November 7, 2019

Martha’s Vineyard Commission
District of Critical Planning Concern
P.O. Box 1447
Oak Bluffs, MA 02557

Dear Commissioners,

The Tisbury Planning Board at the meeting on November 6, 2019 voted 5/0/0 to nominate sections of Red Coat Hill and Shubael Weeks Road in Tisbury for Special Ways Designation.

Enclosed is the application for the Nomination of Special Ways for your review and acceptance. If at all possible, we would appreciate it if you could place our request on the Commission’s next meeting agenda.

Thank you,

[Signature]
Daniel Seidman, Chairman

DJS/pvh
DCPC NOMINATION

Instructions

Please review Appendix “Critical Planning District Qualifications” prior to completion of the nomination. Only nominations in accordance with the “Critical Planning District Qualifications” will be considered.

Sponsors are encouraged to contact the Commission’s DCPC Coordinator (Jo-Ann Taylor, 505-693-3453, Extension 119, taylor@mvcommission.org) prior to completing and submitting the nomination.

Please answer all questions as completely and concisely as possible, using additional sheets as necessary.

Include a locus map with proposed boundaries shown on an appropriate base, such as the town assessors’ maps or a section of the most recent U.S.G.S. 1:25,000-scale topographic map.

If the sponsor is a town board or the Commission, include signature below and a copy of the vote.

If a taxpayer petition is included, include tax collector(s) verification for 75 signatures.

Submit the signed nomination, in person or by certified mail, to Martha’s Vineyard Commission, Olde Stone Building, New York Avenue, P.O. Box 1447, Oak Bluffs, MA 02557.

**SIGNATURES:** If the sponsor is a town Board of Selectmen, Planning Board, Conservation Commission or Board of Health, or the Martha’s Vineyard Commission, the appropriate officer of such board shall sign his or her name below. Attach a copy of the vote.

[Signature]
Name
Daniel J. Seidman

Chairman

Date
11/7/19

IF THE NOMINATION IS BY PETITION, SEE ACCOMPANYING PETITION SIGNATURE PAGE.
District Nomination

NOMINATION INFORMATION

NAME AND ADDRESS of the nominating board (Board of Selectmen, Planning Board, Conservation Commission, Board of Health, Martha’s Vineyard Commission) or a signatory of the taxpayers’ petition. All correspondence will be directed to the sponsor whose name and address appears here:

Name: Tisbury Planning Board

Address: Town Hall Annex High Point Lane

Phone: (508) 696-4270

Fax:

e-mail: dseidman@sprynet.com

NAME AND LOCATION (TOWN OR TOWNS) OF PROPOSED DISTRICT:
Special Ways designation for two trails/paths in Tisbury that connect to West Tisbury Special Ways.

AREA PROPOSED FOR DESIGNATION:
Within twenty feet of either side of the centerline of Red Coat Hill Road, from West Tisbury/Tisbury line easterly to its juncture with Deer Hill Road.

Within twenty feet of either side of the center line of Shubael Weeks Road — From the West Tisbury town line northerly to it juncture with John Hoft Road.
Please review Appendix “Critical Planning District Qualifications” before continuing. The Martha’s Vineyard Commission will only consider proposals warranting designation in accordance with the “Qualifications”.

A. Indicate the type of district that is proposed (See Appendix “Critical Planning District Qualifications”). Nominations may include more than one category:

   _____ 1. Drinking Water Resource District
   _____ 2. Fishing Resource District
   _____ 3. Farming Resource District
   _____ 4. Wildlife, Natural, Scientific or Ecological Resource District
   ___X 5. Cultural or Historic Resource District
   _____ 6. Economic or Development Resource District
   _____ 7. Major Public Investment District
   _____ 8. Hazardous District

B. Referring to the SPECIFIC QUALIFICATIONS (See Appendix “Critical Planning District Qualifications”), explain why you feel that this area would warrant designation. Use additional sheets as necessary.

This designation is to protect some of the last visible remains of early foot and hoof passage in Tisbury. Generations have traversed these paths/trails long before the advent and introduction of the automobile and continue to this day. The narrow configurations are marked by depressions, even though surrounded by flat land, demonstrating centuries of use. The names are reminders of the past usage or person to whom it was named for. These sections appear on road maps from the 1800’s. The Town of Tisbury should protect these island treasures, from one town, West Tisbury, and continuing through Tisbury, for future generations to enjoy.

