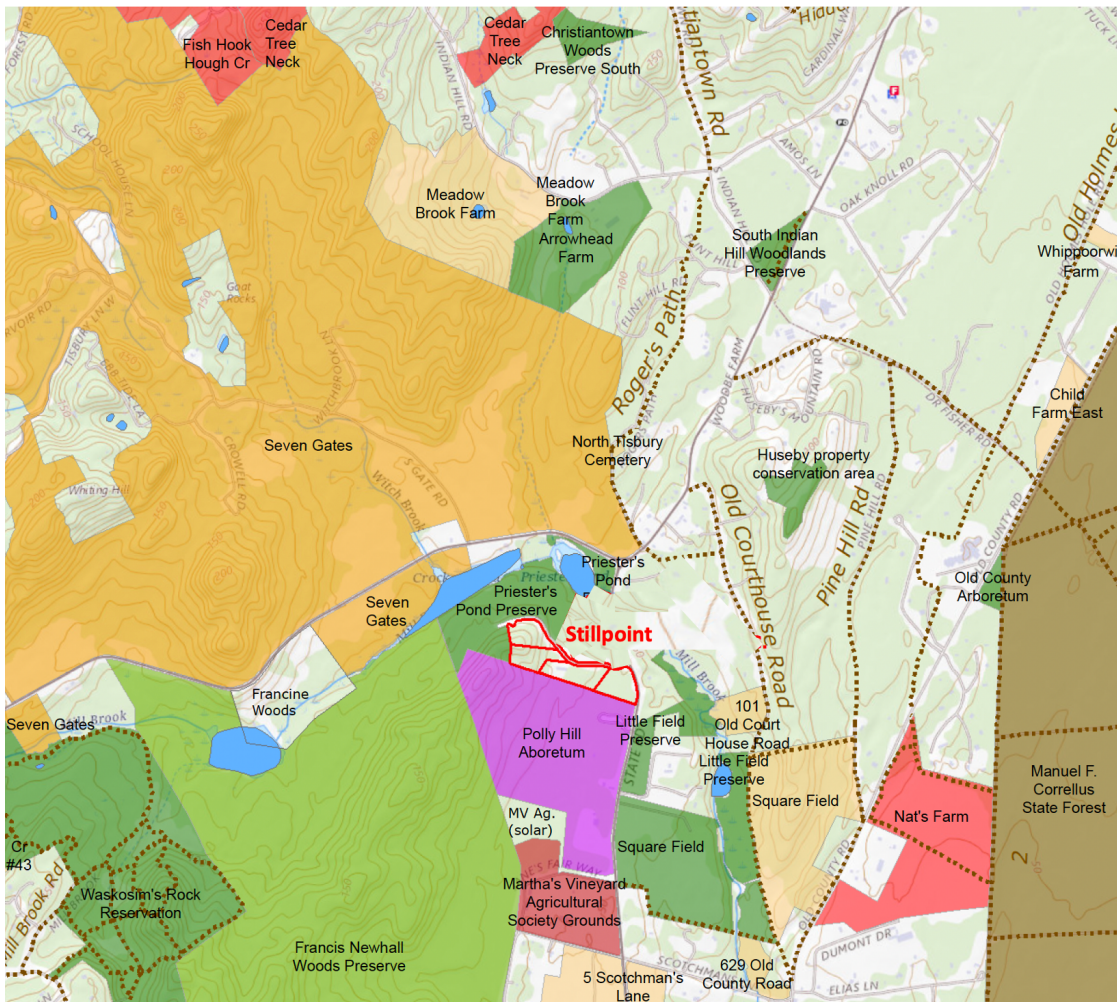


March 17, 2023

To: MVC Commissioners and Alex Elvin, MV Commission DRI coordinator
From: David Foster and Tess Bramhall
Subject: DRI 279-M. Stillpoint (Meadows) MV, Inc.

We are writing as the co-coordinators of the Land Protection Fund (LPF), which partnered with the MV Land Bank (MVLB) to conserve 26 acres of Claudia Miller's land as an expansion of the Priester's Pond Reserve. The LPF is committed to working strategically in support of planning, conservation, and housing entities to ensure that land protection AND development proceed in a coordinated fashion for the benefit of nature and society based on established island-wide planning goals. Given our history of work in the Mill Brook watershed we have committed to working with all parties to identify compatible ways to advance the mission proposed by Stillpoint LLC while maintaining the integrity of the natural landscape that has been conserved at great public and private expense by MVLB, PHA, TNC, VCS, Town of West Tisbury, LPF, and Seven Gates Farm. To that end, we have been collaborating with Thomas Bena for five years in this landscape and for three years with a focus on the Stillpoint property.



The Priester Pond landscape has been long recognized in the Island Plan and subsequent island-wide and town-level plans as an island priority for land conservation and regulatory oversight to secure the protection of rural and working lands, nature and biodiversity, water quality, and scenic beauty. This goal has been advanced since at least the 1970s through the active conservation of over 2000 acres of land at huge public and private investment and through oversight by town and local planning and regulatory entities.

