested setback relief and chose to re-design our plans to follow the 40' setbacks for main house and 50' for garage/accessories structures on a narrow building site. The proposed building lot here is rectangular in shape and provides a large buildable envelope and a blank canvas that one should easily be able to design within the given setbacks.

The size of the home meets the Planning Boards Big House bylaw by counting the 1st and 2nd floor sq footage. Requesting to install egress window wells would indicate to me a plan to finish the basement, which would add to the sq/ft totals. The future 2-bedroom addition is not shown on the site plan and would also increase the total sq/ft. I feel the applicant should be more transparent here and provide additional information to best understand their master plan for the lot.

The request for a potential 7-9 bedrooms may not be under this board's jurisdiction, but one that should be questioned. During our permitting we were frequently reminded by several boards that the by-law states 10,000 sq/ft buildable land per bedroom, this lot is just over 60,000 sq/ft which would indicate a 6-bedroom cap. Has the by-law changed? Has the Board of Health changed considerations on enhanced septic systems adding to bedroom counts and is that written in their by-laws?

Additional concerns surrounding Landscape Plans; as a modular home, this will require substantial clearing to fit the modules and the crane into the lot. It would be nice if the applicant could provide additional information on future screening plans once construction is complete.

For the above-mentioned reasons and lack of information provided in the application we ask the board to consider not approving the requested setback relief until the applicant can provide further details to the plans and application.

Sincerely,

Derek and Brooke Avakian
Vineyard Construction Services, LLC
220 Vineyard Meadow Farms
West Tisbury, MA 02575
774-521-9747