


From: Ross Seavey ross@mvlandlaw.com 
Subject: Re: Follow Up Questions & Requests
Date: February 13, 2024 at 1:56 PM
To: Rich Saltzberg saltzberg@mvcommission.org

RS

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Hi Rich,

Here are responses to your questions and the one site plan on file with the Tisbury Building Department for 24 Locust Lane.

Thanks,
Ross

1. How are pick up and drop off slots allotted. By student/car/parent/other?

The drop off and pick up slots are allotted by a child's classroom start time. If a parent has a child in the toddler program, they get dropped off at 8:15 am. If a parent has a child in the primary building, they get dropped off at 8:30. If a parent has 3 children they are allowed to drop off and pick up all 3 children at the quietest time of day which is 8:15 and 3:00.

Toddler drop off: 7:30 am & 8:15 am - **pick up:** 2:15 pm & 4:00 p.m.

Primary building drop off: 7:30 am & 8:30 am - **pick up** 2:30 pm & 4:00 pm

Elementary drop off: 8:30 am - **pick up** at 3:00 pm

2. How many cars typically show up for the busiest drop off and pick up times.

The busiest time of the day is the morning drop for the Primary building, those cars drop off between 8:20 and 8:50 and there are never more than 20 cars, all of which fit on our property contained within the driveway.

3. How will this data be impacted with the additional students planned?

We would defer to the MVC's staff traffic report. That study looked at what we have now and what the proposed additional students would bring. It doesn't consider the multiple children in each car which is less than the report. Additionally, the Montessori School now has a ride share sign to connect parents as part of their online parent portal.

4. If the videos of the drop off do not include the busy periods and do not clearly show Tashmoo Ave, please provide.

The videos provided show the two busiest periods for both morning and afternoon.

5. What are the plans for removing the gas tanks from the applicant's property?

The propane tanks for 24 Locust Lane are on Vineyard Montessori School property according to our surveyor, and our insurance carrier will not allow them to stay on our property. It will be the responsibility of the owner and the propane supplier to relocate them.

6. Provide a plan which shows the proposed setbacks (with distances noted at all corners) for the new building as well as Stanek's house.

Our surveyor only surveyed our property, not the Stanek's, so accurate dimensions for the location of their structure is not possible and our surveyor cannot get back to the property for some time. Attached is a plan on file with Tisbury Building Department showing 24 Locust Lane being 10 feet from the rear property line though Tisbury has a 20' rear setback for dwellings in the R-10 zoning district.

7. Clarity what setbacks apply to the school (as a non-residential use).

VMS has chosen to fully comply with even the strictest reading of the Tisbury Zoning Bylaws and the zoning setbacks within so I think it would be wrong to complicate this issue with an elaboration about what could apply under other interpretations of Tisbury Zoning or the Dover Amendment, as all of these interpretations result in the setbacks that are less than what VMS has currently proposed, and I fear this

risks further confusing people with legal arguments we are not making at this time.

8. Explain whether an 8' fence along (or set back from) the Stanek boundary is feasible. If Town approval is required, detail the process.

VMS does not feel it is feasible or reasonable. The Stanek's expressed concern about looking at an imposing structure that is 30+ feet from the rear of their house and having 8-foot fence 10 feet from their structure would be even more imposing. This height of fence would also be imposing on the VMS side and lead to a prison like feel which is counter to the educational atmosphere VMS seeks to foster.

A fence taller than 6 feet must meet accessory structure setbacks which would be 5 feet. To bypass this 5-foot setback, VMS would need to trigger Dover Amendment and go to the Tisbury Zoning Board of Appeals for a comprehensive permit, a process that would cost additional funds and time for little benefit. Additionally, not having the fence on the property line invites the possibility of neighbor encroachment into this area, which has already been an issue along our property lines.

VMS feels the best plan is a 6-foot fence along the property line with 24 Locust Lane with trees planted between the fence and the new VMS building that will grow to be tall and full to further screen the building.

9. Detail what fencing other than stockade has been investigated, having regard to noise abatement concerns.

6-foot stockade fencing is the most ubiquitous type of fence on Martha's Vineyard for shielding one property from another. Several articles online suggest that vinyl fencing is the best and that wood stockade is next best for noise abatement. We have proposed wood stockade because vinyl is more expensive, artificial, and has environmental impacts far beyond the VMS campus.

VMS has committed to using the lower-level doors for emergency exits, and the playground is situated away from the only property lines that are not currently fenced, so VMS does not expect any noise between the rear of its new building and 24 Locust Lane that would require attenuation.

10. Please provide specific information as to whether housing mitigation will be offered to accommodate the housing needs of the 3 additional employees.

VMS already assists its employees in need of housing with finding such housing from the available stock of housing on Martha's Vineyard. Through parents of students who may have an apartment and connections with local realtors, VMS has successfully found housing for its employees in need and will continue to do so. VMS has even been successful in connecting islanders with housing for rent in need of nanny work outside of teaching hours and have with VMS employees seeking housing in exchange for those services. The VMS Board and Head of School will continue to provide stipends to teachers in need to the best of their ability within the school's budget constraints.

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From: Rich Saltzberg <saltzberg@mvcommission.org>

Date: Wednesday, February 7, 2024 at 6:43 PM

To: Ross Seavey <ross@mvlandlaw.com>

Subject: Follow Up Questions & Requests

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9. Detail what fencing other than stockade has been investigated, having regard to noise abatement concerns.
10. Please provide specific information as to whether housing mitigation will be offered to accommodate the housing needs of the 3 additional employees.

Rich Saltzberg

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