



# **DRI 749 33 Lagoon Pond Road Demolition**





Owner/Applicant:  
**Sawyer Realter Group, LLC**

Referral: **Tisbury Planning Board**

Trigger: **Demolition of a structure greater than a century in age**

Location: **33 Lagoon Pond Road, Tisbury**



# CR 8-2023 Proposal

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**Demolition of a Circa 1900 two-family dwelling (has already occurred) and construction of a four-story dwelling in the flood zone that contains two residential units with two bedrooms apiece and also contains two garage bays.**



# TOWN OF TISBURY

BUILDING INSPECTION & ZONING ENFORCEMENT

POST OFFICE BOX 1239

VINEYARD HAVEN, MA 02568

Phone (508) 696-4280 – Fax (508) 696-7341

Sawyer Realty Group, LLC  
PO Box 1408  
Vineyard Haven, MA 02568

December 30, 2022

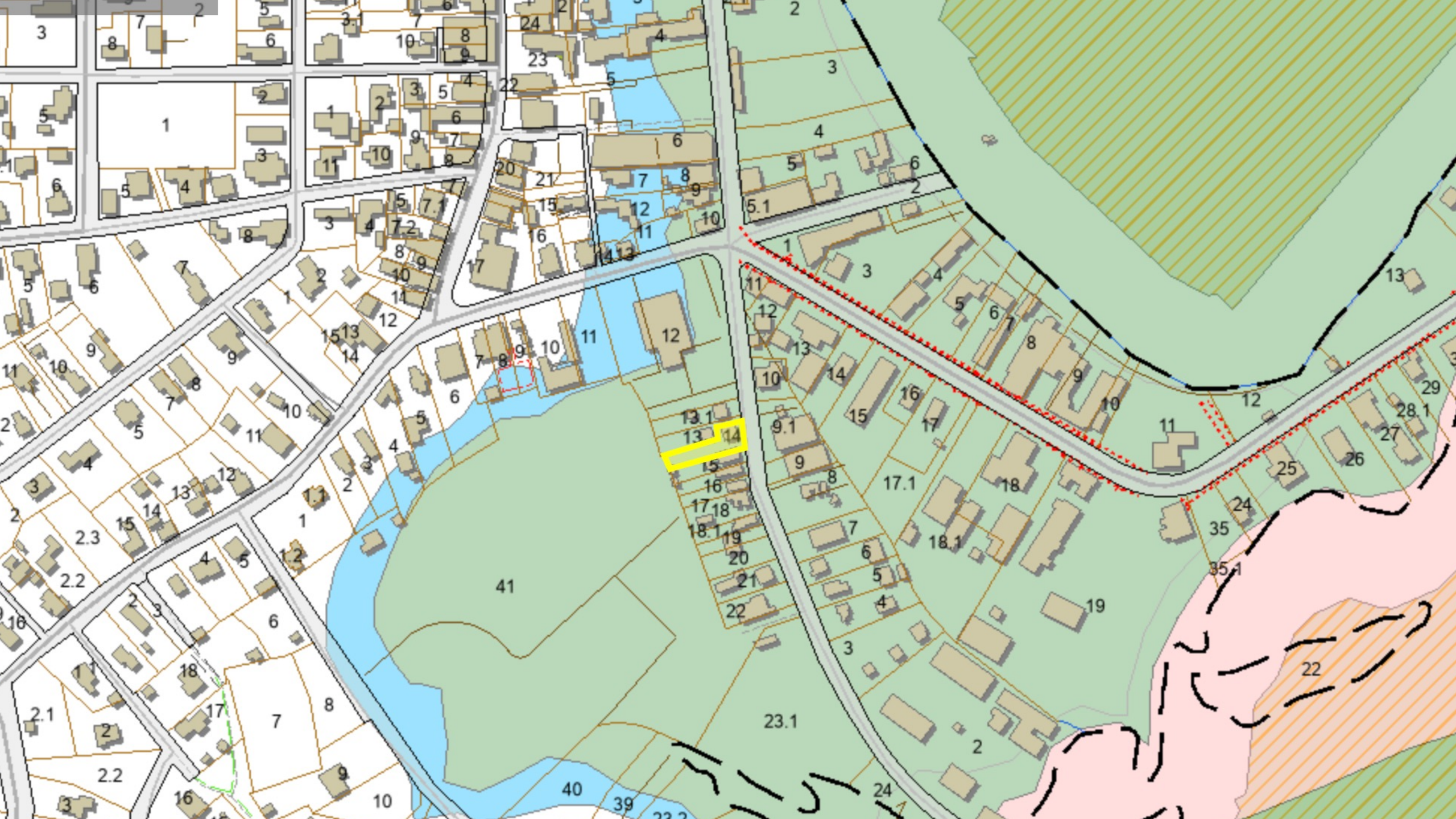
**ORDER TO REMOVE A STRUCTURE AT 33 LAGOON POND ROAD IN ACCORDANCE  
WITH 780 CMR Sec. 116 & M.G.L. Ch. 143, Sec. 6.**

