

From: diana [REDACTED]

Subject: Merry Farm CR

Date: September 5, 2023 at 8:01 AM

To: Jeffrey DuBard [REDACTED]

Cc: [REDACTED] Mark Robinson [REDACTED]



Hello Jeffrey,

I regret to inform you that the NLC will not be participating in the Merry Farm conservation restriction. Our mistake was allowing the time constraints to rush us into taking on this project before doing our full due diligence. [REDACTED]

Please be aware that Ramona will inform Betina, the Aquinnah Wampanoag Tribal Historic Preservation Officer of the ancient village site. As you move forward, you must limit ground disturbance, including avoiding plowing and hiring cultural monitors before any digging occurs. Thank you for your cooperation in protecting this special place. I am glad it is in the hands of someone who understands its significance.

I hope you will not take this decision as an indication of a lack of support for your vision. Indeed, we firmly support your vision for affordable housing on Martha's Vineyard. I have faith in your ability to realize your vision.

Finally, the NLC will absorb the costs of Mark's time as a testament to our sincere hope to leave this project amicably. I hope the draft CR he has provided you will be helpful.

Respectfully,
Diana

Diana Ruiz, Ph.D.
Executive Director

Native Land Conservancy, Inc.
P.O. Box 974, Mashpee, MA 02649
O: 508.477.1361 | [REDACTED]
nativelandconservancy.org
Native-run land rescue and protection

From: Samantha Look [REDACTED]
Subject: Merry Farm CR
Date: Oct 12, 2023 at 10:39:19 AM
To: Jeffrey DuBard [REDACTED]

Dear Jeffrey,

I sent the message previously when I was traveling to make sure I got it to you as soon as possible, but I wanted to follow up with an email. First, to apologize that the Merry Farm CR did not end up being a match for VCS. We spent considerable time reviewing and considering how we might make it work and I really like your development concept. You are accomplishing conservation in two different ways (the CR and the MVLB sale) you are utilizing existing buildings for the most part, and you are taking what had been consolidated in a single ownership and providing incredible living situations and ownership dreams for multiple folks.

[REDACTED]

Apologies and best wishes, Sam

--

Samantha Look
Executive Director
Vineyard Conservation Society

[REDACTED]

www.vineyardconservation.org
[508.693.9588](tel:508.693.9588)

From: James Lengye [REDACTED]
Subject: land bank
Date: Nov 21, 2023 at 1:52:44 PM
To: Jeffrey DuBard jbdubard@me.com

Jeffrey —

Yesterday evening the land bank commission reviewed and discussed the planning board's decision creating the open space area at Merry Farm, plus your proposal to convey a portion of it to the land bank. Given that the planning board has deemed this to be conservation land, commissioners are willing to consider accepting, as a donation, however much of it that you are able to transfer in fee-simple. The commission does not wish to be involved in a conservation restriction and therefore can only proceed to the extent that fee-simple interest is conveyed. If this is something that would suit your plans we would prepare transfer documents for you to submit to the planning board for review and acceptance, such documents to stipulate that the land is effectively independent of the subdivision and that there are no retained rights whatsoever in it.

Thanks —

James

From: Adam Moore [REDACTED]
Subject: Re: Proposed Open Space Area
Date: December 4, 2023 at 11:27 AM
To: Jeffrey DuBard [REDACTED]



Dear Jeffrey,

Good morning. I met with our Land Acquisition Committee this morning to discuss this revised proposal. I wish to inform you that we are going to decline the proposed conservation restriction.

I do strongly recommend that you ask the WT Conservation Commission to accept the CR. [REDACTED]

Sincerely,

Adam

On Wed, Nov 29, 2023 at 11:11 AM Adam Moore <[REDACTED]> wrote:

Jeffrey,

Then I think you should ask the Town if the West Tisbury Conservation Commission would hold the CR. The Town is the one that is requiring you to convey a CR, no? You might call the Planning Board and Con Com administrators to ask them.

Adam

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Eric Peters [REDACTED]
Subject: Re: Greetings / VOLF Question
Date: Dec 4, 2023 at 12:08:01 PM
To: Jeffrey DuBard jbdubard@me.com

Dear Jeffrey:

Thank you for the inquiry and information.

I am not sure that at the moment VOLF is interested in a CR. I know that currently it can take a year or more to get them approved by the state.

[REDACTED]

Regards,

Eric L. Peters Law Office
P. O. Box 1117
Edgartown, MA 02539
phone: (508) 693-8830
fax: (508) 627-3781

[REDACTED]

On Tuesday, November 28, 2023 at 12:05:26 PM EST, Jeffrey DuBard [REDACTED] wrote:

Hello Eric,

Reid Silva suggested I reach out to you. I own a property at the end of Merry Farm Road in West Tisbury. It was formerly David Douglas's Rainbow Farm. I have created small lots under the Open Space Bylaw for the creation of 4 lots. 3 of the 4 lots are for housing that exist on the property and only 1 will involve anything new being built.

I worked on the creation of an Agricultural Restriction for the open space with the consultation of a group called the Native Land Conservancy. One of the important elements to me was that it gave recognition of the indigenous history of our land. Unfortunately, they are not active on island and thus do not wish to hold the restriction.

Reid suggested that VOLF would be a good fit. I've included the draft restriction and site plan for your review. I'd be happy to offer some compensation for holding the restriction if you would consider it.

Thanks very much,

Jeffrey DuBard

[REDACTED]