

## Paul Foley

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**From:** S. Zachary Lee [szacharylee@gmail.com]  
**Sent:** Friday, April 01, 2016 3:51 PM  
**To:** Paul Foley  
**Subject:** Squibnocket access and managed retreat  
**Attachments:** Squibnocket Access chronology.pdf

Dear MVC Commissioners,

Thank you for taking time to examine the changes at squibnocket. This process has been divisive at times within the town. I thought we had come to a consensus of compromise but that no longer appears to be the case. It would be great to have oversight from your outside organization to help us rise above the town politics and end up with the best possible solution.

I am not technically an abutter but live nearby in Blacksmith Valley. I will see a small amount of the proposed bridge in my view. But much of it will be blocked from my view by the Regen/Stork house. As you've seen from SFHA engineering renders, when looked at from above, their bridge is not such an aesthetic blight. But all of their renders are from a perspective above the bridge which minimizes its visual impact. None show what the experience will be for the public at the beach. It has been suggested that once the revetments are removed and the area restored to its barrier beach status, this area will again be a prime beach spot. But once the parking lot is removed and the beach "immediately retreats 40-60 feet," down at an elevation of 1-2 feet, users will be in the shadows of the bridge. This will get worse over time as the barrier beach accretes north. I am a surfer and a beach goer and spend much time down at Squibnocket Beach. The bridge will have a much bigger impact on my experience at the beach than at my house. Yet I've received disparaging comments from a town official who belittled my concerns by saying that "you're only concerned about your view." My bigger concern is what the impact will be for my experience and the experience of others who enjoy spending time at Squibnocket beach. So I have concerns with the height of the proposed structure. I have additional concerns about the location of the boat launch and unintended consequences of additional use.

The current debate has been ongoing for 3 years but all of this was predicted and debated for far longer during the subdivision process in the late 80s and early 90s. I am attaching official town minutes and a brief summary (page 1-3) of the timeline from this process. Almost everything that we are debating now, including sea level rise, loss of access, the question of the town's potential responsibility and even bridges, was in fact discussed back then before the subdivision was approved. The size of the subdivision was dramatically cut back because of concerns over these issues in this particular location. In the end, the town chose to allow the subdivision but only with the caveat that homeowners would potentially lose access at times and that the town was not responsible. If you go to page 57/58 of the attached file you can see what is included in every deed issued after the subdivision.

**"Recognizing that the land depicted on the Squibnocket Ridge subdivision plan is situated in a unique and remote location, the access to which is subject to periodic disruption and destruction by natural forces, every owner of a lot in the above-described subdivision shall be deemed to have covenanted with the Town of Chilmark that such owner releases and holds harmless said town, its agents and servants from any liability resulting from inaccessibility of said lot due to impassibility of the roadway servicing Squibnocket Ridge."**

I am not trying to prevent Squibnocket Farms homeowners from having access to their homes. But I do think their plan should be held to a standard that considers the interest of all stakeholders including beach users and neighbors. The town committee that was appointed to examine the situation came up with a compromise solution. While it was not perfect, I thought it was a well considered and reasonable solution. I was concerned at the time with the dilution of the language towards the end of that process but was hopeful that the end result would be close to the committee's proposal which the town subsequently approved by town voters. Unfortunately, the engineers employed by SFHA have presented a 13' high bridge that is not consistent with the compromise accepted by the voters of the town. This is not a "low causeway" that will be over washed several times per year. Listening to their engineers at the MVC meeting I infer that their engineering merely reflects the desires of the

client not an attempt to follow the committee's guidelines. Making the bridge lower will be more costly to Squibnocket Farms but it can be accomplished and would then have less negative impact on the beach users.

The current plan has the boat launch on the far side of the bridge. But the town's Squibnocket Committee came up with a boat launch location next to the Vitlicil/Taylor property that is what the town voted to accept. This was subsequently changed at the discretion of the Selectmen. This alternate location may initially disrupt less wetlands and be easier to build but does bring some potential issues of dune erosion and bridge traffic. I think it is important to put up fencing and signs to prevent people from heading from the boat launch across to the beach. This is a low lying area (4-5') that gets over washed in storms and periodically loses its protective cover of vegetation. If people are allowed to walk through this area, it will speed up the erosion in this fragile spot. I'm hoping that the solutions which get implemented at Squibnocket can be viable for as long as possible and am concerned that we could end up with another possible breach in this spot if it is left unprotected. I have mentioned this concern publicly at a number of meetings but there has never been a commitment

Thanks for your attention here and your commitment to the vineyard community,

Zachary Lee  
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