Red Coat Hill Road is part of an old cart path established between State Road and Lambert’s Cove Road. In the 1700 and 1800’s, when the island’s economic production was primarily farming and fishing, one could see the harbor from the highest point on Red Coat Hill. The lookout was used during the Revolutionary War to surveil the harbor. On September 10, 1778(1), a British Force of Red Coats, led by General Grey, seized this high ground during a four-day invasion leaving a “red
coat" on a nearby hill. Both paths/trails are important connections and connectors to Land Bank and Nature Conservancy trails and conservation areas in Vineyard Haven, including Duarte’s Pond and to West Tisbury.

Shubael Weeks extends from the intersection from the West Tisbury Line and crosses Red Coat Trail in Tisbury continuing to Cranberry Bogs along Lambert’s Cove Road. Mr. Shubael Weeks lived in the late 18th and early 19th centuries. He was a Tisbury Selectman at the time of the British Raid in 1778.

Countless families have crossed these routes over time. They represent a unique and irreplaceable asset mostly untouched by time. Alongside the paths are parts of the great Pitch Pine forests on the island. Many are specimen trees and ancient. They contribute to the beauty of the place and create the needed environment for the propagation of nature, plant and animal.

Special Way nomination is not intended to confer or require any public right of access

(1) Martha’s Vineyard by Henry Franklin Norton, copyright 1923
C. Referring to the **GENERAL QUALIFICATIONS** (See Appendix "Critical Planning District Qualifications"), please answer as simply as possible the following: (Use additional sheets as necessary)

1) Why is this resource or area important to more than one town or to the Island as a whole?

Prior to the introduction of the automobile, these paths/trails are a modern day reminder of the ancient travel ways. Distance to town was measured in hours not minutes. Both place names are significant because of an action that took place, Red Coat raid, or a person, Mr. Weeks, a Tisbury selectman. Today, the routes are used by pedestrians, bicyclists and horseback riders as a safe means of traversing the town. The unbroken beauty of the path is peaceful and lets one think back to less hurried times. Both locations connect to West Tisbury which has protected them as Special Ways.

Pitch Pines, scrub oaks, and conifers are the dominant tree species stretching all along the ways. Pitch pines, or Pinus rigida extend from the mountains of Northern Georgia to Southern Maine. Like a hearty New Englander, the pine has adapted to island life. They grow in sandy soils. They have strong stout limbs. The seeds germinate anywhere there is sun and bare soil. If killed, new trees sprout from the stump. In days past, the trees were utilized to produce pitch, turpentine, rosin, and tar. Pitch(2) was used to caulk and seal the boards on wooden sailing vessels. Tar(2) was used to grease wagon axels and to preserve the fibers of ropes used in rigging.

*(2) June 2015 article for Northern Woodlands magazine, “Yankee Tarheels: Remembering the Pitch Pine Industry of Colonial America,”*

2) What are the problems associated with the uncontrolled or inappropriate development of the area?

The nominated ways show examples of uncontrolled or inappropriate development and how that can alter the character or even eliminate evidence of the route. With increased vehicle usage, the surfaces of these pre-automobile paths get widened, graded, and stabilized with hardening materials to the extent they become just another serviceable dirt road. Additional blockage, of portions of these ways, would further compromise the free flow of foot and hoof passage. Their loss would be irreplaceable.

3) What kind of development would be advantageous within the proposed district?

Advantageous development would be that which, through careful locations of driveways and the use of alternative vehicle access points, when available, maintains the character of the ways and their immediate surroundings by minimizing additional vehicular use of the ways, retains natural vegetation along the paths, and would prevent the ways from being
District Nomination

Blocked. Both locations tend to be lightly traveled by vehicles, but both are routinely accessed by pedestrians, cyclists, and horseback riders.

Special Way nomination is not intended to confer or require any public right of access.
**PROPOSED DISTRICT NAME:**

**PROPOSED LOCATION:**

Any 75 (seventy-five) Island taxpayers nominating a proposed District of Critical Planning Concern should print and sign their names, street addresses and principal Island town in which taxes are paid. All taxpayers signing this petition must be certified by the Tax Collector(s) **before** the nomination is submitted.

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APPENDIX
CRITICAL PLANNING DISTRICT QUALIFICATIONS

GENERAL QUALIFICATIONS FOR ALL DISTRICTS

NEED FOR DESIGNATION

There must be a regional need for special regulations or planning to protect the district from damage or losses by inappropriate development. The Commission shall find:
- that present public or private regulations in a substantial part of the district cannot assure protection; and
- that damage to the district or impediments to proper development will be a substantial loss to the region or to two or more towns.

