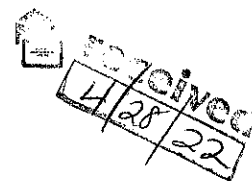


Town of West Tisbury  
Attn: Planning Board  
PO Box 278  
West Tisbury, MA 02575



April 18, 2022

To The West Tisbury Planning Board,

I would like to provide some background on the Huseby Mountain Farm subdivision that we brought in front of the Planning Board and the Martha's Vineyard Commission in 2014-2015. Prior to coming up with the subdivision plan, we had discussions with Jeff Serusa & Wendy Bujak in 2013. Before they agreed to purchase the 11-acre parcel, they wanted to know what our intentions were with the remaining 28-acre parcel. We told them that our hope was to sell it as one parcel, but that if we were unable to do that, we may decide to subdivide that lot along with the remaining 3-acre lot along Pine Hill Road. We told them we would not subdivide the land into more than 5 additional lots and that we would stipulate that no further subdivision of the land would be allowed. Based on these discussions, they felt comfortable purchasing the 11-acre parcel and granted an easement to not more than 6 lots for single family residence. Included in the 6 lots are easements to the Araujo, Merry (homesite lot) and VanLandingham properties if Pine Hill Road was physically blocked or legally challenged, to ensure access to their lots. We agreed to create a 10-acre lot, a 9.01-acre lot, a 7.5-acre lot, a 3-acre lot (We sold to Dan VanLandingham) and a 1-acre resident home-site lot (We sold to Dan Merry) with no further subdivision of the land. This was based on the previous discussions with Jeff Serusa & Wendy Bujak.

Another factor I would like you to consider is, that if the road coming off Old Courthouse Road was connected to Huseby Mountain Road it would technically change the easement granted from the Bujak property. The current easement allows for no more than 3 additional lots. Even with the crash gate in place, there would be no way to monitor this gate and therefore would allow anyone to come and go creating excess traffic through the Bujak property.

I would also like to mention that when we created the building envelopes, they were not only due to Natural Heritage, but the proximity to the surrounding properties. Our intent was to keep the fields as they were and push the building envelopes into areas that took the surrounding neighbors into consideration. We included a no residential dwellings restriction on the portion of the 10-acre lot abutting the Bujak property. The MVC decision & Planning Board decision called it a "No Build Zone".

We also took into consideration the proximity of the subdivision with the surrounding light industrial zone and the traffic on Old Stage Road, as well as the access onto Huseby Mountain Road.

All of these variables were taken into consideration when we came up with this well thought out subdivision. We hope you take all of these factors into consideration when evaluating any further subdivision of this property. We have always been advocates of affordable housing and the ongoing problem of housing on Martha's Vineyard.

Thank you for your time,

Joe El-Deiry

Huseby Meadows LLC  
April 7, 2022

West Tisbury Planning Board  
West Tisbury Town Hall  
1059 State Road  
West Tisbury MA 02575



Dear Board Members,

Thank you for your visit to the Huseby Meadows property last week. I hope your visit to the property was helpful in visualizing the natural beauty of the property. In negotiations with the conservation land agency involved, a key priority for the property has been to preserve the scenic ridge from building of already approved homes, preserving the open space by limiting building on the farm fields, as well as to provide public access to the property that connects to the island's trail system. In contrast to state law that a minimum of 50% of the land be preserved through open space development approvals, 60% of the land here will be preserved, per the town by-law.

In addition to the open space preservation outlined above, we are trying to create desperately needed affordable housing in the town and on the island that is for the workforce of the Martha's Vineyard Public Schools and Charter School.

As outlined in our application, West Tisbury, like all the island towns has struggled to meet its affordable housing target established in law by the State of Massachusetts. West Tisbury's current shortfall of 127 homes, as tracked by the State, is based on the 2010 U.S. Census. When the recently published 2020 data is certified by the State, this shortfall is projected to climb to 155 homes in the town and 624 homes on the island. Compared with other vineyard towns, this is both the second largest shortfall in terms of the number of affordable homes and the second lowest percentage of affordable homes for any town as prescribed by the State.

Above, and in our general discussion on housing, we use the words "affordable housing" as interchangeable and indistinguishable from the residents in our community being helped. This is a disservice to our goals and the school employees that we are trying to support. It is true that 100% of the incremental density we are proposing is "affordable" per the towns' by-laws. We talk about units, dwellings and bedrooms as though they are objects. The fact is all eleven additional homes we are proposing will provide affordable homes for individuals and families critical to our community and the Island. Ten of the eleven homes are for Martha's Vineyard Public School/Charter School employees and considered part of the "workforce". Workforce housing tends to be last on many government/municipal housing priorities with low income and senior initiatives receiving priority.

In general, the State's zoning laws aim to provide a broad template to strike a balance between the needs of property owners, abutters, and historical, social and environmental goals. West Tisbury's town zoning by-laws control and regulate direct development within the towns' borders with similar goals as the States that are more specific to the town. The proposed open space development application before the West Tisbury Planning Board is a "permitted use" and "as-of-right" by both Massachusetts and the West Tisbury Zoning by-laws. It is a "permitted use" just the same as if someone was seeking to build a typical home on 3 acres of land in the town. Neither the typical home example above, or this open space development application requires a special permit or variance, provided the zoning by-laws are followed. Only site plan review may be warranted.

Our goal for the proposed site plan, is consistent with stated guiding and governing West Tisbury land use by-laws, "to preserve the open space resources of West Tisbury as identified in the Master Plan and Open Space and Recreation Plan, to foster compact development patterns using flexible regulations for density and lot dimensions, and to promote and encourage affordable housing for year-round residents". As such, I ask the West Tisbury Planning Board to consult with the town Counsel to review the elements of this application as presented. If any of the core elements (rescinding the previous plan, a permitted use, as-of-right qualifying), of this application are

incorrect, or the planning board is not prepared to determine the conservation value as proposed, or modified, I would withdraw this application, without any prejudice.

In summary, this application is applying for rescission of Huseby Mountain Farms Definitive Subdivision Plan pursuant to Massachusetts General Laws Chapter 41, section 81W, and reapplying for a new form C Definitive Subdivision Plan pursuant to the Subdivision Control Law and the Zoning Bylaw of West Tisbury, specifically Article V Open Space Development, which is a Permitted Use, allowed-by-right.

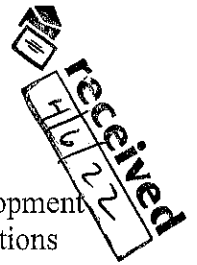
In highlighting the above technical points, the Planning Board must make a determination in the conservation value of the proposed development. I have indicated repeatedly in both public meetings held, that I am willing to consider input from the planning board, as to the site plan layout, as the conservation value of the property determination is at their "sole discretion". In addition to the question of conservation value, the town must also opine on the bonus densities, if any for the development. Both the affordable housing and public access density bonuses are at the sole discretion of the West Tisbury Planning Board and are independent from the conservation value determination. Only the West Tisbury Planning Board has the authority to make this determination. No judgment regarding the developments potential impact can be adequately considered pursuant to the State's or Towns zoning laws or subdivision control laws. Nor can the MVC access the developments attributes and detriments until the bonuses are agreed and the density has been determined.

It is worth repeating again, that 100% of the density bonus being requested are for the sole benefit of affordable workforce housing for the Martha's Vineyard Public School and Charter School employees. 100% of the market rate density has already been approved and can be developed today. Only the locations and access change, not the market rate density.

Kind regards,

A handwritten signature in black ink, appearing to read "William Cumming", written in a cursive style.

William Cumming



Dear Members of The West Tisbury Planning Board,

I am a lifelong resident of Old Courthouse Rd. and my property abuts the proposed development planned by William Cummings on two sides. I have outlined my concerns as well as questions regarding the plans brought to the board by Mr. Cummings.

I hope that the planning board and commission will take the concerns of the abutters into consideration when deciding on Mr. Cummings proposal. I hope the board will consider a proposal that will allow for the affordable housing that we so desperately need, in a way that will not destroy the road and way of life of the residents on it.

### Traffic

As I said above my property abuts the proposed development, we are a family of five with three young children under the age of six, and the density proposed by Mr. Cummings gives me serious concerns about the safety of my young children. This is a narrow country road (I believe measuring only 15 ft wide) that turns into a special way, the density suggested by Mr. Cummings is almost unimaginable to those who live on the road. In addition to the proposal by Mr. Cummings there are acres of undeveloped land at the end of the road, several new affordable housing units which are not yet occupied, and uncertainty around the usage of 49 Old Courthouse Rd. which may become housing for hospital employees, this would all add traffic to the road at a future date and should be considered.

As an example of the difficulty our narrow road already faces you need only look at the extreme corner at the beginning of the road. As it is that corner is not safe for two cars to pass when going in opposite directions, made more difficult by the limited visibility around the corner. With the increase in cars, trucks, and delivery vehicles, that corner will become a constant traffic jam as well as a danger for all pedestrians on the road.

There are many children on Old Courthouse Rd., including my three young children. This is where we teach our children to ride bikes, where we walk to visit neighbors and family, where we take the dogs, where children walk to and from the bus. With the density that Mr. Cummings is suggesting the road will no longer be safe for these activities. The increased number of vehicles all using the narrow road will not only destroy the peace on the road but also create an unsafe situation for the young children on the road. Imagining what the density Mr. Cummings is suggesting will do is terrifying for residents and a serious safety liability for the town.

