

Town of West Tisbury
PLANNING BOARD
P. O. Box 278
West Tisbury, MA 02575-0278
508-696-0149
planningboard@westtisbury-ma.gov

December 14, 2021

West Tisbury Zoning Board of Appeals
P.O. Box 278
West Tisbury, MA 02575

Dear Board Members:

At our meeting of December 13, 2021, the board reviewed an application referred by your board under Section 9.2-1D, for the property located on Assessor's Map 26, Lot 29, 664 Old County Road, for a special permit under Section 8.5-2 of the zoning bylaws for a Service Business on Assessor's Map 26, Lot 29, 664 Old County Road.

The Planning Board refers the application back to the Zoning Board of Appeals and requests the following items be considered: hours and days of operation, vehicle back-up noise, and night lighting with respect to the neighboring properties and the continued enjoyment of the quiet neighborhood.

Thank you.

Sincerely,

Virginia C. Jones
Virginia C. Jones, Chairman *jm*

Zoning Board of Appeals

From: Contact form at West Tisbury, MA <cmsmailer@civicplus.com>
Sent: Friday, December 10, 2021 12:32 PM
To: pthors
Subject: [West Tisbury, MA] ZBA meeting 12-16-21 (Sent by Joy Robinson-Lynch, jnpath@comcast.net)

Hello pthors,

Joy Robinson-Lynch (jnpath@comcast.net) has sent you a message via your contact form (<https://www.westtisbury-ma.gov/user/47/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/47/edit>.

Message:

Dear Pam,

As an abutter, I received a notice of the public hearing for the O'Donnell application. The meeting is 12/16. The letter says I can review the documents, but I can't find them or the zoom link for the meeting. Can you help?

Joy

Zoning Board of Appeals

From: Contact form at West Tisbury, MA <cmsmailer@civicplus.com>
Sent: Friday, December 10, 2021 11:26 AM
To: pthors
Subject: [West Tisbury, MA] Meeting Dec 16 (Sent by Sean Conley, nautilus@vineyard.net)

Hello pthors,

Sean Conley (nautilus@vineyard.net) has sent you a message via your contact form (<https://www.westtisbury-ma.gov/user/47/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/47/edit>.

Message:

Hi Pam:

I am looking to see what the O'Donnells have filed for their business permit.
I am not an immediate abutter but they could have an impact on our area if they expand.

Could you email what they have filed or a link? I could not find it posted.

I hope all is well with you and your family. Have a great Holiday.

Thanks, Sean



Town of West Tisbury
BUILDING & ZONING INSPECTOR
West Tisbury, Massachusetts 02575

May 25, 2021

James O'Donnell
9 Chickawauke St.
Vineyard Haven, Ma 02568

Re: 664 Old County Rd.- Home Occupation

Dear James,

Per our previous conversation, you will need a Special Permit for a Service Business to operate your electrical contracting business from 664 Old County Rd.

I have included a ZBA application along with this letter. Please complete the application and submit by June 25, 2021.

Feel free to contact me if you have any questions or need any assistance with the application.

Sincerely,

Joseph K. Tierney, Jr.
Inspector of Buildings
Town of West Tisbury

COPY

Cc: ZBA
Planning

Be advised appeals of orders, decisions, determinations and failures to act made by any local agency or any person or local agency charged with the administration or enforcement of the West Tisbury Zoning Bylaws or any of its rules and regulations shall be addressed by the West Tisbury Zoning Board of Appeals. WTZBA appeals shall be filed within 30 days of the violation.

Zoning Board of Appeals

From: Barry Richmond <barry@richmond-family.org>
Sent: Sunday, December 12, 2021 8:24 PM
To: zba@westtisbury-ma.gov
Subject: zoning board appeals agenda 12.16.21

To:
Larry Schubert, Chair West Tisbury Zoning Board of Appeals

Comments re: Public Hearing, Dec. 16, 2021, on Special Permit Hearing for Electrician Service Business.

I would like to be able to see the documents for this appeal. The web address provided was not an active link. I would also like the ZOOM web link for the meeting. Should this hearing be postponed until the documents are available? I also left a message on your phone answering device, and I have received no response.

I have properties close to and adjacent to 664 Old County Road. I have 660 & 662, and one more next to the Red Barn Gallery. My understanding is that this is a residential area. I am concerned about what this does to the nature and value of the property in the neighborhood. It is currently largely residential, and I, and I suspect other neighbors, would prefer that it remain so. If this were to be granted, my family and my tenants are concerned about the traffic that the electrician business generates on the driveway, including entering and leaving from Old County Road.

O'Donnell seems to already carrying out this business, and there are cars, pickup trucks, and small vans that leave and return on the order of 10 times or more each day. The driveway is shared. We generate residential traffic only. Our agreement had been to share the cost of maintaining the driveway from Old County Road to our house-drive entry point, but that was with the understanding that it would be residential. If this exception were to be granted, O'Donnell should be required to improve the driveway (pave it perhaps), and then maintain all of it.

Also, does this special exception convey with any change in deed should the lot be sold, otherwise transferred or re-deeded. If the exception is granted, I would like this to be an exception that does not convey to any change in the deed.

Barry J Richmond
phone 202-262-0681

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Barry Richmond

Zoning Board of Appeals

From: Sean Conley <nautilus@vineyard.net>
Sent: Tuesday, December 14, 2021 1:09 PM
To: Zoning Board of Appeals
Subject: Re: [West Tisbury, MA] Meeting Dec 16 (Sent by Sean Conley, nautilus@vineyard.net)

No. The construction on the lot is not in the HD.

