

Rene Cheatham
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May 6, 2022

Attn: Martha's Vineyard Commission
Re: Lot 106

UPDATED

Please note that we visited the abutter's and were disturbed to find out that not one of the abutter's was shown the IEH building Aidylberg 3. They assumed it would be matching the current two buildings and were very disappointed that they had been fooled to agree with the project once we showed the plans for the third building.

1. As the Cheatham/Hill abutters stated in prior meetings, the IEH Aidylberg 3 design still does not take the small-town community character into account. The large building facing Wing Road is over-bearing, and still looks like a store, and it is too close to the road. It does not fit the natural and green surroundings of this quaint Oak Bluffs area and Wing Road. **There is major concern that IEH is more concerned with the building an overbearing large design and is ignores the need to make homes for five individuals in need at a lower cost and more community considerate structure.** Use the money that is saved to install solar power and a mandatory LEEDS building.

IEH wrote about comparisons to the other building heights, but these tall buildings are probably not right on wing road as IEH plan proposes. The multiple porches are not a sight that is needed on Wing Road.

It is not only the height that is a problem, it's the width of the building. There are no other wide buildings that look like a Martha's Vineyard shopping center along Wing Road. The proposed structure definitely could be converted to a shopping area with stores in the future with little structural amendments.

2. **NON-Compliance by IEH from the prior DRI.** There was an illegal fence that was installed on my property. I did not authorize this and it does not comply with the agreement that we made with IEH and MVC and recorded by ZBA in their Notice of Decision, on December 9 2003.

The fence which IEH just installed in Oct 2021, 18 years later, encroaches on my property. I need to seek injunctive relief requiring the removal of the fence since the agreement was to install it on IEH property, Map 17, Lot 105, not my Map 17, Lot 106-2.

Update: We walked the land with IEH's Chris their surveyor and we showed him where our land starts and ends. Due to his conflict of interest, his company also prepares the assessor maps that mostly everyone in town says are inaccurate, he sort of agreed that our land starts at the electric pole, but stated it might have been "moved" (neighbors state it has not been moved since they did their survey). He also saw where our 100+ year old barbed wire fence ends and it is way past the

fence that IEH illegally built on my property. So there is still a discrepancy on the land borders and the surveyor refuses to certify that the new fence installed by IEH is in the correct place.

I am not sure if this installation was done in spite, because I was not called or notified that my bushes and trees would be destroyed, or even that they would finally install a fence. If this was not done maliciously, then I expect the IEH organization to comply with my request and install a fence *4-5 minimum feet away from my map17, Lot 106 property line, with a 20 to 25 ft buffer facing South and West on Map 17, Lot 105 property*, after the fence. The buffer should be on the IEH property, to keep the land between properties in “natural state,” as per our agreement.

The reason that we asked for Evergreens facing my lot, but in front of their fence on their side was to mask any odor from the septic system, noise or wandering onto our property which is currently happening today. This is definitely impactful and causing me stress trying to prove that IEH is encroaching on Lot 106.

The Split rail barbed wired fence and evergreens site plan setback should be 4-5 ft from Map 17 Lot 106 property lot lines per the agreement. Large buffer area of trees on Lot 105. This buffer should not include Abutters Map 17/Lot106 trees as a buffer for Lot 105.

We talked directly to IEH Management, Greg Monka in August/September 2021 and explained to him that the boundaries, that he showed Jill and Mark Cheatham were wrong and are off. Then he sent Jill a picture of the fence he installed after we overheard them discussing a fence in a meeting and Jill told him that it was on Lot 106 property, and it was not aligned with our original landmark markings. It was on Lot 106 property line and installed in the wrong place. They sent a text showing that they installed a very crooked fence on Lot 106 property, which was wrong. We did not hear anything once we told them the fence was wrong per the 2003 agreement.

It is my belief that this fence was put on our property and it should be up to IEH to prove that the fence is right and, on their property, (3-4 feet from my property).

A surveyor needs to certify that the fence is not on my property. The surveyor should also take in account my previous survey. I would like the worksheet that IEH used as a guide to install the current fence. There should not be any overlaps according to my surveys.

I would like IEH to remedy this situation immediately and remove the newly installed fence. I will be requesting the same buffer and fence when the new project is designed. I would agree to wait for the fence and Evergreens to be installed in the right locations along my whole property line, once the new project landscaping is installed. I expect the same respect and fairness that they gave the east side abutter with a very nice landscape and fence.

Please review the plot plan drawings of the two early deeds for Lot 105 that Jill submitted to MVC because it shows that the deed does not match the plans that IEH is using, and even without the fence, they are encroaching on my property in their plans.

We need an independent certified survey done with the proper dimensions and deducting Aidylberg road, instead of adding it to their dimensions and taking property from Lot 106. Many discrepancies in IEH Surveyor maps. These must be accurate using correct scales, deeds and

natural barbed wire fence embedded as proof of our land recorded properly as that land is in our deed.

3. The IEH is not a “Flexible Development” per the MV Oak Bluffs planning board’s April 2021 response. Before the illegal demolition.

4. FYI, please see map 17, Lot 105, 106 and 32 Tradewinds Rd. The Assessor’s map’s boundary lines are all off and this error was acknowledged by the Oak Bluffs Assessor. The Assessor’s maps are showing wrong property lines and buffers. These GIS maps are used required by DHCD for subsidized housing. It is required that the GIS maps are accurate for funding and they currently not accurate and are off by 20-25 feet.

5. Lot 106 had Hedges, that were at the beginning of our property on Wing Road and near the Wing Road electrical pole, were destroyed by IEH and they need to be replaced.

In summary, there should be NO new buildings or approval of illegal demolition until a 40b design is agreed upon or a replacement house in the same footprint and/or with proper setbacks for 36 Wing Road.

Thank you,
Rene Cheatham
Abutter 106-2 and part owner of Lot 106-1.