### Subdivision of Huesby Mountain/ Atwood

When purchasing our property we understood the decision by the commission would restrict further subdivision on the property behind ours. The fact that our home would stay relatively the same because of this decision was a consideration when deciding where to raise our children. When Mr. Cummings initially proposed subdividing the lots behind our home to allow affordable housing we understood that the need for affordable housing on the island may affect the commissions previous decision, but Mr. Cummings is no longer proposing to put any affordable housing on these lots. Despite his knowledge of the commission's decision Mr. Cummings now plans to divide the property into multiple market rate lots, greatly increasing the potential profit of the property. Mr. Cummings is also proposing several barns which can also

include apartments and a Land Bank property. I am concerned that a decision made by the commission can so easily be dismissed by a developer who would like to gain more profit from his purchase.

I understand Mr. Cummings would like to sell the property at the top of the ridge to the Land Bank and while I am always encouraged by the public use of the Land Bank properties there is no need to further subdivide the properties to do this.

Another ramification of Mr. Cummings desire to increase the number of market rate parcels for sale on his development is the access point. The previous subdivision of these lots had access off Old Stage Rd., but by increasing the number of market rate lots the traffic will now need to be directed through Old Courthouse Rd., further adding to traffic concerns. It is my understanding the only necessity to use Old Courthouse Rd. as an access point is because Mr. Cummings would like to add market rate lots on the property that should not be further subdivided.

#### Islander Lots and former Jaxtimer Property

I was pleased to see that the former Jaxtimer lot, which my property abuts along the side, will have islander lots, there are not enough opportunities for locals to buy affordable lots in the current market and I am in support of islander lots. My concern is with squeezing a market rate lot (with a price likely out of reach for many local families) as well as a parking lot, and a large road. I do not understand how Mr. Cummings can divide the lot into multiple parcels of land.

As a property abutter of this parcel when purchasing our home I expected to live next to a main house and a smaller guest house. I was thrilled to see that two island families would have the opportunity to purchase lots despite the fact that we would be living next to two full size homes instead of one large home and a smaller guest house. My concern is in the parking lot and market rate lot as well as the road. I believe the plans show a parking lot for four to five cars, a road which will be the main access point for 50-60 cars, and three four-bedroom homes. That kind of density means that the property we purchased with the understanding that we would be living in a wooded area is now in the center of a high traffic development. If this were to happen, we would be contending with the cars, lights, noise, and traffic associated with a development of this type.

#### Open space

It is unclear to me what is being considered open space and conservation land by Mr. Cummings. It seemed that barns, which had bedrooms in them, and necessary roads were included as "open space" for the purpose of calculations. Calculations used to add more bedrooms onto plans which are already densely populated. This broad definition does not serve the community.

#### Affordable housing teacher units

I am concerned about the density of the affordable units on a three-acre lot that already has a house and will also have an access road. Mr. Cummings is proposing adding eight one- and two-bedroom units. I am a supporter of affordable year-round housing for families on Martha's Vineyard, and when hearing that Mr. Cummings planned to add affordable housing I was excited by the thought that there would be another place for families, but when seeing the number of one-bedroom units proposed I see now that will not be the case.

Mr. Cummings speaks of the number of bedrooms, and I understand that measurement but let us also consider the number of bathrooms, kitchens, and cars that will be associated with each unit. With each additional unit the traffic will increase substantially. In the past the residents of Old Courthouse had given support for a three-bedroom home at the former fire station lot. Mr. Cummings proposal consists solely of one- and two-bedroom units, this means that it is likely many people who live in the units will view them as temporary housing and that as families outgrow the space they will again find themselves in a situation where they must look for secure, year-round housing. In addition to not being suitable for many families the quantity of smaller units will be a further drain on resources. Why not consider eliminating some of the smaller units in favor of three-bedroom units? If Mr. Cummings plan were to change to include three-bedroom units there would be far less density, traffic, and a more sustainable option for families.

Thank You for talking the time to review our letters and listen to our questions and concerns.

Best Regards,

Christina Simmons  
32 Old Courthouse Rd.

## Jane Rossi

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**From:** Contact form at West Tisbury, MA <cmsmailer@civicplus.com>  
**Sent:** Friday, April 1, 2022 11:34 AM  
**To:** jrossi  
**Subject:** [West Tisbury, MA] Cummings Housing Project/Bridge (Sent by James Powell, oldmayhewfarm@gmail.com)

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged



Hello jrossi,

James Powell ([oldmayhewfarm@gmail.com](mailto:oldmayhewfarm@gmail.com)) has sent you a message via your contact form (<https://www.westtisbury-ma.gov/user/41/contact>) at West Tisbury, MA.

If you don't want to receive such e-mails, you can change your settings at <https://www.westtisbury-ma.gov/user/41/edit>.

Message:

I appreciate the hours which have gone into review of 2 important projects facing the Town - the Cummings Housing project, the other is the old bridge. As a former member of the Planning Board, the Martha's Vineyard Commission and the Fire Department, I can appreciate the importance of widening the bridge to safely permit passage of a vehicles so that people don't have to pray to Hod everytime they try to make it across. As a boy, I fished under the granite slab bridge which current time demands that it be widened. Please widen the bridge. I am concerned with the scope and size of the Cummings Jousing project. Won't the access Road off of Old Courthouse Road need to be widened for safe passage of the hundreds of daily trips by cars, UPS trucks and, Heaven forbid, fire trucks should Mr. Cummings plan be developed in its present design? Safety should be a major consideration as the Town could insure responsibility if it passes to the MVC a plan rife with justified opposition for several other key problems. Honest evaluation and transparency in the Cummings Housing evaluation are paramount.

Jim Powell



## Jane Rossi

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**From:** David Fielder <fielderd78@gmail.com>  
**Sent:** Monday, March 21, 2022 3:19 PM  
**To:** planningboard@westtisbury-ma.gov  
**Subject:** Huseby Meadows proposal - 3/21 meeting

Hi Jane,

This message is for Ginny Jones, Chair of the Planning Board.  
Thank you!

Best regards,

David

To Ms. Jones,

My name is David Fielder, I was born on Martha's Vineyard and lived on Old Courthouse Road my entire childhood. My family has roots going back over 150 years and we have no intentions of ending that run. Over the last few years, I've followed the Huseby Meadows project with a growing concern and, at this time, I feel the need to voice it.

Growing up on Old Courthouse we had a smaller neighborhood but still enough of one to be able to have other kids to spend the summer days riding bikes, skateboarding and rollerblading the days away. During the fall and winter months we commiserated while waiting for the bus at the end of the road. As we grew so did our road. Many new families moved or built here and infused a new vibrance and life to "Old" Courthouse. People I rode the bus with as a child are now raising their own children in very much the same way my parents and theirs did. My brothers and I all plan on having children one day and being able to raise them in this community we've all built is our greatest hope. My most intense concern with the Huseby Meadows project is not so much the influx of new neighbors, although I do believe incorporating large groups together does pose its own challenges, it's what it entails, much more traffic, damaging home equity of surrounding neighbors, environmental impacts etc. I worry that by forcing such a large-scale project upon the families currently living and raising children we could end up destroying all that we've built over the years. I believe that the neighborhood has shown its willingness to work with the town and affordable housing but the size and scope of this project seems too much for this road to handle.

I hope that my message has come across in the right light and while I worry about this project it shouldn't be seen as a lack of support for injecting new life into our community.

Best regards,

David Fielder



**Jane Rossi**

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**From:** Linda Vadász <linda.vadasz@gmail.com>  
**Sent:** Monday, March 21, 2022 4:09 PM  
**To:** planningboard@westisbury-ma.gov  
**Subject:** Huseby Meadows Development



Dear Members of the West Tisbury Planning Board,

We live at 35 Old Courthouse Road (OCR) in an affordable apartment in our daughter and son-in-law Nicole and Ben Cabot's house. Obviously, we are in favor of affordable housing on our road, including the duplex that is currently being built on the site of the old firehouse. However, we are opposed to the Huseby Meadows subdivision for a number of reasons.

1. The population density that will result from the homes that will be built along the proposed road that leads to OCR will mean an increase in traffic on a quiet street where many children live and play. There is no way to widen our road since there are utility poles, mature trees, and stone walls along the way.
2. The developer plans to use the affordable units for 'teacher housing.' There are others who work for town government who also need affordable housing. Will their needs be met?
3. What about the impact on our water table? Has this been addressed? Since there are no sewers here, it will mean that septic systems will have to be installed.
4. Since there is no master plan, there are several property owners here who have large tracts that have been in their families for many generations who most likely will consider subdividing their land along OCR in the future. How will that impact the environment?

Sincerely,

Linda & Gaston Vadasz

**Jane Rossi**

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**From:** Brad Fielder <bradfielder@yahoo.com>  
**Sent:** Monday, March 21, 2022 4:44 PM  
**To:** planningboard@westtisbury-ma.gov  
**Subject:** Huseby meadow proposal



Good afternoon,

My name is Bradley Fielder. I've lived almost my entire life on Old Courthouse Road and have a family connection dating back well over 100 years. I understand that there's a meeting tonight regarding the Huseby Meadows proposed project and I wanted to send a quick email detailing some of my concerns with it.