SIZE AND SHAPE OF DISTRICT

The district shall consist of the land and water which reasonably belong in the district for the three following reasons:
- It is the critical area or critical resource which is in need of protection.
- It is the logical planning area which should be considered in adopting a coordinated system of regulations to protect the critical resource or critical area.
- The dimensions or landmarks which form the boundary of the district are convenient and recognizable.

SPECIFIC QUALIFICATIONS

DRINKING WATER RESOURCE DISTRICT

The district is important to the protection of a regional aquifer, watershed, aquifer recharge zone or surface water supply with the following considerations:
- Development or waste disposal without special regulations in the district could endanger the quality or quantity of the water.
- Studies or expert advice indicate that the designation and regulation of the district could be effective in protecting the quality or quantity of water, and that, since public health, safety and welfare are paramount, special precaution should be taken.

FISHING RESOURCE DISTRICT

The water body in the district is particularly well suited for the production of shell or fin fish or can be made productive through good management and improvements.

FARMING RESOURCE DISTRICT

The district includes areas particularly suited now and in the future for sustaining or augmenting the Island’s food supply or other agriculture. The district must have one or more of the following characteristics:
- The district is generally being farmed or can be converted to farming conveniently relative to other areas on the Island.
- Land ownerships within the district are generally of adequate size to support farming. Soil, climate and topography are well suited for farming.

WILDLIFE, NATURAL, SCIENTIFIC OR ECOLOGICAL RESOURCE DISTRICT

The district contains an important and identifiable wildlife, natural, scientific or ecological resource. This would include but not be limited to special plant and animal life and their habitats, as well as unusual geological features, and is critical because development may disrupt the ecological balance.
CULTURAL OR HISTORIC RESOURCE DISTRICT

The district contains a place, landscape, way or view which is in some special way expressive of the character of the Island, traditions of the Island residents, and of special interest to Island visitors. The maintenance and protection of those values is essential to a sound local economy. The district also:
- is of exceptional symbolic or recreational importance to the residents of more than one town and is either visible or accessible to them or can reasonably be made so; or
- is rare, unique, or makes an unusual contribution to the diversity of the Island character; or
- is irreplaceable, or replaceable only with extraordinary effort or expense.

Subject to the above general tests, designations may be considered for areas which are important for their connection with the history of the region-including its geological history or the history of its Indian settlement-or which symbolize and support the traditional activities and ways of Island life, or which give us a particular understanding of the Vineyard lands and their setting in the sea. These include places which present opportunities for hunting and fishing and the enjoyment of wildlife.

ECONOMIC OR DEVELOPMENT RESOURCE DISTRICT

The district will include areas which have special potential for providing employment or housing for Island residents, or for accepting necessary development which might be detrimental in other locations. The district must also:
- require special regulations to create, preserve or enhance that potential, and
- be better suited or more readily available for the facility or development than other areas of the Island, considering topography, utilities, costs and environmental and social impact; and
- have adequate access, preferably from a regional feeder road.

MAJOR PUBLIC INVESTMENT DISTRICT

The district will include areas which have a significant impact on an existing or possible future major public investment or areas which are significantly affected by such an investment. In addition, the district must qualify as follows:
- The district pertains to a major public investment as defined in Chapter 831 as amended\(^1\), and may include airports, highways, schools, parks, beaches, preserves, public utilities and medical facilities owned or operated by a Federal, state or county agency, or by a quasi-public or charitable non-profit agency; and
- the intended use or operation of the public investment or the health, safety and welfare of the public could be impaired by improper development in the district.

HAZARDOUS DISTRICT

It is an area which possesses hazards due to marginal soil or topographic conditions which render it unsuitable for intense development. Factors to be considered include: Flooding, waste treatment, groundwater, erosion, construction problems, salt water intrusion and pollution.

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\(^1\)A major public facility is any publicly owned facility of regional importance except:
(1) any public facility operated by a municipality primarily for the benefit of the residents of that municipality, or by any agency serving primarily the residents of one municipality;
(2) any street or highway which is not recognized as or maintained as a part of the state or federal highway system; or
(3) any educational institution serving primarily the residents of one municipality."
Tisbury Nomination of Special Ways - November 2019

Proposed Special Ways

- West Tisbury State Road
- Lambert's Cove Road
- John Holt Road
- Paula Ave
- David Ave
- Helen Ave
- Shubael Weeks Road
- Red Coat Hill Road
- Red Coat Shubael DCPC nomination

Existing Special Way designations in West Tisbury

- Shubael Weeks Road
- Red Coat Hill Road

Nominated Special Ways

- Mayflower Lane
- Deer Hill Road
- State Road