Thanks, Sean

On 12/14/2021 10:50 AM, Zoning Board of Appeals wrote:

Hi Sean, Just realized that this lot (driveway only) is in the Historic District. The lot itself is over 1200 ft from the road. Would he need to apply to HDC? Thank you, Pam

Pam Thors, West Tisbury Zoning Board Administrator

From: Sean Conley <nautilus@vineyard.net>
Sent: Tuesday, December 14, 2021 8:53 AM
To: Zoning Board of Appeals <zba@westtisbury-ma.gov>
Subject: Re: [West Tisbury, MA] Meeting Dec 16 (Sent by Sean Conley, nautilus@vineyard.net)

Thanks Pam, you're the Best. Sean

On 12/13/2021 2:09 PM, Zoning Board of Appeals wrote:

Hi Sean, Attached please find the agenda for the meeting on Thursday which has the info to join the Zoom mtg. on page two. I also attached the documents the board will review at the hearing. Please feel free to follow up if there are any questions. And yes, all is well with my family, and I hope with yours as well. Happy Holidays! Pam

Pam Thors, West Tisbury Zoning Board Administrator

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I hope all is well with you and your family. Have a great Holiday.

Thanks, Sean

MARTHA'S VINEYARD LAND BANK FEE

PAID \$ _____

EXEMPT \$ E

59099 12/31/18 MIT
NO. DATE CERTIFICATION



Bk: 1485 Pg: 341 Doc: DEED
Page: 1 of 3 12/31/2018 11:43 AM

QUITCLAIM DEED

BARRY J. RICHMOND of 5306 Elsmere Avenue, Bethesda, Maryland 20814, and **JEAN M. RICHMOND**, Personal Representative of the Estate of **Charles A. Richmond**, Dukes County Probate and Family Court, Docket No. **DU18P0121**, of 6535 Hazelwood Avenue, Indianapolis, Indiana 46260,

for consideration of **ONE AND 00/100 (\$1.00) DOLLAR PAID**

grant to **JEAN M. RICHMOND**, Personal Representative of the Estate of **Charles A. Richmond**, Dukes County Probate and Family Court, Docket No. **DU18P0121**, of 6535 Hazelwood Avenue, Indianapolis, Indiana 46260,

with QUITCLAIM COVENANTS

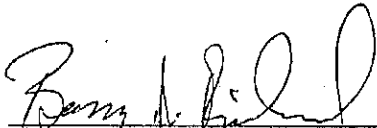
The land with the buildings thereon, in West Tisbury, County of Dukes County, Commonwealth of Massachusetts, designated as Lot 4 on a "Plan of Land in West Tisbury, Mass. Prepared for Barry J. & Charles A. Richmond Scale: 1"=60' May 9, 2011 Schohfield, Barbini & Hoehn Inc." filed with the Dukes County Registry of Deeds in Plan Book 16, Page 199, to which plan reference is herewith made for a more particular description, said lot containing 6.04 acres.

The premises are conveyed subject to and with the benefit of easements and restrictions of record insofar as the same are now in force and applicable, including the "Driveway Easement 'A'" as shown on the above-referenced plan.

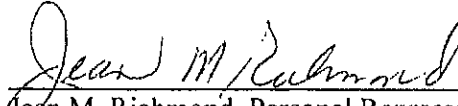
For title, see deed dated July 21, 2004 and recorded with the Dukes County Registry of Deeds in Book 1019, Page 819, see deed dated October 30, 1989 and recorded with the Dukes County Registry of Deeds in Book 531, Page 207, and see Estate of Charles A. Richmond, Dukes County Probate and Family Court, Docket No. DU18P0121.

PROPERTY ADDRESS: 53 Elias Lane, West Tisbury, MA

Executed as a sealed instrument this 27th day of December 2018.



Barry J. Richmond



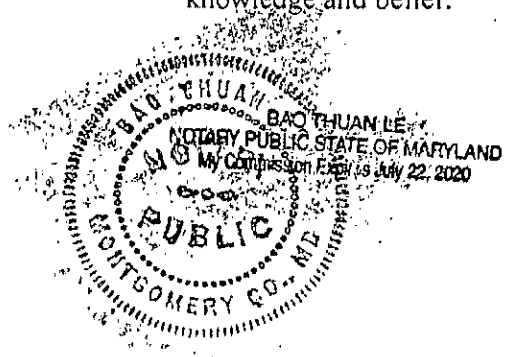
Jean M. Richmond, Personal Representative,
Estate of Charles A. Richmond

STATE OF MARYLAND

On this 27th day of December 2018, before me, the undersigned notary public, personally appeared Barry J. Richmond, proved to me through satisfactory evidence of identification, which was MD Driver's License to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as his free act and deed and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his knowledge and belief.



Notary Public
My Commission Expires July 22, 2020



STATE OF INDIANA

On this 26th day of December, 2018, before me, the undersigned notary public, personally appeared Jean M. Richmond, Personal Representative as aforesaid, proved to me through satisfactory evidence of identification, which was Indiana Driver's License to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose as her free act and deed and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of her knowledge and belief.



Emily C. Cavacini

Notary Public

My Commission Expires: 8-16-2025

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