As I'm sure many other people with a connection to this road have most likely stated, I'm worried about this projects size and scope.

I fully understand and appreciate West Tisbury's desire to make itself better able to help support young and lower to middle-income year-round residents and believe that it's a laudable goal. My worry is that this project could end up hurting the exact group it's meant to help. The road I grew up on is more than just a road, it's family(literally in some cases). I worry that the densest populated area of the road which contains the majority of young families is about to be doubled in size and I have a tough time seeing how that can truly be a net positive for their investment and safety on the road.

In closing, I worry about what a project of this size will do to our road and can't in good consciousness get behind something I feel may hurt the community I've grown up in. I hope that everyone understands that while I'm for affordable housing and that some sacrifices must be made to keep this island the great community it is, if the brunt of the sacrificing is made by the people it's purporting to help, I think we may need to rethink some things.

Best regards,

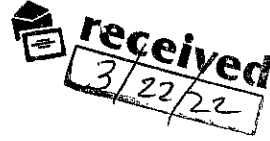
Bradley Fielder

Sent from my iPhone

**Jane Rossi**

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**From:** Bill Fielder <billfielder1991@yahoo.com>  
**Sent:** Monday, March 21, 2022 5:04 PM  
**To:** planningboard@westtisbury-ma.gov  
**Subject:** Huseby Meadow development



Good afternoon,

My name is William fielder, I've lived on Old Courthouse Road for most of my life and my family has called this road home for over a century. I thought it important to reach out and share my concerns regarding the Huseby Meadows subdivision plan.

It is my belief that the current proposed plan will increase the road traffic to a level that is unsustainable and bordering on unsafe. I understand that the developer has the right to build but hiding the over development of our island behind the guise of affordable housing is not the same thing. I worry that we are inching to the point where we must either recognize that the neighboring properties are going to be affected by this in a negative manner and make a change in how we manage these types of projects, or admit that the landowners that have bought, built and loved this area no longer have a voice.

I honestly believe that the idea behind affordable housing is great, I would just like to see it done in a more equitable fashion.

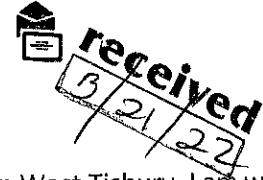
Thank you for your time,

William M. Fielder

**Jane Rossi**

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**From:** Carolina <carolinastew@gmail.com>  
**Sent:** Monday, March 21, 2022 1:45 PM  
**To:** planningboard@westtisbury-ma.gov  
**Subject:** Old Courthouse Rd Development



Hello, my name is Carolina Cooney and I am the homeowner at 10 Old Courthouse Rd in West Tisbury. I am writing about the planned Huseby Meadows development.

While I am in favor of affordable YEAR ROUND housing, I am very concerned about the impact of the Huseby development to our road, and the lack of a comprehensive town-wide affordable housing plan. There is already a surprising amount of density on some of the lots on Old Courthouse Road, but this would definitely be setting an example to allow this level of density development due to the open space bylaw. We have multiple people on Old Courthouse that own 10+ acres, so we could see this type of cluster development on other lots. While we need to expand affordable housing, let's find a way to do it without ruining the beautiful natural character of our community.

My greatest concern is that this development seems to be a very thinly veiled way to destroy a large area of beautiful, undeveloped land to put in multiple million dollar houses for great profit, using affordable housing as a ruse to get around regulations. It sets a bad precedent for the Island as a whole. While we badly need affordable housing, we must also take great care to protect the Island and our limited resources and capabilities (land, potable water, waste disposal). Thirteen new homes plus additional structures will forever change everything we love about Old Courthouse Rd and West Tisbury as a rural town.

It will be a sad day if this is allowed to move forward. We must be responsible in our development of the Island and protect its beauty for future generations.

Thank you for your time.

Best,  
Carolina Cooney

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Carolina Cooney  
10 Old Courthouse Rd  
Vineyard Haven, MA 02568  
530-228-7059  
[carolinastew@gmail.com](mailto:carolinastew@gmail.com)

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**Jane Rossi**

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**From:** Christine Fielder <cfielder58@gmail.com>  
**Sent:** Monday, March 21, 2022 1:33 PM  
**To:** planningboard@westtisbury-ma.gov  
**Subject:** Huseby Meadows proposal 3/21 - Homeowner Opinion



This message is intended for Ginny Jones - Chair of the planning board.

Hi Ginny,

I hope this finds you well. My husband and I wanted to reach out and give our 2¢ on the Huseby Meadows proposal that's being presented this evening. Unfortunately, I will be working this evening so will be unable to attend to voice our concerns in person(virtually). Please find below our thoughts in written form.

I have been living on Old Courthouse Road since 1986 and before that my ancestors have lived and farmed here since the 1700's. This has been a child friendly area where children could learn to ride a bicycle, walk home from the bus and play together in a safe environment. I am concerned that such a large increase in road usage would almost certainly pose an increased danger to those who now live on Old Courthouse Road. Not only am I worried about the neighborhood but also the degradation of the road itself. The most heavily trafficked parts consistently have potholes that must be weaved in and out of to either leave or enter the road and 2-3 times more cars to the road would surely drastically increase this problem.

I am also extremely worried about the concentration of buildings being proposed and the waste that they would create. While I'm no expert on this matter I worry that the proposal paints too rosy a picture of the possible environmental impacts to the surrounding properties and families.

To sum up my thoughts on this proposal, my most urgent concern is that in our haste as a community to create a new and vibrant neighborhood we end up destroying the one that is currently thriving. I'm supportive of affordable housing and support it as far as it does as little harm to the community it's meant to benefit but to me the size and scale of this project is too large for the given area.

Best regards,

Christine and Evan Fielder

Sent from my iPhone

received  
3/2/22

March 21, 2022

Attn: Virginia Jones, Chairman  
West Tisbury Planning Board  
PO Box 278  
West Tisbury, MA 02575

Re: Huseby Meadows LLC Subdivision Plan

To the West Tisbury Planning Board:

I am an abutter to the proposed subdivision by Huseby Meadows LLC and writing to share public comment for the first Planning Board hearing coming up today. I expect there is a lengthy public process ahead with additional opportunities for public comment before you and other permitting bodies like the Martha's Vineyard Commission, so I'll aim to keep my initial input brief.

The primary concern I want to raise for the Planning Board at this point is **site engineering for the proposed access road** on the Old Courthouse Road side of the subdivision plan.

For context, my husband Oliver Osness and I live at 56 Old Courthouse Road (lot 22-7.5) abutting the proposed IHT affordable housing site. Our home is on the western side of the ridge visible in the topography lines on the "Overlay Plan." This ridge is at the edge of the moraine. On our property, there is a distinct place at the top of the hill where the soil changes from glacial till to sandy outwash. Our side of the ridge has been a different place from the field side for thousands of years.

The next important thing to know about the Old Courthouse Road lots on this side of the ridge is that they are very steep. Much of the slope is 20% or greater, held intact by forest. Our own dirt driveway curving up the hill is an excellent example of why there isn't already an access road going up and over: we see (and continuously repair) a lot of erosion and sections of the driveway are impassable in winter conditions. In the time we've lived here, numerous cars and trucks have gotten stuck and caused damage. Sediment from driveways like ours washes into the road during heavy rain.

We and our neighbors on this side of the road usually park down by the road during snowstorms because our steep driveways are impossible to get up or down safely, even with all-wheel-drive and good winter tires. We've heard of service providers refusing to come because the driveway is too steep to plow. During the most recent major winter storm (an increasingly common occurrence due to climate change) someone's car got stuck blocking our driveway partway up before Oliver and I had a chance to move our cars to the bottom. Their car was stuck for multiple days because no tow truck could get it out until the driveway was plowed. The plow driver couldn't reasonably wait for the tow truck after they plowed the portion of the driveway they could access, so we were snowed in for two more days while we waited for them to return and plow the rest. Thankfully, we were safe and content to stay home. This would have been a much higher stakes situation if more households shared our access.

Not shown on the proposed subdivision plans is the topography of the Old Courthouse Road lots or an elevation profile of the new access road. The slope of this land is such that safe access and good drainage will be very difficult, maybe impossible, to achieve as drawn. I urge the Planning Board to consider this issue carefully and require the Developer to provide a fully engineered site plan.

The other thing I want to share now is my **strong support for the affordable housing component** of this plan.

I think permanently affordable rental housing for school employees would be a positive addition to our neighborhood. In its proposed location, my property would be the most heavily impacted by the development of these apartments. As much as I would like the idyllic forest around my house to stay that way forever, I can accept this change because the affordable housing is so important. I also have confidence that it would be done well.

I am much more wary of what happens on the market rate lots, especially those around Farm #2. I think there are too many and none of lots M1-M8 should be accessed from the Old Courthouse Road side. There are serious flaws in the access road as drawn. The Developer has not provided fully detailed design standards. Construction on the IHT site would be disruptive, but finite and done all at once. We could be impacted by years of ongoing construction on surrounding lots depending on when the market rate homes are built. They wouldn't be subject to the same design review or abutter outreach obligation the affordable housing developer is. The affordable rentals would be expertly managed and maintained, whereas the market rate lots would each be maintained by individual owners who may or may not be good neighbors. We have no way of knowing what to expect there.

