

September 30, 2009

Christina Brown, Chairman
MV Commission
Oak Bluffs, MA 02539

Dear Ms. Brown and MV Commissioners:

It has recently come to our attention that the Commission is reviewing a preliminary subdivision plan submitted by Arnold Fischer Jr. for Flat Point Farm. We want to bring to your attention our concerns about how this proposed plan could change the use of the Road to Great Neck which is the road that accesses Flat Point. We strongly urge that the threshold planning issue of adequacy of access for new development be made a priority in your DRI review.

It seems that there exists some confusion concerning the access road. Flat Point Farm does not possess a 40' way, or the ability to widen the road or create turnouts anywhere from the head of the road off New Lane through until Flat Point (approx. 1/3 mile). The Look family ownership, and control of the road has specifically been retained by the Look family over these many years.

Commission counsel will confirm the fact that any easement or other right that the applicant may have gained through open and continuous use over time – prescription – is limited in nature, both by the character of use and the character of structures accessed. We are firm in our belief that FPF does not currently have the right to increase the traffic or change the character of this road. Please make resolution of this fundamental issue part of your review.

Many of the structures that will become stand-alone building lots under this plan are presently small camps or barns. Our concern is that your plan approval could permit development of large homes or any other use allowable under WT town zoning. This point was cited in your LUPC notes stating that each of these 4-acre lots could be sold out of Fischer family ownership and have 16 bedroom homes developed. They could add pools and tennis courts. The same concern applies to the other new lots proposed under the plan. Any of this would have substantial negative impact on our small road and the character of the area.

We live in the old Look farmhouse that sits about 80 feet from the road. There is only a meadow between the road and our property, and it has been difficult not to notice a dramatic increase in traffic over the past several years. It includes workers driving in to the landscape business which operates out of FPF, trucks and equipment heading out to jobs, trucks driving in with brush, and back out midday; trucks driving in at the end of day followed by workers leaving to go home.

There are also people who keep boats out at the point and regularly use the road. There are people who rent rooms and houses. And there is the traffic associated with the actual work of the farm — folks who work on the property and farm equipment. Retail sales there are expanding, which is good. But that means the burden on the road is increasing. We remain deeply concerned that MVC approval of this plan without tackling the road issue will result in further traffic burdens.

We feel that the burden should be on the applicant to demonstrate their rights in, and ability to expand their use of the road before DRI review proceeds. It seems wasteful of MVC time and

resources to move forward with plan review in the absence of such a showing. In addition, we would ask that the applicant be responsible for evaluating and attesting to the current traffic to FPF as part of plan review.

FPF's proposed conservation setbacks are a wonderful benefit, but we insist that our concerns about the impacts of new lot creation are genuine. We can completely empathize with a family's effort to plan for the future of their land, and understand all too well the difficulty of holding on to these large pieces of family farmland in the Vineyard real estate climate. We are also supportive of local agriculture and appreciate their efforts to keep the farm operating and expanding with the enthusiasm of the next generation.

This feels very awkward for us to take issue with the Fisher's efforts. They are our neighbors, and we certainly consider them friends. But at the same time we feel it is unfair to us to let the issue of the impact on the road go unaddressed. As an aggrieved party, we are determined to use all our efforts to retain the quiet "farm lane" feel of the area.

Thank you for your time and consideration of our concerns.

Best regards,

Kristian Strom
Samantha Look
Carly Look