

Martha's Vineyard Land Law, Inc.

Ross P. Seavey, Esq.

PO BOX 459 - CHILMARK - MA - 02535

To: The Martha's Vineyard Commission

From: Ross P. Seavey, Esq. – Agent for Vineyard Montessori School

Date: January 30, 2024

Re: Response to Neighbor Concerns and Letters

Dear Commissioners,

I write to respond to the letters you received that raised concerns about the proposed new education building on the existing Vineyard Montessori School Campus at 45 Tashmoo Avenue/286 Main Street in Tisbury ("VMS Campus"). I hope to dispel the writers' concerns and assure the Martha's Vineyard Commission that our plan addresses the concerns of our neighbors raised in their letters. While we can sympathize with some of our neighbors' worries, VMS is also a private landowner that may exercise its rights under local zoning laws without always seeking the input of its neighbors, like how they may do work on their property without always consulting VMS.

Character of the Neighborhood

The VMS campus totals 61,073 square feet of land, the equivalent of six buildable lots in Tisbury's R-10 zoning district. Just five buildable lots would produce a potential for 24,000 square feet of building envelope. With a 35-foot height restriction in this district, that could balloon to over 70,000 square feet of structure with 5 septic systems. I think it's important to understand the potential impact the abutters would have faced had this land been developed as the rest of the neighborhood was. Here, VMS is proposing a total structural footprint for all buildings of +/- 7900 square feet, and a total gross square footage of 16,104 square feet of useable space, vastly under what could otherwise exist here under Tisbury zoning.

Tisbury allows educational use as an as-of-right use in the residential zoning district, thus indicating that the community views residential neighborhoods as ideal places for schools and daycares. The Tisbury School and multiple daycares are located in the R-10 residential zoning district. The proposed building is fully compliant with zoning and requires no special exceptions under the Dover Act or local zoning. To say the small scale, shingle and wood clad buildings that make up the VMS campus are not in keeping with the neighborhood defies architectural logic and the Town's own zoning.

Lighting

Under the Massachusetts Building Code, all egress paths in an education building, including exterior stairs, must be lit when a building is occupied. VMS ensures all lighting on the interior and exterior of their most recent building complies with this code as well as the Stretch Energy Code which requires lighting to be controlled by occupancy sensor switches. VMS will work with their electrician during the construction of this new building to review existing exterior fixtures to see if a better fixture is available that will still meet building code requirements.

Martha's Vineyard Land Law, Inc.

Ross P. Seavey, Esq.

PO BOX 459 - CHILMARK - MA - 02535

Regardless, all current and proposed lighting is in accordance with Tisbury zoning regulations and the proposed lighting will restrict the amount of upward-directed light, avoid glare, avoid over-lighting, utilize dimming and other appropriate lighting controls, and minimize bluish night in the nighttime environment, and be dark sky compliant.

Septic & Drainage

The VMS septic systems are all designed according to Massachusetts Title V regulations and are approved by the Tisbury Board of Health. Additionally, Vineyard Haven Harbor is not an impaired watershed, and no additional measures are required for the proposed system and current septic systems to be environmentally safe in this watershed. The school's impact effluent is vastly less than numerous homes with daily showers, meal preparation, and laundry so any concern that an additional septic system is going to ecologically damage the area is not supported by the facts. Lastly, the Vineyard Montessori School is committed to tying into a municipal sewer system if made available by the Town of Tisbury.

The new building is proposed as a fully guttered building and all roof runoff will be captured. Schofield, Barbini, and Hoehn are currently designing a storm water management plan which will be submitted to the MVC for approval. The Massachusetts Building Code prevents construction that would create a runoff issue to an adjacent lot, and VMS and its construction team will ensure this provision of the code, as well as all other code requirements, are met on this project.

Parking

VMS shares the concerns of its neighbors regarding parking on Tashmoo Avenue. The revised site plan for the VMS playground and parking area ensures that all the school's parking needs can be accommodated on the VMS campus while expanding the playground area, not eliminating it as one writer suggested. While public parking is allowed on Main Street in front of VMS, VMS is not considering these spaces towards its parking needs and does not encourage visitors to use those spaces. Since Tisbury allows parking on Tashmoo Avenue, some street parking is inevitable, and VMS has noticed vehicles associated with its neighbors and area work parked along Tashmoo Avenue. VMS would support a neighborhood request to the Tisbury Select Board to make one or both sides of Tashmoo Avenue no parking and will continue to discourage visitors from parking on Tashmoo Avenue.

Traffic & Pedestrian Safety

VMS shares the concerns of its neighbors regarding traffic and pedestrian safety. With some local parents and students choosing to walk or bike to VMS, the safety of all walkers and bicyclists in the area is vitally important to VMS. VMS requested a school zone designation in the past which was not approved by the Tisbury Select Board. VMS would support a renewed neighborhood effort for a school zone to be created surrounding VMS. VMS has implemented staggered pick up and drop off times that has prevented backups on Tashmoo Avenue, as can be seen in the time lapse videos provided to the MVC.

Martha's Vineyard Land Law, Inc.

Ross P. Seavey, Esq.

PO BOX 459 - CHILMARK - MA - 02535

Conclusion

VMS is committed to developing a small-scale educational campus for the benefit of island youth and the island community. Having all students on one campus will be a huge improvement from a school operations efficiency standpoint and will expand educational opportunities across all grades. VMS has always made efforts to send notices to our neighbors via mail or hand delivery, just as we did with this project, and will continue to do in the future. As more detailed landscape plans are developed, they will be shared with the public, and VMS looks forward to completing landscaping that has been on hold while construction activities have been underway or contemplated.

While seeing new development in one's backyard is always difficult, on a small island, everywhere is someone's back yard and our vital island institutions and facilities should be allowed where local zoning and regulations permit. We hope you all can see the huge benefit and vital service VMS provides, as attested to in most letters the MVC received. VMS students and faculty enjoy their neighborhood surroundings the same way their neighbors do, from walking through the residential streets, to making a trek to Owen Park or Main Street, so our interests are well aligned. We firmly believe that the presence of the VMS students and school community provides more benefits to this neighborhood than the detriments posed by construction of this additional classroom space.

Respectfully Submitted,



Ross P. Seavey, Esq.
Agent – Vineyard Montessori School