I should disclose that I was formerly part of the project development staff at Island Housing Trust and I continue to serve on their project development committee. I support their mission and take pride in their work. They build beautiful homes built to last and consistently exceed standard energy efficiency and wastewater treatment requirements. Based on my professional experience working on their projects, I have confidence in the design and permitting process for affordable housing in West Tisbury. Multi-family housing development like the proposed teacher housing outside my kitchen window is subject to much more scrutiny and often stricter standards than by-right single-family homes like those that would be built on the proposed market rate lots. I'm familiar with the work of the design team and I trust that they will work with us to come up with collaborative solutions for mitigating impacts on both side of our shared boundary. We will be impacted by the change in our surrounding environment and the presence of new neighbors close by. Those neighbors will feel our presence, too. I feel confident that we can work together to find good solutions because I know what to expect from IHT.

Thank you for taking these comments into consideration and for all the work you do in service to our town.

Sincerely,

Faren Worthington





March 21, 2022

Attn: Virginia Jones, Chairman  
West Tisbury Planning Board  
PO Box 278  
West Tisbury, MA 02575

Re: Huseby Meadows LLC Subdivision Plan

To the West Tisbury Planning Board:

Old Courthouse Road has been a familiar road to me for most of my life. For at the end of the road, lives my best friend and his family the Fielders who have been a second family for me since childhood. What I did not know about about Old Courthouse before I moved here is the sense of community the road has. Cars are not the dominant presence, instead you are much more likely to encounter people, running, biking, pushing a stroller, walking dogs, or just out and about. It is people of all ages such as the neighborhood kids playing in the road, the older folks taking their time, and people from nearby neighborhoods who walk this way regularly. It is also an important pedestrian route for the entire community. The ancient way connects to other trail systems: Pine Hill, State Road, and Old County. The Ag-Hall, Granary Gallery, Bike Path, Schools, and North Tisbury Marketplace all are connected by this pedestrian route. The MV Commission and West Tisbury Complete Streets Committee has identified Old Courthouse as an important pedestrian route so it is very important to preserve its nature by minimizing vehicle traffic. There is not another road like it in West Tisbury.

I am sharing this as my initial input to help characterize the road. I know that traffic is going to come up as a big issue in the permitting process and I hope this description is helpful in evaluating the Developer's application.

Sincerely,

Oliver Osnoss

56 Old Courthouse Road  
West Tisbury, MA 02575

 **received**  
4/12/22

QUITCLAIM DEED

Huseby Mountain Farm, LLC, a Massachusetts limited liability company, with a principal place of business in West Tisbury, Massachusetts

in consideration of:

grant to Wendy H. Bujak, with a mailing address of P O Box 1284, Vineyard Haven, MA 02568

with *quitclaim covenants*

The land, with any buildings and improvements thereon, situated in West Tisbury, County of Dukes County and Commonwealth of Massachusetts and being more particularly bounded and described as follows:

**PARCEL ONE:**

Being Lot No. 2 as shown on a plan of land entitled "A Plan of Land in West Tisbury, Mass., Prepared for John P. Olsen, Jr. & Richard T. Olsen, Scale: 1" = 50', November 29, 1984, Schofield Brothers, Inc., Registered Professional Engineers and Land Surveyors, State Road, Vineyard Haven, Mass." recorded with the Dukes County Registry of Deeds in West Tisbury Case File No. 275, to which plan reference is hereby made for a more particular description.

**PARCEL TWO:**

Being Lot No. 4 as shown on a plan of land entitled "Plan of Land in West Tisbury, Mass. Surveyed for John P. Olsen, Jr. & Richard T. Olsen, January 14, 1982, Scale: 1" = 80', Dean R. Swift, Reg'd Land Surveyor, Vineyard Haven, Mass.", recorded with Dukes County Registry of Deeds in West Tisbury Case File No. 208 to which plan reference is hereby made for a more particular description.

Excepted and excluded from Parcel Two is Lot No. 3 on a plan of land entitled "A Plan of Land in West Tisbury, Mass., Prepared for John P. Olsen, Jr. & Richard T. Olsen, Scale: 1" = 50', November 29, 1984, Schofield Brothers, Inc., Registered Professional Engineers and Land Surveyors, State Road, Vineyard Haven, Mass." recorded with the Dukes County Registry of Deeds in West Tisbury Case File No. 275, to which plan reference is hereby made for a more particular description.

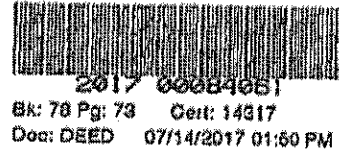
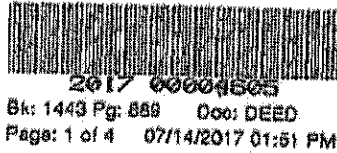
31 Huseby Mountain Road, West Tisbury, MA

The premises are conveyed together with and subject to the rights, easements and obligations of record.

Grantor hereby reserves as appurtenant to Grantor's remaining land described in a deed to it from David A. Sandell, Executor of the Last Will and Testament of Florence D. Olsen, dated March 8, 2010 and recorded with the Dukes County Registry of Deeds in Book 1206, Page 667 and filed with the Dukes County Registry District Office of the Land Court as Document No. 71446, being Lot 2 on a plan recorded with the Dukes County Registry of Deeds as West Tisbury Case File No. 267 and the premises shown on Land Court Plan No. 41705A (the "Benefitted Property"), a perpetual right and easement forty (40) feet wide running over the granted premises so as to provide a means of ingress and egress, including installation of utilities, and for all other purposes required by the West Tisbury Planning Board for division or subdivision of the Benefitted Property into not more than six (6) lots for single family residential use (the "Right of Way"). The Right of Way is now located as shown as "40' Wide Easement" and the "40' Wide Private Way (see West Tisbury Case File 399)" on the sketch plan attached hereto entitled "Exhibit Plan 2 West Tisbury, Mass. Scale: 1" = 100' August 7, 2013 Schofield, Barbini & Hoehn Inc. Land Surveying Civil Engineering 12 Surveyor's Lane, Box 339 Vineyard Haven, Mass. 508-693-2781 [www.sbhinc.net](http://www.sbhinc.net) MV 10580" attached hereto as Exhibit "A" and, but for the requirement that the Right of Way connect with Old Stage Road, Huseby Mountain Road (being the continuation of the "40' Wide Private Way (see West Tisbury Case File 399)") and the Benefitted Property at locations designated on said sketch plan, the Right of Way may be relocated at Grantee's discretion and expense, from time to time as may be determined by Grantee. Any lot having frontage on Pine Hill Road will not travel over the Right of Way unless travel over Pine Hill Road or Old Stage Road is physically blocked or legally challenged. All lots actually using the Right of Way, or any utilities located therein, will share equally the cost and expense to maintain same and keep same open for travel, except that any extraordinary cost or expense occasioned by use of a particular lot, whether to conform to requirements of the West Tisbury Planning Board in the event of any subdivision of the Benefitted Property or incidental to the construction of a single family residence on the Benefitted Property or any lot created from same, shall be the responsibility of such lot. As used herein, a lot shall be deemed to be actually using the Right of Way, when a foundation for a structure is placed on the lot.

For title see Deed of David A. Sandell, Executor of the Last Will and Testament of Florence D. Olsen, dated March 8, 2010 and recorded with the Dukes County Registry of Deeds in Book 1206, Page 667.

LAND COURT, BOSTON. The land herein described will be shown on our approved plan to follow as REFERRED TO



JUL 13 2017

Plan 41705-C, lots 4, 5, 6 + 8  
(EXAMINED AS DESCRIPTION ONLY)  
T.C. PONTBRIAND  
-ASSISTING CHIEF ENGINEER JAV

QUITCLAIM DEED

Huseby Mountain Farm, LLC, a Massachusetts limited liability company, with a principal place of business in West Tisbury, Massachusetts

in consideration of?

grant to Huseby Meadows, LLC, a Massachusetts limited liability company having a mailing address of c/o Ament Klauer LLP, 39 Town Hall Square, Falmouth, MA 02540

with quitclaim covenants

The vacant land situated in West Tisbury, County of Dukes County and Commonwealth of Massachusetts and being more particularly bounded and described as follows:

Being Lots 4, 5, 6 and 8 on a plan entitled "Plan of Land in West Tisbury, Mass., Huseby Mountain Farm LLC being a subdivision of lots 1, 2 & 3, LCP 41705-B & un-registered land Scale: 1" = 100' October 21, 2014 Schofield, Barbini & Hoehn Inc. Land Surveying Civil Engineering" which plan is filed with the Land Court as Plan No. 41705-C to which plan reference is hereby made for a more particular description. Lot 4 contains 10.00 acres, +/-; Lot 5 contains 9.01 acres +/-; Lot 6 contains 7.49 acres +/-; and Lot 8 is a 40 foot wide private right of way containing 0.57 acres +/-, each according to said plan.