Dear Mr. Sawyer,

I recently inspected your property at 33 Lagoon Pond Road in Tisbury which currently has an open building permit and was alarmed at what I saw. The foundation, load carrying structural support, and overall framing of the structure is severely deteriorated and because of this the building is extremely susceptible to catastrophic failure.

Based on my observations, and in accordance with M.G.L. Ch. 143 Sec. 6 and 780 CMR Sec.









Case File No. 71

Assessor Parcel  
9-A-12

Assessor Parcel  
9-A-13.1

Assessor Parcel  
9-A-13

Assessor Parcel  
9-A-14

Assessor Parcel  
9-A-15

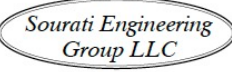
100 YEAR FLOOD EL. 120  
(ZONE VE) [SCALED FROM  
F.E.M.A. F.I.R.M. MAP REVISED  
JULY 20, 2016]

Lagoon Pond Road

lot area  
5,242 ± sq. ft.

datum  
NAVD 1988

Trimble  
reference job no. 102165

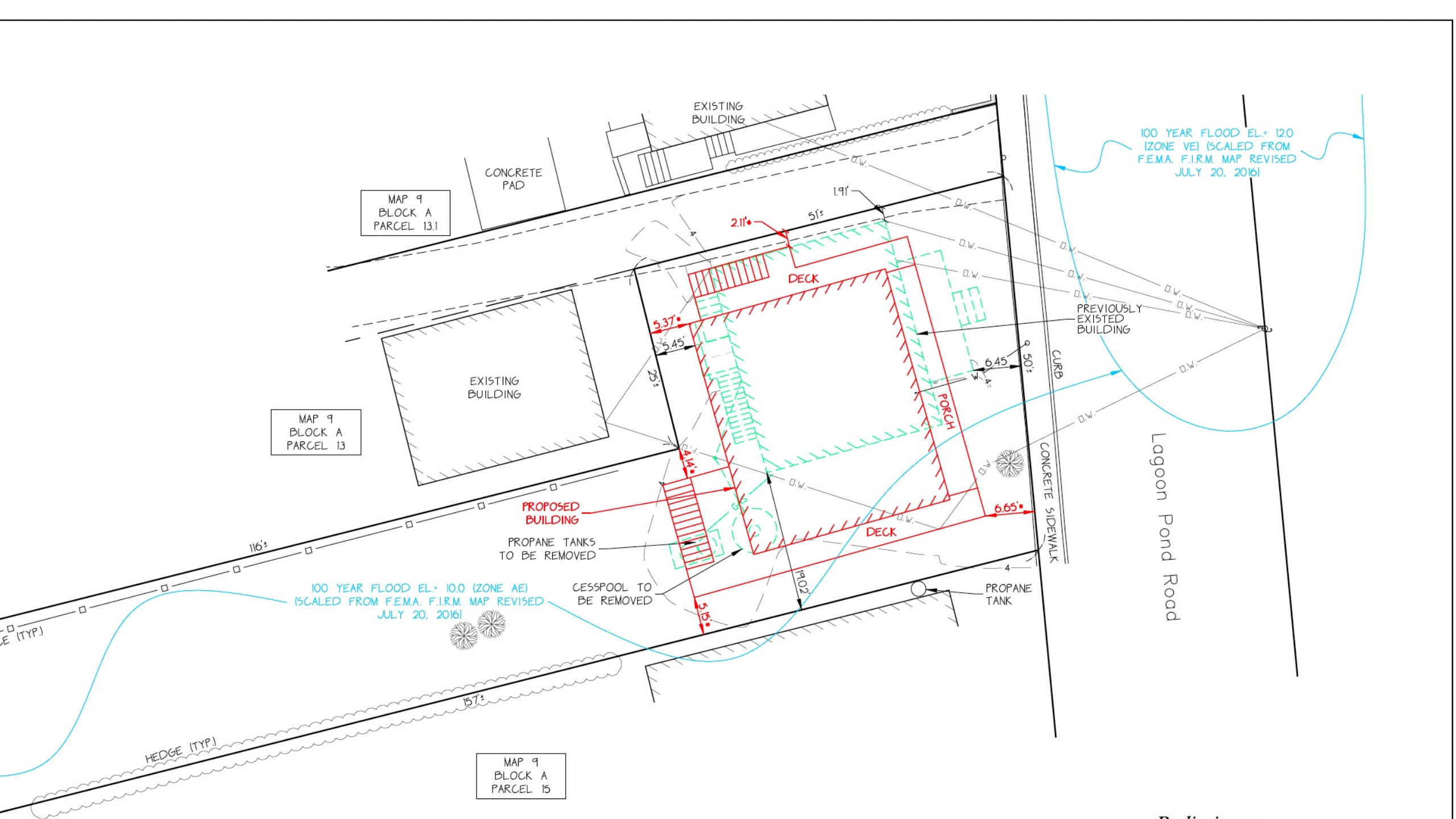


SHEET FOR: Sawyer  
ASSOR PARCEL:  
-A-14  
Tisbury, MA  
: 1"=10'  
JOB NO.: 102689  
DRAWING NO.: 102689ws  
REF: 102165

100 YEAR FLOOD EL. 100 (ZONE AE)  
[SCALED FROM F.E.M.A. F.I.R.M. MAP REVISED  
JULY 20, 2016]

















A photograph of a residential street. In the center is a two-story house with grey shingled siding and a white door. To the left is a white house with a brick chimney. To the right is a dark grey house. A gravel driveway leads to a dark SUV. A white fence runs along the back of the houses. A large tree is behind the central house. A white text box with a black border is overlaid on the left side of the image.

**Looking West Toward  
Site of Razed Dwelling**



# Looking North Toward Five Corners





# Looking South Toward Museum & Skiff Avenue







**Looking East Across Road to Commercial Property**



# Character & Identity

- In a letter to the Commission, the Tisbury Historical Society (THS) notes that Lagoon Pond Road was formerly known as Howard Avenue—colloquially known as Chicken Alley—that was inhabited by Portuguese immigrants in the late 19<sup>th</sup> Century and early 20<sup>th</sup> Century. THS notes the homes in that neighborhood were “small” and “inexpensive”.





# Character & Identity

- “THC feels this is one of those cases where the area's historical significance lies in the structure and evolution of the neighborhood rather than in the structures that comprise it,” the THC letter states. “The original architectural vibe of Lagoon Pond Road was small, 1- or 1.5-story single-family homes. The new zoning laws mean that any new residential construction in the area will be visibly out-of-scale with the old c. 1900 structures. The existing residential neighborhood along the odd side of Lagoon Pond Road, as it was built c. 1900, is on borrowed time because of rising sea levels.”
- THC describes the proposed replacement dwelling at 33 Lagoon Pond Road as “in no way sympathetic to the neighboring properties” and expresses the belief a redesign is in order







