

**Jane Rossi**

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**From:** Angel A <andersenan@aol.com>  
**Sent:** Friday, January 20, 2023 5:47 PM  
**To:** planningboard@westtisbury-ma.gov  
**Subject:** Subdivision and development of 140 Merry Farm Road

West Tisbury Planning Board

Re. Proposal for Subdivision and development of 140 Merry Farm Road



To Whom It May Concern:

I live at 115 Merry Farm year-round, just a bit down the road where it will all happen. Whatever "all" will be?

Our community on this hill is fabulous and tight. Many of us have been on this hill for almost 40 years. My daughter was born here 34 years ago. We have always welcomed new neighbors. I was excited when I heard about the subdivision plans which I thought would allow low-income families to settle down and find peace in a very beautiful part of West Tisbury. But after attending the last zoom meeting regarding that subdivision I am very concerned that the ever-changing plans of the developer are not thought out yet well enough to present to the planning board for serious consideration.

Please dig deep to see how many proposed lots are really feasible and how many buildings will be clustered with approx. how many parking spaces? We are all sharing a not-exactly-wide road leading up to the farm.

Also, could you please put on the agenda, what the plans are for the so-called "Goat House"; a separate lot with a building. Can it be built up? How substantial might those changes be? Will there be a provision in the sales contract to limit a buyer to sell it a few years down the road, and then have somebody add a gift wrapping room and a swimming pool with an attached pool house, etc.?

We are living in a rural area and one of the most beautiful farms sat up there on the hill with an astonishing barn. Who will buy that barn? To which of the proposed lots will it be attached? Who is responsible for the upkeep? At some point Jeffrey DuBard suggested, he'd build an apartment in the barn and give it to Shelley Brown. She lived on the property as a caretaker. She had to vacate the estate since then. I am wondering, whether the added apartment is still a proposal on the table.

The large, new house with the pool might rent out in the summers to wealthy vacationers. Is there a plan to restructure it, so that several teachers, one of the suggestions, can share and rent it in the remaining nine months? Just to heat this big house seems too costly for one family with a nurse's or teacher's income. Affordable it ain't.

I am grateful for Ginny Jones's question regarding the wells. Many

more people with wells will definitely have an effect on the aquifer.

And I am grateful for Jeffrey DuBard thinking outside the box, trying to use existing buildings instead of tearing them down, trying to find solutions to sell houses, if not affordable, but "attainable" and to sell part of the acreage to the LandBank to protect the field. I just would like to ask the board to study each of the permit applications with careful consideration because the impact of this development will be huge.

Thank you all for your great work and consideration.

Kind regards,  
Angela Andersen

January 20, 2023

Jane Rossi

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**From:** Katharine Sterling <katharine\_sterling@yahoo.com>  
**Sent:** Thursday, January 26, 2023 11:56 AM  
**To:** planningboard@westtisbury-ma.gov  
**Subject:** Merry Farm Rd. Subdivision Proposal



Dear Board Members,

Reading the current West Tisbury bylaws Section 4.4-8 B. Regulations and Exceptions I note there is no particular mention that an open space application is an exception to the Regulations cited. I further note in particular 6. in this section.

**6. Division and Subdivision of Land:**

All lots resulting from the Division or Subdivision of land that create new lots or parcels from existing lots containing a dwelling or accessory structures shall adhere to sections B.1, B.2, and B.3 of this Bylaw and will contain necessary corresponding acreage. If a resulting lot contains a structure that exceeds the RFA or SFA limit, a special permit must be issued for the structure on the new lot prior to division, or in which case a special permit had previously been issued for the structure, said permit must be modified or amended prior to division.

Taking this bylaw section into consideration Mr, Dubard must create a lot that is, at a minimum, 4.5 acres around the existing house, barn and accessory dwelling by the barn. Even the creation of this lot may require extra acreage or a special permit since the size of the main house exceeds the new size regulations.(Then there is the current caretaker cottage which by regulation should have 3 acres.)

As noted in our initial letter to the planning board in response to the application by Mr. Dubard there was a failure to submit a plan according to the requirements of Article 5. Most notably a failure to submit a detailed plan to calculate net acreage ( housing envelopes, wetlands "determined by an accredited wetlands specialist".show the existing 15 ft. easement for a trail described in the most recent plan of land at the Registry, along with the "Restriction Agreement" of record.

A reasonable reading of the Restriction Agreement, among other things ( taking note each of paragraphs 1-5 ) one would find that that the unbuildable land reserved by it would not qualify as "buildable " land by the terms of Section 5.4-3.

Progress is not made by serially ignoring legal documents of record ,articles of the bylaw , reasonable requirements for the provision of plan details by an applicant.

Sincerely,  
Katharine Sterling