The Premises are conveyed together with and subject to the following:

- (i) Easement reserved in a deed of Huseby Mountain Farm, LLC to Wendy H. Bujak dated August 23, 2013 and recorded with the Dukes County Registry of Deeds in Book 1327, Page 380;
- (ii) Restriction dated August 23, 2013 and recorded with the Dukes County Registry of Deeds in Book 1327, Page 385, and filed with the Dukes County Registry District of the Land Court as Document No 77870;
- (iii) Easements, restrictions and other matters contained in a deed of Huseby Mountain Farm, LLC to Stephon C. Araujo dated August 19, 2014 and recorded with the Dukes County Registry of Deeds in Book 1355, Page 699;
- (iv) Easement granted by Huseby Mountain Farm, LLC to Steven C. Araujo, dated August 19, 2014 and filed with the Dukes County Registry District of the

MARTIN'S VILFARLAND & ASSOC  
\*PAID \$ 46,020  
EXEMPT \$  
NO. DATE CERTIFICATION

MASSACHUSETTS EXCISE TAX  
Dukes County ROD #B 001  
Date: 07/14/2017 01:50 PM  
CIII# 042406 28860 Doc# 00004061  
Fee: \$10,488.00 Cons: \$2,300,000.00

Property Address: Huseby Mountain Road, West Tisbury, Massachusetts

- (v) Easement from Huseby Mountain Farm, LLC to Daniel Van Landingham dated November 30, 2015 and with the recorded with the Dukes County Registry of Deeds in Book 1392, Page 196, and filed with the Dukes County Registry District of the Land Court as Document No 81602;
- (vi) Utility Tie-In Agreement and Easement granted to H. Porter Thompson, Trustee, dated December 23, 2016 and recorded with the Dukes County Registry of Deeds in Book 1427, Page 62, and filed with the Dukes County Registry District Office of the Land Court as Document No 83308;
- (vii) Decision of the Martha's Vineyard Commission dated June 18, 2015 and filed with the Dukes County Registry District of the Land Court as Document No. 80891;
- (viii) Decision of the West Tisbury Planning Board dated July 28, 2015 and filed with the Dukes County Registry District of the Land Court as Document No. 81553; and
- (ix) Affidavit dated November 30, 2015 and recorded with the Dukes County Registry of Deeds in Book 1392, page 191.

Grantor hereby reserves as appurtenant to Lot 9 on a plan entitled "Plan a plan entitled "Plan of Land in West Tisbury, Mass., Huseby Mountain Farm LLC being a subdivision of lots 1, 2 & 3, LCP 41705-B & un-registered land Scale: 1" = 100' October 21, 2014 Schofield, Barbini & Hoehn Inc. Land Surveying Civil Engineering" recorded with the Dukes County Registry of Deeds in Plan Book 17, Page 190 (the "2014 Plan"), to which plan reference is hereby made for a more particular description, the perpetual right and easement, in common with others now or hereafter entitled thereto, in and to a way forty (40) feet wide (the "Alternate Right of Way"), as more particularly located below.

The right and easement in and to the Alternate Right of Way is to be for all purposes for which streets and ways are used in the Town of West Tisbury, including installation of utilities. The location of the Alternate Right of Way shall run along and about the southeasterly boundary of Lot 6 and the northeasterly boundary of Lots 6 and 7 on Land Court Plan No. 41705-C to a point that meets the Right of Way reserved in a deed of Huseby Mountain Farm, LLC to Wendy H. Bujak dated August 23, 2013 and recorded with the Dukes County Registry of Deeds in Book 1327, Page 380, provided that the Alternate Right of Way may be relocated by and at the expense of the owner burdened thereby. The Alternate Right of Way is also shown, in part, as "Proposed 40' Wide Easement" and "40 ft. wide easement "Alternate Right of Way" see LC document 79434" on the 2014 Plan.

The right to travel over the Alternate Right of Way shall not be exercised and the travelled surface of Alternate Right of Way shall not be constructed or opened by the owner of Lot 9 unless travel to and from Lot 9 over Pine Hill Road to and from Old Stage Road is physically blocked or legally challenged. Nothing herein will limit or prohibit rights to install, maintain or repair utilities within the Alternate Right of Way and the right and easement to tie-into and maintain access to said utilities is hereby reserved to said Lot 9.

Grantor grants to the Grantee all right, title or interest in and to any and all utility service apparatus located on the Premises conveyed hereby, subject to the rights of all others having rights thereto.

The Premises are vacant land and no homestead right or interest exists therein.

The conveyance described herein does not constitute the sale or transfer of all or substantially all of the grantor's assets within the Commonwealth of Massachusetts.

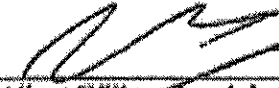
For title see Deed of David A. Sandell, Executor of the Last Will and Testament of Florence D. Olsen, dated March 8, 2010 and recorded with the Dukes County Registry of Deeds in Book 1206, Page 667.

The Remainder of this Page is Intentionally Blank

Executed as a sealed instrument on this 12 day of July, 2017.

Huseby Mountain Farm, LLC

  
By: Joseph N. El-Deiry, Manager  
and authorized signatory

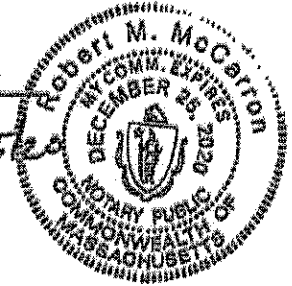
  
By: Albert Willem Bussink, Manager  
and authorized signatory

COMMONWEALTH OF MASSACHUSETTS

County of Dukes County, ss

On this 14 day of July 2017, before me, the undersigned notary public, personally appeared **Joseph N. El-Deiry**, to me personally known to be the person whose name is signed on the preceding or attached document, and acknowledged to me that as Manager and authorized signatory as aforesaid, he signed it voluntarily as his free act and deed for its stated purpose.

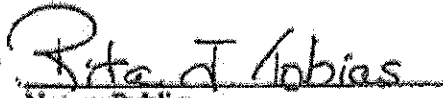
  
Notary Public:  
My Commission Expires: 12/25/20

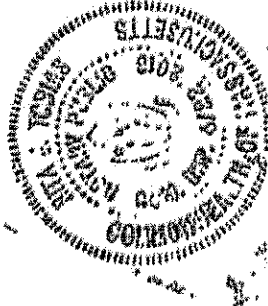


COMMONWEALTH OF MASSACHUSETTS

Middlesex County, ss

On this 12 day of July, 2017, before me, the undersigned notary public, personally appeared **Albert Willem Bussink**, proved to me through satisfactory evidence of identification which was personal knowledge / driver's license / passport / other: \_\_\_\_\_ (circle one), to be the person whose name is signed on the preceding or attached document, and acknowledged to me that as Manager and authorized signatory as aforesaid, he signed it voluntarily as his free act and deed for its stated purpose.

  
Notary Public:  
My Commission Expires: 4/22/18



ATTEST: Paulo C. DeOliveira, Register  
Dukes County Registry of Deeds

REGISTERED

LAND COURT, BOSTON. The land herein described will be shown on our approved plan to follow as

REFERRED TO

NOV 19 2015

Plan 41705<sup>C</sup> Lot 7  
(EXAMINED AS DESCRIPTION ONLY)

T.C. PONTBRIAND  
~~ASSISTING~~ CHIEF ENGINEER JAV

QUITCLAIM DEED

Huseby Mountain Farm, LLC, a Massachusetts limited liability company, with a principal place of business in West Tisbury, Massachusetts

in consideration of

grant to Daniel VanLandingham, of 7 Vandrow Lane, Tisbury, Massachusetts 02568

with *quitclaim covenants*

The vacant land situated in West Tisbury, County of Dukes County and Commonwealth of Massachusetts and being more particularly bounded and described as follows:

Parcel One (un-registered land):

Being Lot 7 as shown on a plan entitled "Plan of Land in West Tisbury, Mass., Huseby Mountain Farm LLC being a subdivision of lots 1, 2 & 3, LCP 41705-B & un-registered land Scale: 1" = 100' October 21, 2014 Schofield, Barbini & Hoehn Inc. Land Surveying Civil Engineering" recorded with the Dukes County Registry of Deeds in Plan Book 17, Page 190, to which plan reference is hereby made for a more particular description and containing 87,851 s.f. +/-, 2.02 acres +/-, according to said plan.

Parcel Two (registered land):

Being Lot 7 as shown on a plan entitled "Plan of Land in West Tisbury, Mass., Huseby Mountain Farm LLC being a subdivision of lots 1, 2 & 3, LCP 41705-B & un-registered land Scale: 1" = 100' October 21, 2014 Schofield, Barbini & Hoehn Inc. Land Surveying Civil Engineering" which plan is filed with the Land Court as Plan No. 41705-C to which plan reference is hereby made for a more particular description and containing 42,896 s.f. +/-, 0.96 acres +/-, according to said plan.

The Premises are conveyed together with and subject to the following: (i) Easement to NSTAR Electric Company dated July 1, 2013 and recorded with the Dukes County Registry of Deeds in Book 1325, page 577; (ii) Easement reserved in a deed of Huseby



Mountain Farm, LLC to Wendy H. Bujak dated August 23, 2013 and recorded with the Dukes County Registry of Deeds in Book 1327, Page 380; (iii) Easement granted by Huseby Mountain Farm, LLC dated of even date herewith and filed with the Dukes County Registry District of the Land Court as Document No. \_\_\_\_\_; (iv) terms and restrictions of an Easement granted to H. Porter Thompson, Trustee, dated of even date herewith and recorded and filed herewith.

