

34 Runner Road
West Tisbury, MA 02575
February 7, 2013

VIA E-MAIL

Land Use Planning Committee
Martha's Vineyard Commission
Oak Bluffs, MA
(foley@mvcommission.org)

Zoning Board of Appeals
Town of West Tisbury
West Tisbury, MA
(zba@westtisbury-ma.gov)

RE: DRI 640, Verizon Wireless PSWF Application, West Tisbury, MA

Ladies and Gentlemen:

On behalf of all 24 Opponents named in our joint Statement in Opposition submitted to the Commission on January 24, I would like to offer a briefer summary of some of our many concerns, which we hope you will consider carefully in your joint deliberations with Verizon Wireless on February 11.

First, the proposal is prohibited within the Coastal DCPC, and should not be allowed there because of the visual pollution it would cause. The Special Permit provisions of the West Tisbury zoning bylaw do not allow the ZBA to permit a development that the Coastal DCPC decision and Chapter 831 otherwise prohibits.

Second, even in the areas lying outside the DCPC, the Doane property is an inappropriate location for a tower of the proposed height. It would still significantly exceed the maximum permissible height even under the most generous reading of the Special Permit provisions of the zoning bylaw, and would still be a significant visual detriment to the scenic qualities of the DCPC and the public waters of Tisbury Great Pond. Although these concerns might be mitigated by a lower height and slimmer design profile that does not interrupt the skyline, after making such adjustments it seems very likely that other possible locations (such as the Light Industrial district, or forested locations in the RU district further from the coast among taller trees) could accommodate a taller and more useful structure, with fewer departures from regulatory requirements and policy objectives, than the Doane property could.

Third, the dimensions of the proposed 50' x 50' leasehold parcel do not satisfy the zoning bylaw's fall zone and setback requirements for a tower of the proposed height. An 80' tower, for example, would require parcel boundaries at least 110' from the tower base and a fall zone of at least 160' from all habitable structures. Moreover, a 110' x 110' parcel would comprise about 0.28 acres, but Verizon limited its site search to parcels over 10 acres. A search in the RU district for smaller parcels might identify willing prospective lessors of parcels under 3 acres that are unsuitable for homebuilding, but better suited than the Doane property to accommodate a PWSF tower.

Fourth, Verizon has not adequately demonstrated the nature of its “coverage gap” or what is actually needed to correct it. It has not described its service standards or how they are measured in understandable terms, for example, and what areas do not receive adequate service. Similarly, it has not described the deficiencies in its current service in measurable terms (such as the number of unserved customers or the number of dropped calls), or what level of improvement in those measurable parameters would be needed to achieve its service standards. Especially troubling, in light of Verizon’s assertion that the service area covered from a given location and height shrinks as the number of users increases, is the absence of any analysis of seasonal variation in Verizon’s service capability. Given the noticeably better quality of service available during the off season, it may well be that a coverage gap only exists for two to three months during the peak of the tourist season.

Fifth, Verizon has not evaluated alternative technical solutions nor adequately justified a tall, permanent tower as the most appropriate solution. Without a more careful analysis of the “coverage gap” problem to be corrected, the necessity of a tall permanent structure on a visually sensitive site cannot be reliably demonstrated. In particular, given the highly seasonal demand for its services and correspondingly seasonal need for service enhancements, it has not shown why the temporary “COW” facility that it has employed successfully in the past, or other similar temporary solutions, would be inadequate in the future. (Such temporary equipment would have the further advantage of being transportable to other high-demand seasonal resort locations, such as Vermont or Florida, after the seasonal summer demand on Martha’s Vineyard abates.)

Sixth, the ZBA has not yet fulfilled its obligations under the zoning bylaw to engage independent professionals (at Verizon’s cost) to analyze the merits and weaknesses of Verizon’s proposal, to propose its own alternative or alternatives, and to rank them according to their conformance with policy objectives such as preservation of community scale and viewsheds. The procedural requirements of sections 8.8-11 and 8.8-19 of the bylaw are designed to protect the community scale and scenic integrity of the town, and the ZBA does not have discretion under the bylaw to omit them. Given the regional impact of the proposed development, the ZBA should complete these steps to both its own and the Commission’s satisfaction before any final DRI approval is issued.

As discussed in the conclusion to our Statement in Opposition, we urge you to reject the application as submitted, and invite resubmission of a revised application that satisfies appropriate conditions, including those we have proposed in our Statement.

Thank you.

Very truly yours,



Ian S. McIsaac
On behalf of 24
Opponents to the Application