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February 23, 2023

Virginia Jones, Chairman
West Tisbury Planning Board
P.O. Box 278
West Tisbury, MA 02575

RE: Application from Christopher Cottrell for a Special Permit to Construct
a Barn on the Property Located on Assessors Map 15, Lot 1, 274 Indian Hill Road

Dear Chairman Jones:

My wife and I write once again to voice our strong objection to the application before you to issue a special permit (the "Application") to construct a 52' x 32' "barn" on the above-captioned property ("Property"), which we drive by daily on the way to and from our home in West Tisbury.

I attended, by Zoom, the meeting of the Planning Board on February 13, at which the Application was discussed for the second time. (Unfortunately, I was traveling and unable to attend the first discussion on January 23.)

At the February 13 meeting, I was disturbed to see some members of the Planning Board actively seeking to avoid making a decision on this Application, which so obviously flies in the face of the new West Tisbury planning regulations, as outlined in detail in the letter ("PWTS Letter") from the former members of the Preserve West Tisbury Subcommittee ("PWTS"), two of whom are current members of the Planning Board (although they made clear they were not writing in that capacity). Incomprehensibly, it was those two members who actively voiced opposition to the Planning Board's consideration of the Application—Mr. Soikkeli, who tried to avoid consideration by searching, at length, for a reason why the Application was not properly before the Planning Board, and Ms. Upton, who tried to convince the Planning Board that the Application should be referred to the Martha's Vineyard Commission. Fortunately, both efforts were unsuccessful.

As was repeatedly discussed during the meeting, the new West Tisbury planning regulations have plenty of "teeth" for addressing the many violations of those regulations by the owner of this Property in connection with the Application—the first to come before the Planning Board since the adoption of those regulations. We hope that at its next meeting, the members of the Planning Board will spend less time trying to avoid addressing the issues presented by the Application and will be ready to represent and protect the interests of all the residents of West Tisbury, as it is mandated to do.

At the February 13 meeting, the Planning Board once again deferred making a decision on this Application, this time by asking to see the so-called “landscape plan” of the owner for this Property. While landscaping is certainly one of the Property’s myriad problems, as detailed below, I have now had an opportunity to review the owner’s proposed landscaping “plan”. To state the obvious, the owner’s proposal merely involves planting 16 evergreens between his property and that of his immediate neighbor, Daniel O’Connell. This would undoubtedly (and helpfully) benefit Mr. O’Connell, but would do nothing to address either the landscaping alterations that have already occurred or the landscaping needs of the Property generally, where the main structures remain surrounded by dirt or hardener. More importantly, it does nothing to address the affront presented by the Property to the owner’s other neighbors and other residents of West Tisbury each time they pass by it on Indian Hill Road. The former members of the PWTS are correct when they describe the “existing alteration to this site as shocking.” Landscaping alone will not, in the words of the PWTS Letter, “mitigate impacts [by the Property] on existing rural and scenic character.”

As previously set forth in our letter of January 10 and in the PWTS Letter, the problems with this Property go far beyond those that can be addressed by landscaping, including—

- The owner appears to not be in compliance with applicable laws and regulations regarding the apparent commercial use of this Property for the owner’s business, East Coast Advanced Seamless Systems, multiple trucks from which are routinely seen on the Property.
- Despite the owner’s protestations that the Property is agricultural in nature, even accepting his statements on their face, a small number of birds--25 turkeys and 100 chickens, according to him--does not turn the site into a “farm”. Representatives of the Planning Board who visited the site were not even aware of the housing of such birds, and the recent preliminary real estate assessment by West Tisbury of this Property also does not refer to any animal cages or pens.
- It is unknown who actually resides on the Property. The owner and his family appear to reside in Vineyard Haven according to public records, and as detailed in our prior letter, it appears that the buildings on the Property may be operating as unauthorized rental properties.
- As described in the PWTS Letter, the so-called “barn” to be built on this Property would “add to the already significant impacts of the building density and visibility from Indian Hill Rd. . .With the density of buildings, roads and hardscape at the Indian Hill Rd end of the Property it is now more characteristic of a suburban development” [than] “representative of a character that the town values and has worked hard to maintain. . .[T]his

property now feels discordant with the existing, historical character of this part of the town, and is not representative of the vision of a rural, agricultural community, in a place that is the very heart of that example.”

As we noted in our January 10 letter, while property owners are generally free to build structures on their property of their desired design, subject to applicable state and local laws, rules and regulations, the Property includes multiple buildings that do not have any aesthetic consistency, as well as what appears to be multiple commercial and other vehicles and unauthorized business activities and tenants on it. It is wholly inconsistent with the otherwise bucolic quality of Indian Hill Road. The authors of the PWTS Letter conclude that “this project just hits too many issues that are the very things the [recently adopted West Tisbury] bylaw was designed to protect against.”

The PWTS Letter authors go on to state that they do not see the evidence in this case to grant a special permit, and they are “particularly concerned about the precedent it [would set] for the future relevance of the bylaw if a special permit is granted when so many of the criteria are unmet.”

Mr. Cottrell has a history of exceeding the permitted scope of work on this Property as set forth in the February 26, 2020 letter from the West Tisbury Inspector of Buildings to him, and nothing about this project to date suggests that he would not seek further to bend the rules in his direction and against the interests of his neighbors, both close and elsewhere in West Tisbury.

We again urge the Planning Board to reject this Application for the reasons cited above, and to seize the opportunity to demonstrate that the recently adopted West Tisbury planning by-law signifies a true change for the future of West Tisbury.

Thank you again for considering our views and for the work that you do on behalf of the residents of West Tisbury.

Very truly yours,

/s/ M/M WILLIAM A. PLAPINGER

Mr. & Mrs. William A. Plapinger