We are convinced that there is a path forward to address the objectives and concerns of all parties that is based on collaboration among neighbors in the Priester Pond landscape, land protection, and judicious application of the permitting process. Below, we outline the broad details for such a collaborative solution. **However, given Stillpoint's recent refusal to consider additional land conservation until after the MVC process, we respectfully ask the MVC to reject their current proposal due to its many deficiencies in financial, operational, and land use plans.** Our central concern is that the Mill Brook watershed remains a preeminent center for nature and human experience in perpetuity.

LPF Embrace, Concerns, and Recommendations for Success of the Stillpoint LLC Venture

Through our work with Thomas Bena we have come to admire his broad concept for Stillpoint. We embrace the notion of bringing community members together in small groups around different topics through activities that benefit from the natural landscape. That said, five years of interactions have also raised numerous concerns. Specifically, **we question the ability of the Stillpoint group to transition effectively from conceptual vision to a concrete and sustainable operational model that will honor nature, historical values, and abutting interests.** A few specific concerns can be mentioned.

Lack of consistency

Over five years, Thomas' vision for this Mill Brook landscape has changed dramatically through numerous iterations from: a large film festival at the parcel abutting the Ag Hall, to a modest film festival at Stillpoint Barn, to a performing arts venue in collaboration with the Yard, and on to a coffeehouse gathering spot for poetry readings, meditation, conversation, and exploration of nature. Having come to support the coffeehouse model two years ago, we were surprised at the outset of the MVC review to learn that the vision had changed to emphasize programs, include for-profit programs by outside groups. The changing concept and need to operate such outside programs raise concerns over the group's commitment, expertise, and capacity to implement a viable business and operational mode.

Lack of a business, operations, or development plan

Despite repeated calls over the six months of MVC review for details on the financial model, organizational structure, scope of programs, and associated staffing and facilities few details have emerged. No consultants have presented plans and assurance that the group is supported by professional expertise. Meanwhile, most aspects of the proposal are vague and changeable. While the need was expressed for two additional buildings to house visiting instructors, our March meeting with Stillpoint revealed a new aspiration: to hold week-long retreats for up to 40 people who would reside on the property in small structures "situated among the trees in a manner that would not alter the vegetation in appreciable ways". It is difficult to imagine any town board or regulatory agency accepting such vague, unprofessional, and changeable proposals.

Absence of neighborhood collaboration

From our earliest discussions with Stillpoint, we highlighted the relevant resources and shared interests among the many public and private entities that adjoin this property or have a long history in the watershed. We argued that groups such as TNC, PHA, LPF, MVLB, , VCS, SGF, and Mill Brook Watershed Management Committee might provide great advice and support concerning non-profit and nature-based educational programming, operations, and finances. Moreover, opportunities might emerge for joint efforts or shared facilities and expertise, including trails, interpretative guides to the larger landscape, and parking or meeting spaces. No evidence of such collaboration has materialized, but neighboring residents and organizations have shared strong concerns regarding the proposal or laid out strict constraints over the use of their property.

In contrast to the absence of essential elements of what we consider a successful proposal, there are many equally worrying and consistent demands that the Stillpoint group has advanced with the MVC that raise red flags. If granted, these requests would significantly weaken regulatory oversight.

Consistent Demands from Stillpoint

A need for flexibility

In the absence of concrete plans for staffing, operations, housing, and financial structure, Stillpoint has repeatedly requested weak conditions and flexibility to allow for “experimentation” and the development of an organizational model. At the March 9th MVC meeting Jake Davis insisted on flexibility because “we do not know what the community wants”, “what our donors will support”, or “what will work”.

The need to retain the full development capacity and value of the land

Despite assurances that they have no intention to develop the land themselves, the applicants concede that their effort is an experiment whose failure would cause them to sell the property to pay off their \$2.235M loan, a price described as a bargain by the seller in support of the Stillpoint mission. Thus, they insist that there be no constraint over the full development potential of the four lots. They continue to maintain this stance despite the presentation of a conservation option (see below) that could reduce their debt while leaving them with two fully developable lots and an entertainment center (the Barn) assessed by the town at >\$1.0M.

The need for trust

The applicants refuse to understand that it is the land, not their personal qualities that prompt strong interest in conservation and regulatory oversight. Thus, they ask the MVC for trust and approval based on letters of personal support. **But, the concern of this MVC review should be on all possible future owners of Stillpoint, including those who may have completely different intentions for the land.** This review needs to consider the land in perpetuity.