No right or interest is granted in or to that certain right and easement in and to a common driveway (the "Common Driveway") thirty (30) feet wide running from Pine Hill Road which was reserved in a deed to Steven C. Araujo dated August 19, 2014 and recorded with the Dukes County Registry of Deeds in Book 1355, Page 699.

The Premises are vacant land and no homestead right or interest exists therein.

For title see Deed of David A. Sandell, Executor of the Last Will and Testament of Florence D. Olsen, dated March 8, 2010 and recorded with the Dukes County Registry of Deeds in Book 1206, Page 667.

The Remainder of this Page is Intentionally Blank

## EASEMENT

Huseby Mountain Farm, LLC, a Massachusetts limited liability company, with a principal place of business in West Tisbury, Massachusetts, for nominal consideration of ONE DOLLAR (\$1.00) grants to Daniel VanLandingham, of Tisbury, Massachusetts, his heirs, successors and assigns as owner of Lot 7, as defined below, with *quitclaim covenants*,

the perpetual right and easement, in common with others now or hereafter entitled thereto, in and to a way forty (40) feet wide (the "Alternate Right of Way"), running between and connecting said Lot 7 and that certain "Right of Way" as defined and reserved in a deed of Huseby Mountain Farm, LLC to Wendy H. Bujak dated August 23, 2013 and recorded with the Dukes County Registry of Deeds in Book 1327, Page 380 (the "Deed").

As used herein "Lot 7" includes both registered and record land and is shown as (i) Lot 7 on a plan entitled "Plan of Land in West Tisbury, Mass., Huseby Mountain Farm LLC being a subdivision of lots 1, 2 & 3, LCP 41705-B & un-registered land Scale: 1" = 100' October 21, 2014 Schofield, Barbini & Hoehn Inc. Land Surveying Civil Engineering" recorded with the Dukes County Registry of Deeds in Plan Book 17, Page 190 (the "2014 Plan"), to which plan reference is hereby made for a more particular description and containing 87,851 s.f. +/-, 2.02 acres +/-, according to said plan; and (ii) Lot 7 on Land Court Plan No. 417054-C.

The right and easement in and to the Alternate Right of Way is to be for all purposes for which streets and ways are used in the Town of West Tisbury, including installation of utilities. The location of the Alternate Right of Way shall run along and abut the southeasterly boundary of Lot 5 and the northeasterly boundary of Lots 6 and 7 on Land Court Plan No. 41705-C to a point that meets the Right of Way reserved in the Deed, provided that the Alternate Right of Way may be relocated by and at the expense of the owner burdened thereby. The Alternate Right of Way is also shown, in part, as "Proposed 40' Wide Easement" and "40 ft. wide easement "Alternate Right of Way" see LC document 79434" on the 2014 Plan.

The right to travel over the Alternate Right of Way shall not be exercised and the travelled surface of Alternate Right of Way shall not be constructed or opened by the owner of Lot 7 unless travel to and from Lot 7 over Pine Hill Road to and from Old Stage Road is physically blocked or legally challenged. Nothing herein will limit or prohibit rights to install, maintain or repair utilities within the Alternate Right of Way.

For grantor's title see Deed of David A. Sandell, Executor of the Last Will and Testament of Florence D. Olsen, dated March 8, 2010 and recorded with the Dukes County Registry of Deeds in Book 1206, Page 667.

Executed as a sealed instrument on this 30<sup>th</sup> day of November, 2015.

Huseby Mountain Farm, LLC

[Signature]  
By: Joseph N. El-Deiry, Manager  
and authorized signatory

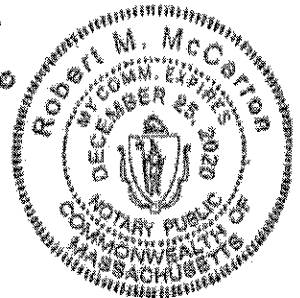
[Signature]  
By: Albert Willem Bussink  
Manager and authorized signatory

COMMONWEALTH OF MASSACHUSETTS

County of Dukes County, ss

On this 30 day of November, 2015, before me, the undersigned notary public, personally appeared Joseph N. El-Deiry, to me personally known to be the person whose name is signed on the preceding or attached document, and acknowledged to me that as Manager and authorized signatory as aforesaid, he signed it voluntarily for its stated purpose.

[Signature]  
Notary Public:  
My Commission Expires: 12/25/20



COMMONWEALTH OF MASSACHUSETTS

Middlesex County, ss

On this 24 day of November, 2015, before me, the undersigned notary public, personally appeared Albert Willem Bussink, proved to me through satisfactory evidence of identification which was personal knowledge, driver's license passport / other: \_\_\_\_\_ (circle one), to be the person whose name is signed on the preceding or attached document, and acknowledged to me that as Manager and authorized signatory as aforesaid, he signed it voluntarily for its stated purpose.

[Signature]  
Notary Public:  
My Commission Expires: April 24 2020



ADRIENNE BAILEY  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
APRIL 24 2020

QUITCLAIM DEED

Huseby Mountain Farm, LLC, a Massachusetts limited liability company, with a principal place of business in West Tisbury, Massachusetts

in consideration of:

grant to Wendy H. Bujak, with a mailing address of P O Box 1284, Vineyard Haven, MA 02568

with *quitclaim covenants*

The land, with any buildings and improvements thereon, situated in West Tisbury, County of Dukes County and Commonwealth of Massachusetts and being more particularly bounded and described as follows:

**PARCEL ONE:**

Being Lot No. 2 as shown on a plan of land entitled "A Plan of Land in West Tisbury, Mass., Prepared for John P. Olsen, Jr. & Richard T. Olsen, Scale: 1" = 50', November 29, 1984, Schofield Brothers, Inc., Registered Professional Engineers and Land Surveyors, State Road, Vineyard Haven, Mass." recorded with the Dukes County Registry of Deeds in West Tisbury Case File No. 275, to which plan reference is hereby made for a more particular description.

**PARCEL TWO:**

Being Lot No. 4 as shown on a plan of land entitled "Plan of Land in West Tisbury, Mass. Surveyed for John P. Olsen, Jr. & Richard T. Olsen, January 14, 1982, Scale: 1" = 80', Dean R. Swift, Reg'd Land Surveyor, Vineyard Haven, Mass.", recorded with Dukes County Registry of Deeds in West Tisbury Case File No. 208 to which plan reference is hereby made for a more particular description.

Excepted and excluded from Parcel Two is Lot No. 3 on a plan of land entitled "A Plan of Land in West Tisbury, Mass., Prepared for John P. Olsen, Jr. & Richard T. Olsen, Scale: 1" = 50', November 29, 1984, Schofield Brothers, Inc., Registered Professional Engineers and Land Surveyors, State Road, Vineyard Haven, Mass." recorded with the Dukes County Registry of Deeds in West Tisbury Case File No. 275, to which plan reference is hereby made for a more particular description.

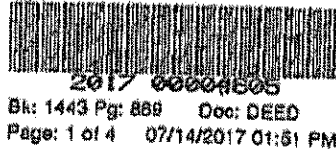
31 Huseby Mountain Road, West Tisbury, MA

The premises are conveyed together with and subject to the rights, easements and obligations of record.

Grantor hereby reserves as appurtenant to Grantor's remaining land described in a deed to it from David A. Sandell, Executor of the Last Will and Testament of Florence D. Olsen, dated March 8, 2010 and recorded with the Dukes County Registry of Deeds in Book 1206, Page 667 and filed with the Dukes County Registry District Office of the Land Court as Document No. 71446, being Lot 2 on a plan recorded with the Dukes County Registry of Deeds as West Tisbury Case File No. 267 and the premises shown on Land Court Plan No. 41705A (the "Benefitted Property"), a perpetual right and easement forty (40) feet wide running over the granted premises so as to provide a means of ingress and egress, including installation of utilities, and for all other purposes required by the West Tisbury Planning Board for division or subdivision of the Benefitted Property into not more than six (6) lots for single family residential use (the "Right of Way"). The Right of Way is now located as shown as "40' Wide Easement" and the "40' Wide Private Way (see West Tisbury Case File 399)" on the sketch plan attached hereto entitled "Exhibit Plan 2 West Tisbury, Mass. Scale: 1" = 100' August 7, 2013 Schofield, Barbini & Hoehn Inc. Land Surveying Civil Engineering 12 Surveyor's Lane, Box 339 Vineyard Haven, Mass. 508-693-2781 [www.sbhinc.net](http://www.sbhinc.net) MV 10580" attached hereto as Exhibit "A" and, but for the requirement that the Right of Way connect with Old Stage Road, Huseby Mountain Road (being the continuation of the "40' Wide Private Way (see West Tisbury Case File 399)") and the Benefitted Property at locations designated on said sketch plan, the Right of Way may be relocated at Grantee's discretion and expense, from time to time as may be determined by Grantee. Any lot having frontage on Pine Hill Road will not travel over the Right of Way unless travel over Pine Hill Road or Old Stage Road is physically blocked or legally challenged. All lots actually using the Right of Way, or any utilities located therein, will share equally the cost and expense to maintain same and keep same open for travel, except that any extraordinary cost or expense occasioned by use of a particular lot, whether to conform to requirements of the West Tisbury Planning Board in the event of any subdivision of the Benefitted Property or incidental to the construction of a single family residence on the Benefitted Property or any lot created from same, shall be the responsibility of such lot. As used herein, a lot shall be deemed to be actually using the Right of Way, when a foundation for a structure is placed on the lot.

