

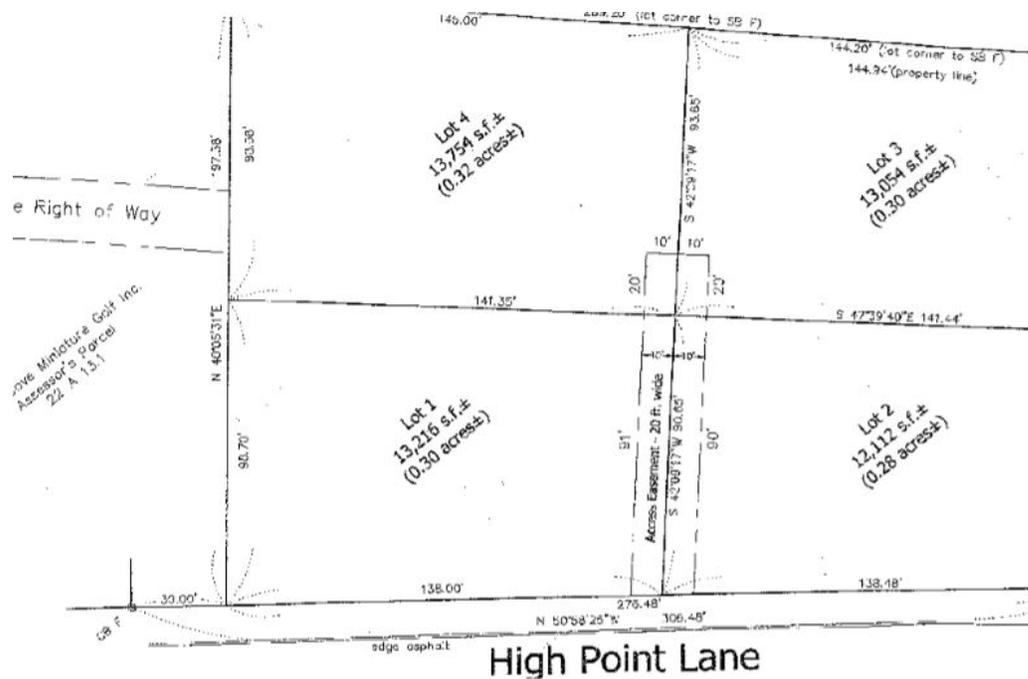
2016-05-05 (to MVC) re : DRI 653 M : Dias Mixed-Use High Pt. Lane, Tisbury (Vineyard Haven)

Dear MVC,

I would like to express my concern of the application.

First, I would like to remind you that this project is originated from the lot division (applicant the Pachico Family Trust) dated from 2012.

1. Changes in the lot division was remanded by MVC redirected to town of Tisbury, and, later the lot division was approved in Tisbury, as Deed of Land division, but, not as a subdivision process. And, the town's approval of the lot division was based on their **Easement Road to Hines Point Lane as a crucial element.**



C.R. 2 –2012 Access & Frontage from High Pt. Lar

(from DRI # 656 DeBettencourt High Point Lane MVC Staff Report – 2015-09-08)

Project History: On Thursday June 21, 2012 the MVC decided that the proposal by the Pachico Family Trust as represented by Tom Pachico to create a division of one 1.2 acre parcel into four (0.28 -0.32 acre) lots on a wooded hillside located off of High Point Lane (Map 22-A Lot 13.11 - 1.2 acres)... Some commissioners had reservations since, without a plan, the proposed division could create a situation where four separate buildings could be developed in an ad hoc fashion. They were also concerned that this property is in the Tashmoo watershed which is nitrogen sensitive but since there was no development plan at the time and that any significant development plans would likely be referred as DRIs when proposed, they voted to not concur. The plan the MVC reviewed showed access from High Point Lane, though the easement through the mini-golf was shown on the plan. That "A.N.R." did not meet the criteria under the Subdivision Control Law for an A.N.R. but was approved by the Town in 2012 and recorded

recently.

2. This current application is “preceded” by the previously approved DRI-653, on Oct 2015, by the same applicant, to build 60' x 60' wholesale lumber storage, an office, and, an apartment. **Its Main access for trucks were from High Point Lane, too.**

And, once the said lot was divided, the separate application (Applicant : Joe DeBettencourt's Garage) of DRI 656 was approved after the submission of the revised site plan shown below, dated Nov 17, 2015.



- I see the Garage's Main access for their business is separated, but it remained on High Point Lane. In fact, the **“combined lot orientation” of 2 North/South lots out of 4 suggests that Mr deBettencourt intended respectfully to avoid the direct access from State Road (through ROW) but from High Pont Lane** to least impact the traffic of the State road due to his newly generated traffic for his business.
- Separately, I find in this drawing, **the current applicant main access road still retained/intended to access from their own easement of 20ft wide road within their properties.**

3. However, the modified site plan from March 16, 2016 shows **the MVC-approved easement road is no longer the main access to the property.** And, they have a separate driveway from High Point Lane for the truck access, with non-committal approach to build the phase 2 building (office, bathroom/ Showroom, classroom/ 2 x 1 BR apartments).

- That means MVC are now reviewing **unnecessary multiple access openings, which could be all actively used, without any effort of controlling the heavy use of both**



High Point Lane and State Road. I find that quite disturbing and it is a very disrespectful proposal to the town and its residents being forced to take over their irresponsible burden. Please, this should be avoided at every level.

- With this aggressive site plan strategy, the applicant might use the “Private” Right-of-way of someone else's property as their main access (for gate, signage) to the State road, for their industrial-scale business, but negatively impacting the “community-friendly” scaled business to be pushed aside, by changing the perception of the area as more industrial than regular commercial district.

- Another point is the threatened “walkability”

Unlike other access road onto the State Road, this will be used by the truck drivers(customers) who are not as careful as the applicant would wish. **Any direct entering/exiting of these trucks to the established pedestrian route of the State Road, through this private Right-of-way will be a dire threat, without any remedy.**

While the town is forming to create more walkable town streets, this is the direct conflict of our town's goal.

- Even if they come up with the changed layout back to High Point lane, please, make sure that **the access from High Point Lane be consolidated/reduced into One driveway** to calm the road, not to incur future conflict of the traffic flow in the area if the area gets further developed.

From their submitted building plan alone,

- it should not be reviewed any more, if they cannot explain and convince the MVC and the town residents of why the single-story storage has to be tall at 42ft+, and, in volume, to dominate the area, sitting on the hillside, and, by removing the woodland entirely.
- The current bathroom for the Storage (phase 1) and the sale office are in phase 2, and the applicant does not commit to build phase 2, which result in the sub-storage warehouse where no business can be operated properly. This current plan alone is ad hoc.
- If the applicant fails to provide, in their drawings, how to store and access to the stacked lumbers, **without creating undisclosed access corridors off the slab indoors,** it should not be approved as they generate more visitors with more vehicles than they said they would predict. **This undisclosed walkway corridor off the ground slab and staircase/ladder access should be included in their total area, and the levels be measured as full 3-story for their impact.**

...Finally,

These things I list alone are too impacting, inadequate, and incomplete to my eyes.

I also see that this modified plan is nothing other than the calculated“ad hoc,” as the MVC commissioners had mentioned in 2012 review.

I, as the Tisbury resident, ask the commissioners not to approve of this application as this does not comply with the MVC's DRI checklist, and it will damage our island and the towns' goals, stated in many guidelines and policies.

Sincerely,

HS Lee, Resident of Tisbury