**Streetscape & Massing: No Four-story Buildings in Neighborhood**





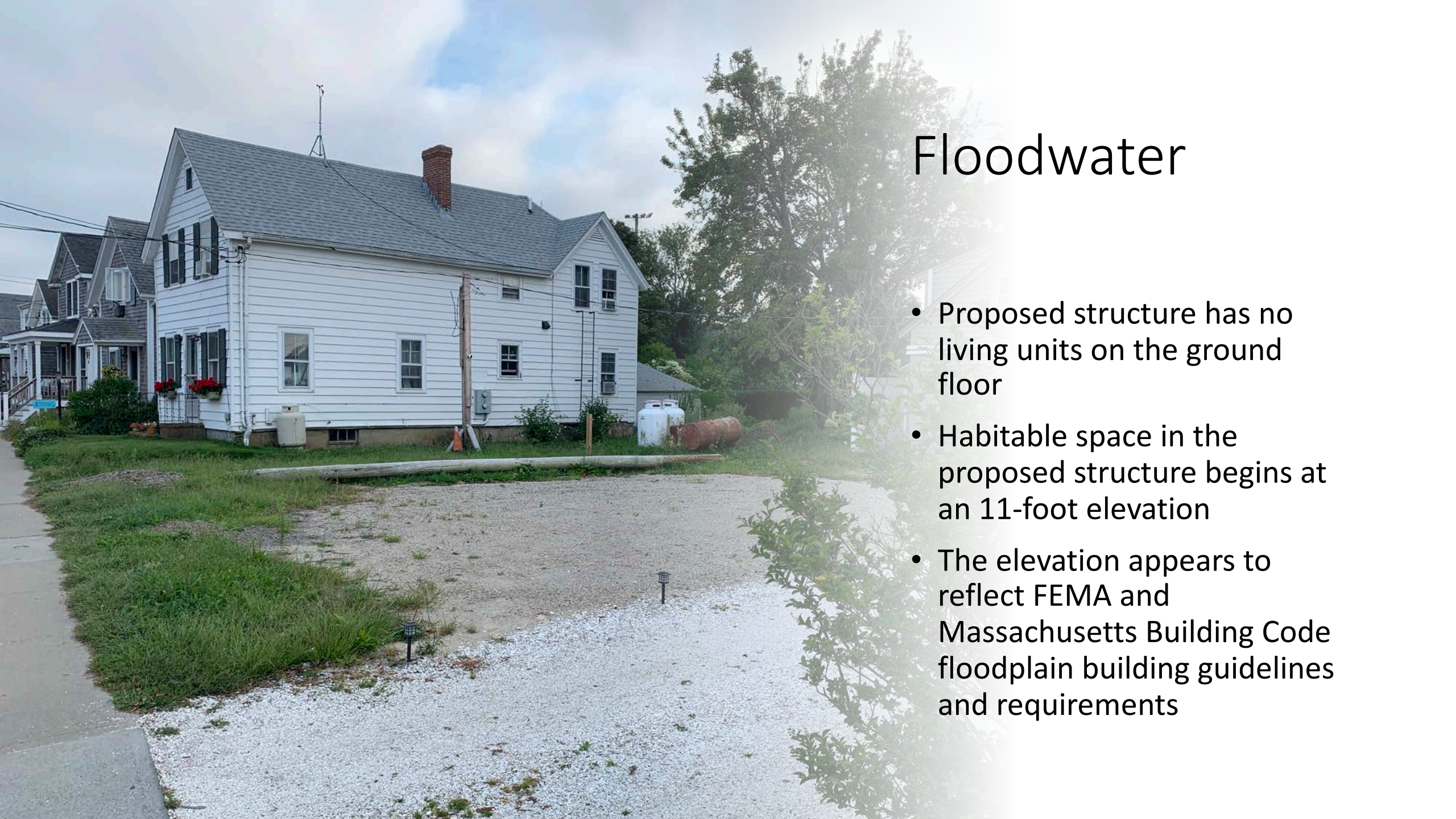
**Streetscape & Massing: Abutting buildings are between 1 story and approximately 2 stories**



# Streetscape & Massing: A structure exists on Lagoon Pond Road that has a ground floor garage







# Floodwater

- Proposed structure has no living units on the ground floor
- Habitable space in the proposed structure begins at an 11-foot elevation
- The elevation appears to reflect FEMA and Massachusetts Building Code floodplain building guidelines and requirements





**Streetscape & Massing: No recessed Balconies evident in the neighborhood**





Streetscape & Massing: Prior structure had a covered stoop, new structure has partially covered, wrap-around porch





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## Streetscape & Massing: Before & Potentially After





**Streetscape & Massing: The far side of the road presents a commercial streetscape**





**Streetscape & Massing: The new structure will likely be more visible looking from the direction of Five Corners than the prior structure**



# Impact on Abutters

- Direct Abutter Dan Panico (31 Lagoon Pond Road) expressed written support for the elimination of the old structure and the construction of the proposed new structure
- Abutter Chicken Alley (Thrift Shop diagonally across the street), via its Director of Operations, Jessica Tartell, expressed written support for the elimination of the old structure (noted it hampered commerce) and also expressed support for whatever is proposed to replace it based on faith in the developer





# Municipal Services & Taxpayers

- In a project narrative, Mike Sawyer of Sawyer Realty Group, LLC states the property has been in a state of disrepair and asserted it suffered from disturbances, junk, derelict vehicles, drug-dealing, and unsanitary behavior.
- Sawyer deemed the building a teardown because of foundation damage, rotten sills, black mold, exterior wall distortion, vegetation infiltration, vermin, structural sagging, beam decay, and a roof concavity, according to the project narrative.



## Municipal Services & Taxpayers

- The Tisbury Fire Department, in speaking with staff, did not express concern about the height of the proposed structure because the town's fire tower should not have trouble reaching such a height in the event of a fire.







## Municipal Services & Taxpayers

- The Tisbury Fire Department, in speaking with staff, did not express concern about the terrain around the proposed structure, despite being in the 100 year flood zone, because Lagoon Pond Road is a paved street and therefore heavy fire apparatus could stage without sinking in sand or soil or otherwise becoming stuck.





# Municipal Services & Taxpayers

- Lagoon Pond Road, like Five Corners, floods from time to time
- Flooding might prevent occupants from exiting/evacuating on their own
- According to the Tisbury Fire Department, the Department's High Water Vehicle can ford water up to 46 inches deep (three feet, ten inches) in order to perform first responder duties.