For title see Deed of David A. Sandell, Executor of the Last Will and Testament of Florence D. Olsen, dated March 8, 2010 and recorded with the Dukes County Registry of Deeds in Book 1206, Page 667.

LAND COURT, BOSTON. The land herein described will be shown on our approved plan to follow as REFERRED TO



JUL 13 2017

Plan 41705-C Lot 4, 5, 6+8 (EXAMINED AS DESCRIPTION ONLY)

T.C. PONTBRIAND AGING CHIEF ENGINEER JAV

QUITCLAIM DEED

Huseby Mountain Farm, LLC, a Massachusetts limited liability company, with a principal place of business in West Tisbury, Massachusetts

in consideration of ?

grant to Huseby Meadows, LLC, a Massachusetts limited liability company having a mailing address of c/o Ament Klauer LLP, 39 Town Hall Square, Falmouth, MA 02540

with quitclaim covenants

The vacant land situated in West Tisbury, County of Dukes County and Commonwealth of Massachusetts and being more particularly bounded and described as follows:

Being Lots 4, 5, 6 and 8 on a plan entitled "Plan of Land in West Tisbury, Mass., Huseby Mountain Farm LLC being a subdivision of lots 1, 2 & 3, LCP 41705-B & un-registered land Scale: 1" = 100' October 21, 2014 Schofield, Barbini & Hoehn Inc. Land Surveying Civil Engineering" which plan is filed with the Land Court as Plan No. 41705-C to which plan reference is hereby made for a more particular description. Lot 4 contains 10.00 acres +/-; Lot 5 contains 9.01 acres +/-; Lot 6 contains 7.49 acres +/-; and Lot 8 is a 40 foot wide private right of way containing 0.57 acres +/-, each according to said plan.

The Premises are conveyed together with and subject to the following:

- (i) Easement reserved in a deed of Huseby Mountain Farm, LLC to Wendy H. Bujak dated August 23, 2013 and recorded with the Dukes County Registry of Deeds in Book 1327, Page 380;
- (ii) Restriction dated August 23, 2013 and recorded with the Dukes County Registry of Deeds in Book 1327, Page 385, and filed with the Dukes County Registry District of the Land Court as Document No 77870;
- (iii) Easements, restrictions and other matters contained in a deed of Huseby Mountain Farm, LLC to Stephen C. Araujo dated August 19, 2014 and recorded with the Dukes County Registry of Deeds in Book 1355, Page 699;
- (iv) Easement granted by Huseby Mountain Farm, LLC to Steven C. Araujo, dated August 19, 2014 and filed with the Dukes County Registry District of the

MARTIN'S VINEYARD LAND CONTEGERS Document No. 79434; PAID \$46,000- EXEMPT 57583 7/14/17 DATE CERTIFICATION

MASSACHUSETTS EXCISE TAX Dukes County ROD #8 001 Date: 07/14/2017 01:50 PM CIII# 042408 28660 Don# 00084061 Fee: \$10,488.00 Cons: \$2,300,000.00

Property Address: Huseby Mountain Road, West Tisbury, Massachusetts

- (v) Easement from Huseby Mountain Farm, LLC to Daniel Van Landingham dated November 30, 2015 and with the recorded with the Dukes County Registry of Deeds in Book 1392, Page 196, and filed with the Dukes County Registry District of the Land Court as Document No 81602;
- (vi) Utility Tie-In Agreement and Easement granted to H. Porter Thompson, Trustee, dated December 23, 2016 and recorded with the Dukes County Registry of Deeds in Book 1427, Page 62, and filed with the Dukes County Registry District Office of the Land Court as Document No 83308;
- (vii) Decision of the Martha's Vineyard Commission dated June 18, 2015 and filed with the Dukes County Registry District of the Land Court as Document No. 80891;
- (viii) Decision of the West Tisbury Planning Board dated July 28, 2015 and filed with the Dukes County Registry District of the Land Court as Document No. 81553; and
- (ix) Affidavit dated November 30, 2015 and recorded with the Dukes County Registry of Deeds in Book 1392, page 191.

Grantor hereby reserves as appurtenant to Lot 9 on a plan entitled "Plan a plan entitled "Plan of Land in West Tisbury, Mass., Huseby Mountain Farm LLC being a subdivision of lots 1, 2 & 3, LCP 41705-B & un-registered land Scale: 1" = 100' October 21, 2014 Schofield, Barbini & Hoehn Inc. Land Surveying Civil Engineering" recorded with the Dukes County Registry of Deeds in Plan Book 17, Page 190 (the "2014 Plan"), to which plan reference is hereby made for a more particular description, the perpetual right and easement, in common with others now or hereafter entitled thereto, in and to a way forty (40) feet wide (the "Alternate Right of Way"), as more particularly located below.

The right and easement in and to the Alternate Right of Way is to be for all purposes for which streets and ways are used in the Town of West Tisbury, including installation of utilities. The location of the Alternate Right of Way shall run along and abut the southeasterly boundary of Lot 6 and the northeasterly boundary of Lots 6 and 7 on Land Court Plan No. 41705-C to a point that meets the Right of Way reserved in a deed of Huseby Mountain Farm, LLC to Wendy H. Bujak dated August 23, 2013 and recorded with the Dukes County Registry of Deeds in Book 1327, Page 380, provided that the Alternate Right of Way may be relocated by and at the expense of the owner burdened thereby. The Alternate Right of Way is also shown, in part, as "Proposed 40' Wide Easement" and "40 ft. wide easement "Alternate Right of Way" see LC document 79434" on the 2014 Plan.

The right to travel over the Alternate Right of Way shall not be exercised and the travelled surface of Alternate Right of Way shall not be constructed or opened by the owner of Lot 9 unless travel to and from Lot 9 over Pine Hill Road to and from Old Stage Road is physically blocked or legally challenged. Nothing herein will limit or prohibit rights to install, maintain or repair utilities within the Alternate Right of Way and the right and easement to tie-into and maintain access to said utilities is hereby reserved to said Lot 9.

Grantor grants to the Grantee all right, title or interest in and to any and all utility service apparatus located on the Premises conveyed hereby, subject to the rights of all others having rights thereto.

The Premises are vacant land and no homestead right or interest exists therein.

The conveyance described herein does not constitute the sale or transfer of all or substantially all of the grantor's assets within the Commonwealth of Massachusetts.


For title see Deed of David A. Sandell, Executor of the Last Will and Testament of Florence D. Olsen, dated March 8, 2010 and recorded with the Dukes County Registry of Deeds in Book 1206, Page 667.


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Executed as a sealed instrument on this 12 day of July, 2017.

Huseby Mountain Farm, LLC

  
By: Joseph N. El-Deiry, Manager  
and authorized signatory

  
By: Albert Willem Bussink, Manager  
and authorized signatory

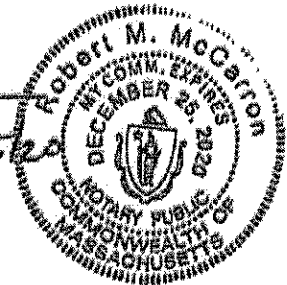
COMMONWEALTH OF MASSACHUSETTS

County of Dukes County, ss

On this 14 day of July 2017, before me, the undersigned notary public, personally appeared Joseph N. El-Deiry, to me personally known to be the person whose name is signed on the preceding or attached document, and acknowledged to me that as Manager and authorized signatory as aforesaid, he signed it voluntarily as his free act and deed for its stated purpose.



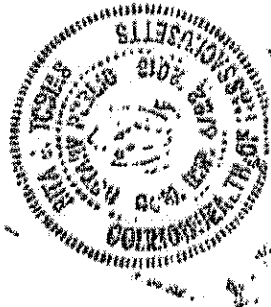
Notary Public:  
My Commission Expires: 12/25/20

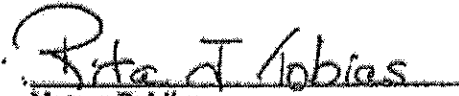


COMMONWEALTH OF MASSACHUSETTS

Middlesex County, ss

On this 12 day of July, 2017, before me, the undersigned notary public, personally appeared Albert Willem Bussink, proved to me through satisfactory evidence of identification which was personal knowledge / driver's license / passport / other: \_\_\_\_\_ (circle one), to be the person whose name is signed on the preceding or attached document, and acknowledged to me that as Manager and authorized signatory as aforesaid, he signed it voluntarily as his free act and deed for its stated purpose.