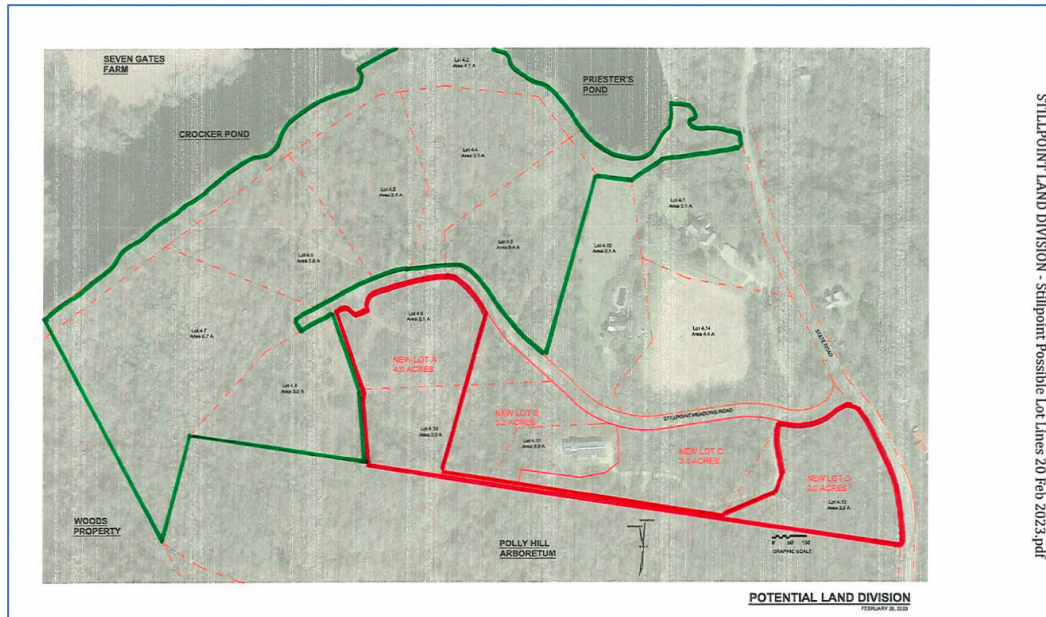
A Collaborative Solution Supporting Conservation and the Stillpoint Mission

Our work with the Stillpoint group is based on an interest in seeing them succeed, their mission-based activities advance, and a conservation future ensured for the Mill Brook watershed. Consequently, after the MVC meeting on February 16 we invited Stillpoint (T. Bena, J. Davis, B. Robinson) to meet with us (T. Bramhall, D. Foster) to discuss alternative models for their operation, finances, and use of the land. At that meeting, where we shared perspectives, concerns, needs, and options, LPF advanced a proposal: given that for-profit events are of greatest concern in terms of impacts on the land and neighbors, why don't we collaborate to advance a different financial model. What if the LPF partnered with the MVLB and other conservation supporters to raise the funds to purchase half of the Stillpoint land, leaving Stillpoint with the core property including the Barn, parking area, gardens, and surrounding woods. That would greatly reduce the financial strain on Stillpoint, allow them to forgo for-profit events, focus on their core mission, and reduce their overhead (staff, facilities, event management). This step would confirm Stillpoint's commitment to the land and encourage collaboration among neighbors.

Thomas remarked that this turn of events would be ironic as two years ago he told MVLB that Stillpoint did not need 13 acres of land and suggested MVLB purchase one or more additional lots. Our meeting concluded on a collaborative note, with Stillpoint indicating that they would discuss it and respond. Within a week, Jake Davis responded that Stillpoint was interested. LPF directed Stillpoint to MVLB. Jake and Thomas presented MVLB with a map (below) and proposal.

MVLB responded that it would seek LPF's willingness to collaborate in funding the purchase. LPF endorsed the plan, arguing that it would: bolster the integrity of the existing conservation land by greatly reducing the length of shared boundary with Stillpoint; allow MVLB to maintain the natural appearance

of the land along State Road; enable ready connections between the trail system on LB and PHA lands; and concentrate Stillpoint activity on a smaller footprint. LPF indicated that it would need to fundraise aggressively to accomplish this but would seek to partner with abutting organizations, supporters of land conservation, and others who support collaborative solutions to land-use issues. MVLB and LPF then turned to internal discussions of the proposal.



Proposed sale of Stillpoint parcels to the MVLB. The proposed sale includes two newly configured lots: a western 4.0 acre lot that connects across current MVLB property and an eastern 3.0 acre-lot that comprises the road frontage and location for the MVLB trailhead. The two lots are connected by a strip along the PHA boundary for the MVLB trail. Stillpoint would retain two lots (3.2 acres and 3.0 acres) with the Barn, parking area, and woodland to the east and west. Lot layout and map presented by Stillpoint to MVLB (Feb 20, 2023).

A disappointing response by Stillpoint to their own proposal

When LPF’s Everett Bramhall met to brief Thomas on the interest among the conservation partners in the Stillpoint proposal, he was informed that Stillpoint was no longer interested in selling and did not want to engage in discussions until their proposal was approved by MVC. Thomas sought to reassure LPF that they have no intention to develop on the hilltop but stated that if they cannot get MVC approval they would weigh their next move accordingly. He noted that with MVLB’s acquisition of 26 acres, the hilltop lot (4.9) is now prime real estate, an inholding, surrounded by conservation land.

Conclusion

With this unexpected and disappointing response, the opportunity for collaboration appears weak and the fate of the land lies fully in the hands of the MVC. **Given the erratic behavior of the applicants, the lack of detailed plans, and insistence on unfounded latitude and flexibility, we ask that the MVC reject the current proposal.** Rejection will allow Stillpoint to regroup and develop a serious and comprehensive proposal. It may also yield an opportunity for collaboration among neighbors and the island community in ways that are consistent with the vision laid out in the Island Plan.