

To: The Martha's Vineyard Commission
Re: DRI DRI 34 M5: Flat Point Farm Subdivision Finalization, West Tisbury
Public Hearing May 16, 2024

We have attended the West Tisbury Planning Board meeting regarding this plan, which concluded with a referral to the Commission's Land Use Planning Committee; that meeting was followed by a review by the Commission, which resulted in the decision to have the public hearing.

At these meetings and in documents and letters submitted in regard to the plan, we have heard and read statements that we do not find to be accurate. Some of these misstatements are relevant to the impact on our use and enjoyment of our property because we are surrounded on three sides by the Fischers' land, and by Tisbury Great Pond on the fourth. Given our location, of all the abutters, we will be most affected by this development.

When my parents purchased the property in 1968, after renting various houses since 1949, that situation was a boon. We were protected. The farm was stable. The Fischers were friends across three generations. It was ideal.

The development will have a significant impact on us and future generations. We do not oppose it in principle, but we want to minimize the impact while cooperating with the Fischers.

Some of the misrepresentations and misunderstandings potentially compromise our efforts to cooperate yet protect ourselves from the most invasive aspects of the development. We do not want the inaccuracies to persist. We will not delineate at which of the three meetings these remarks or written statements were presented because the sentiments and beliefs behind them seem to be shared.

- One representation is that the Fischers have offered us an alternative route to our property, which will be unreachable under the current plan, and that we have somehow been obstructive to those efforts, uncooperative. To the contrary, we have entered into discussions frequently. To be clear, we will lose the direct access to our property and our garage will no longer be available for deliveries or storage of anything large that would have to be transported. We will lose our current driveway and parking lot. The entrance the Fischers have proposed is three times the distance to our main house as our current entrance. Nonetheless, we have basically agreed to it, but need compensation to create a new parking lot and paths to the houses.
 - We have been discussing alternative points of access with the Fischers for years. We presented a written proposal last summer and we have not had a response. Promises to respond by certain dates have not been fulfilled.
 - The route to our house is already partly obstructed and a round-about detour established. Our current access skirts the Fischers' old farmhouse and lots D and C. Friends and delivery people cannot find our house, and GPS is now useless.
 - The delay in reaching agreement with the Fischers about access to our property is not ours, despite the cost and inconvenience the development will impose on us.
- Simon Athearn's letter to the Commission supporting the Flat Point development is misleading. If it were just a question of the four small lots to be used by family, as he described, there would be no problem. That is not the case.

- The plan also calls for houses and a guest house on two lots that are around 5 acres each, in addition to the four small ones for family. One is the Oyster Shack lot, on the point. The other lot (B) is adjacent to and behind the barn area, which includes Emily and Doug's house (under a lease that includes less than two acres) and allows for the building of a large house and guest house.
- Furthermore, the lots immediately adjacent to us, which, until last spring, we crossed to get to our driveway, will be sold. Presumably the buyers will replace the small cabins on those two lots with substantial houses, potentially with six bedrooms each. Instead of the three neighbors we now have in those rental cabins (Larry in one, Lydia Fischer and her partner in the other), there could be as many as 12.
- At one of the meetings, someone (a committee member?) asked how many bedrooms the Oyster Shack has. Clearly, this person has not been to Flat Point. The Oyster Shack is not a house. It is a one very small room. It was used for clamming and oystering enterprises. It was not a residence. It now has a loft for a bed, a couch, and a little kitchen against one wall. The shower and port-a-potty are outside.
- Without visiting the point, one cannot envision the impact of new houses and guest houses, replacement of current cabins, and the impact of potentially 82 bedrooms.
- Mr. Athearn suggests that traffic is light and the addition of four small lots will not create problems. In fact, he lives before the entrance to Flat Point Farm. We have to drive through it. The possible addition of 26 cars and drivers will certainly affect everyone's ease of access. Admittedly, the new road the Fischers have put in is much wider than the old road and it is easier for two cars to cross paths.
- The remark was made facetiously, in regard to fire safety, that if people needed to flee a wedding on the Flat Point, they could walk to the other shore. The pond is not that shallow – perhaps at low tide when the cut has been open for a while, someone who is over 6 feet could walk across, but not in a wedding dress.
- Statements were made that Priscilla and Arnold Fischer had 4 children, that they gave their children their four lots 56 years ago, in 1967, and that the children built on them at that time.
 - In fact, Arnold and Priscilla had five children. It was only after Nancy died tragically in 1973 that the lots were created for their four surviving children, in 1976.
 - Eleanor, Mary and Arnie did not build on the lots for decades. I lived in our guest house year-round in the mid-seventies. There were no houses beyond ours at that time. Arnie was too young, Eleanor was living elsewhere, as was Mary. The woods were not cleared, where Arnie and Eleanor eventually built their houses, and Mary had her cabin. The only person who passed by in those years was Floyd Merry, who was clamming and using the Oyster Shack.

The fundamental point is that this is a lot of development for the point. It will affect us drastically. We have not been able to reach agreement with the Fischers about alternate access to our property (and that will be perpetually inconvenient for us; personally, it will be difficult for me to haul everything from my car to the main house, whereas now I can drive right up for unloading). The character of the place will be changed. We hope that the MVC can put some limits on the development, not to stress us, the pond, the water table, etc.

We have been reminded that we are fortunate that the Fischers do not want to create a large development and decamp to Florida or elsewhere. They want to continue farming and maintain the property for their family and future generations. They have put land into conservation.

Yes, it could be worse! They are not doing this less expansive development for the O'Sullivan's, however, but for themselves, and for that we must be grateful, as much as we regret the loss of the woods, the cabins we pass, the lack of congestion, the short and direct access to our gate, parking lot and garage, the open point onto the pond with just the Oyster Shack right on the water. Change is hard.

Respectfully submitted,

Chris S. O'Sullivan