Notary Public:  
My Commission Expires: 4/22/18

ATTEST: Paulo C. DeOliveira, Register  
Dukes County Registry of Deeds

REGISTERED

LAND COURT, BOSTON. The land herein described will be shown on our approved plan to follow as

REFERENCED

NOV 19 2015

Plan 41705C Lot 7  
(EXAMINED AS DESCRIPTION ONLY)

T.C. PONTBRIAND  
ATTORNEY AT LAW CHIEF ENGINEER JAV

### QUITCLAIM DEED

**Huseby Mountain Farm, LLC**, a Massachusetts limited liability company, with a principal place of business in West Tisbury, Massachusetts

in consideration of

grant to **Daniel VanLandingham**, of 7 Vandrow Lane, Tisbury, Massachusetts 02568

with *quitclaim covenants*

The vacant land situated in West Tisbury, County of Dukes County and Commonwealth of Massachusetts and being more particularly bounded and described as follows:

Parcel One (un-registered land):

Being Lot 7 as shown on a plan entitled "Plan of Land in West Tisbury, Mass., Huseby Mountain Farm LLC being a subdivision of lots 1, 2 & 3, LCP 41705-B & un-registered land Scale: 1" = 100' October 21, 2014 Schofield, Barbini & Hoehn Inc. Land Surveying Civil Engineering" recorded with the Dukes County Registry of Deeds in Plan Book 17, Page 190, to which plan reference is hereby made for a more particular description and containing 87,851 s.f. +/-, 2.02 acres +/-, according to said plan.

Parcel Two (registered land):

Being Lot 7 as shown on a plan entitled "Plan of Land in West Tisbury, Mass., Huseby Mountain Farm LLC being a subdivision of lots 1, 2 & 3, LCP 41705-B & un-registered land Scale: 1" = 100' October 21, 2014 Schofield, Barbini & Hoehn Inc. Land Surveying Civil Engineering" which plan is filed with the Land Court as Plan No. 41705-C to which plan reference is hereby made for a more particular description and containing 42,896 s.f. +/-, 0.96 acres +/-, according to said plan.

The Premises are conveyed together with and subject to the following: (i) Easement to NSTAR Electric Company dated July 1, 2013 and recorded with the Dukes County Registry of Deeds in Book 1325, page 577; (ii) Easement reserved in a deed of Huseby

Mountain Farm, LLC to Wendy H. Bujak dated August 23, 2013 and recorded with the  
Dukes County Registry of Deeds in Book 1327, Page 380; (iii) Easement granted by  
Huseby Mountain Farm, LLC dated of even date herewith and filed with the Dukes  
County Registry District of the Land Court as Document No. \_\_\_\_\_; (iv) terms and  
restrictions of an Easement granted to H. Porter Thompson, Trustee, dated of even date  
herewith and recorded and filed herewith.

No right or interest is granted in or to that certain right and easement in and to a common  
driveway (the "Common Driveway") thirty (30) feet wide running from Pine Hill Road  
which was reserved in a deed to Steven C. Araujo dated August 19, 2014 and recorded  
with the Dukes County Registry of Deeds in Book 1355, Page 699.

The Premises are vacant land and no homestead right or interest exists therein.

For title see Deed of David A. Sandell, Executor of the Last Will and Testament of  
Florence D. Olsen, dated March 8, 2010 and recorded with the Dukes County Registry of  
Deeds in Book 1206, Page 667.

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## EASEMENT

Huseby Mountain Farm, LLC, a Massachusetts limited liability company, with a principal place of business in West Tisbury, Massachusetts, for nominal consideration of ONE DOLLAR (\$1.00) grants to Daniel VanLandingham, of Tisbury, Massachusetts, his heirs, successors and assigns as owner of Lot 7, as defined below, with *quitclaim covenants*,

the perpetual right and easement, in common with others now or hereafter entitled thereto, in and to a way forty (40) feet wide (the "Alternate Right of Way"), running between and connecting said Lot 7 and that certain "Right of Way" as defined and reserved in a deed of Huseby Mountain Farm, LLC to Wendy H. Bujak dated August 23, 2013 and recorded with the Dukes County Registry of Deeds in Book 1327, Page 380 (the "Deed").

As used herein "Lot 7" includes both registered and record land and is shown as (i) Lot 7 on a plan entitled "Plan of Land in West Tisbury, Mass., Huseby Mountain Farm LLC being a subdivision of lots 1, 2 & 3, LCP 41705-B & un-registered land Scale: 1" = 100' October 21, 2014 Schofield, Barbini & Hoehn Inc. Land Surveying Civil Engineering" recorded with the Dukes County Registry of Deeds in Plan Book 17, Page 190 (the "2014 Plan"), to which plan reference is hereby made for a more particular description and containing 87,851 s.f. +/-, 2.02 acres +/-, according to said plan; and (ii) Lot 7 on Land Court Plan No. 417054-C.

The right and easement in and to the Alternate Right of Way is to be for all purposes for which streets and ways are used in the Town of West Tisbury, including installation of utilities. The location of the Alternate Right of Way shall run along and abut the southeasterly boundary of Lot 6 and the northeasterly boundary of Lots 6 and 7 on Land Court Plan No. 41705-C to a point that meets the Right of Way reserved in the Deed, provided that the Alternate Right of Way may be relocated by and at the expense of the owner burdened thereby. The Alternate Right of Way is also shown, in part, as "Proposed 40' Wide Easement" and "40 ft. wide easement "Alternate Right of Way" see LC document 79434" on the 2014 Plan.

The right to travel over the Alternate Right of Way shall not be exercised and the travelled surface of Alternate Right of Way shall not be constructed or opened by the owner of Lot 7 unless travel to and from Lot 7 over Pine Hill Road to and from Old Stage Road is physically blocked or legally challenged. Nothing herein will limit or prohibit rights to install, maintain or repair utilities within the Alternate Right of Way.

For grantor's title see Deed of David A. Sandell, Executor of the Last Will and Testament of Florence D. Olsen, dated March 8, 2010 and recorded with the Dukes County Registry of Deeds in Book 1206, Page 667.

Executed as a sealed instrument on this 30<sup>th</sup> day of November, 2015.

Huseby Mountain Farm, LLC

Joe El-Deiry  
By: Joseph N. El-Deiry, Manager  
and authorized signatory

Albert Willem Bussink  
By: Albert Willem Bussink  
Manager and authorized signatory

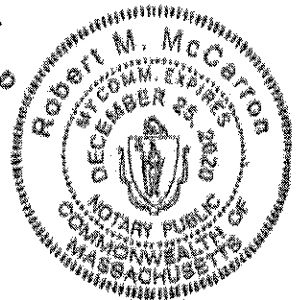
COMMONWEALTH OF MASSACHUSETTS

County of Dukes County, ss

On this 30 day of November, 2015, before me, the undersigned notary public, personally appeared **Joseph N. El-Deiry**, to me personally known to be the person whose name is signed on the preceding or attached document, and acknowledged to me that as Manager and authorized signatory as aforesaid, he signed it voluntarily for its stated purpose.

Robert M. McCarron

Notary Public:  
My Commission Expires: 12/25/20



COMMONWEALTH OF MASSACHUSETTS

Middlesex County, ss

On this 24 day of November, 2015, before me, the undersigned notary public, personally appeared **Albert Willem Bussink**, proved to me through satisfactory evidence of identification which was personal knowledge driver's license passport / other: \_\_\_\_\_ (circle one), to be the person whose name is signed on the preceding or attached document, and acknowledged to me that as Manager and authorized signatory as aforesaid, he signed it voluntarily for its stated purpose.

Adrienne Bailey

Notary Public:  
My Commission Expires: April 24 2020



ADRIENNE BAILEY  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
April 24 2020

QUITCLAIM DEED

Huseby Mountain Farm, LLC, a Massachusetts limited liability company, with a principal place of business in West Tisbury, Massachusetts

in consideration of:

grant to Wendy H. Bujak, with a mailing address of P O Box 1284, Vineyard Haven, MA 02568

with *quitclaim covenants*

The land, with any buildings and improvements thereon, situated in West Tisbury, County of Dukes County and Commonwealth of Massachusetts and being more particularly bounded and described as follows:

**PARCEL ONE:**

Being Lot No. 2 as shown on a plan of land entitled "A Plan of Land in West Tisbury, Mass., Prepared for John P. Olsen, Jr. & Richard T. Olsen, Scale: 1" = 50', November 29, 1984, Schofield Brothers, Inc., Registered Professional Engineers and Land Surveyors, State Road, Vineyard Haven, Mass." recorded with the Dukes County Registry of Deeds in West Tisbury Case File No. 275, to which plan reference is hereby made for a more particular description.

**PARCEL TWO:**

Being Lot No. 4 as shown on a plan of land entitled "Plan of Land in West Tisbury, Mass. Surveyed for John P. Olsen, Jr. & Richard T. Olsen, January 14, 1982, Scale: 1" = 80', Dean R. Swift, Reg'd Land Surveyor, Vineyard Haven, Mass.", recorded with Dukes County Registry of Deeds in West Tisbury Case File No. 208 to which plan reference is hereby made for a more particular description.

Excepted and excluded from Parcel Two is Lot No. 3 on a plan of land entitled "A Plan of Land in West Tisbury, Mass., Prepared for John P. Olsen, Jr. & Richard T. Olsen, Scale: 1" = 50', November 29, 1984, Schofield Brothers, Inc., Registered Professional Engineers and Land Surveyors, State Road, Vineyard Haven, Mass." recorded with the Dukes County Registry of Deeds in West Tisbury Case File No. 275, to which plan reference is hereby made for a more particular description.

31 Huseby Mountain Road, West Tisbury, MA