

Notes on Conservation II. Newspaper Articles

VG 6.19.2012

Henry Beetle Hough

Bought SM 1950s – 10 ac, then 5 ac more; then 1959 established SMF “to preserve, administer and maintain natural habitats for wildlife on Martha’s Vineyard.”

HBH helped save E lighthouse.

Today’s Vineyard is not the Vineyard of Henry Beetle Hough. Yet a great deal of what is best and most beautiful on the Island remains, thanks to his vision, his generosity and his indomitable spirit. Had there been no Henry Hough, Martha’s Vineyard would be a far poorer place.

VG 12.31.1991

Marching Towards Undevelopment. James Lengyel Undevelopment. Old activity but with a new purpose

VG 6.26.2012

Island Conservation Leaders Look Ahead.

Noisy battles with developers all quieted

Need for continual education

Quiet shift towards increased public access for SMF. Raise visibility.

Mr. Lengyel articulates a vivid vision of an Islandwide emerald necklace of hiking trails.

“It would be a north--south--east--west, coast--to--coast pedestrian hiking trail. And it would be in the form of an archipelago where along that trail are beautiful, sizeable pieces of conservation land,” he said.

Island Plan – 44% conserved; same on ACK but there more contiguous, large chunks;

1991 **Frances Newhall Woods Nature Preserve.** 511 ac. TNC now owner. VCS CR. (originally was TNC holder). VCS negotiated largest individual conservation restriction in state history. MVTimes 4.2.2013 **Woods property.** One of most valuable gifts in TNC history Nearly 485 ac 1991 CR

Successes:

- MFCSF proposed Land Swap – 1999 - 20 ac just N of Little Pd to county for regional septic facility and solid waste transfer stations For 30 ac in NE of Airport. 20,000 tons of waste and 7000 tons of dewatered sludge. Groundwater concern. VG 4-16-1999. MFCSF Earlier attempt to get 11 ac for storage of equipment, fuel, road salt
- 2000 Meetinghouse Golf LLC ½ mi shoreline EGP; eventually joined with VGC
- 2002 Vineyard Golf Course opens. Site of failed 148-house development (Vineyard II?). Partnered with SMF. Attracted main members of Meeting House Golf Club near EGP, which was not approved. Environmentally sensitive. Wash shoes, etc. Walking course with carts for limited circumstances. 285 FT members \$300K (305 max.). 160 Island members \$500 annual dues. 200 member waiting list. Rejected for member houses, they are now applying (2008) to MVC for this. MVTimes 10-18-2007

- Down Island GC → S Woodlands

Collaboration - MVLB and **Chappaquiddick Open Space Fund** (collected more than \$2.1m from 96 donors 1997-2003). 2003 purchased 3.5 ac for \$650,000 on North Neck – key link in cross-Chappy trail (\$200K from MVLB). Worked with Marsh Hawk Trust – arm of SMF to buy over time. COSF started with \$1m towards “unbuilding” of John and Mary Francis house that fronted outer harbor opposite Caleb’s Pond. President Nancy Hugger, Skip Bettancourt’s wife; they put CR on 14.5 ac including access to Cranberry bog. 2002 >\$100K from 123 donors. One of eight Chappaquiddick Island Association subcommittees with money funneled through Marsh Hawk Trust at no expense. Dick Johnson – triad model for conservation: Chappy, SMF, MVLB. Self property (trails now expanded, house will go)

MVTimes 8.4.2005

Graham Tax case

225-ac Mohu. \$58m assessment. \$262,000 taxes

MVTimes 4.2.2013

Woods property

One of most valuable gifts in TNC history Nearly 485 ac 1991 CR

MV Magazine Sept/Oct 2010

Beginnings of MV Conservation

The Trustees of Reservations was established by the Massachusetts State Legislature in 1891 “for the purposes of acquiring, holding, maintaining and opening to the public...beautiful and historic places...within the Commonwealth.” Approved by state legislature.

Cape Poge 1959-95 15 parcels 516 ac.

VCS – W Basin Rd transferred in trust by fed govt to Wamps

MAS – 1968; 250 ac; adjoining 100 ac still owned by Felix Neck Wildlife Trust, managed coop with MAS

VOLF – 16 conservation subdivisions; owns 271 ac.

MVLB 1986;

TNC – Katama Plains Preserve 192 1986;

ConsComms – Sailing Camp Park; Katama Farm; Margaret Littlefield Greenways; Katama Airfield; Moshup trail

VG 10.2.2002

Hollis Burton Engley Homestead

9 ac Middle Road; 1720 homestead; \$1.5m; books into special collection; pilot’s home and Whaling captain Benj. Manter; abuts Brookside Farm; links Kings Highway to Middle Rd; Not first house bought by MVLB; Ruth Marshall house bought by MVPT with land to MVLB

VG 11.18.2011

Tashmoo View

Want to but easement – perhaps by eminent domain. Willows planted by Thos and Ginny Payette – Tashmoo Farms.
Not much support T Selectboard, Dukes County commissioners

VG 4.2.2013

Whippoorwill Farm Preserved

4.5 ac of 8 ac. \$43,000 per acre. Requires taking down buildings and greenhouses (relocate) along road to get clear view to Old Holmes Hole Rd – ancient way.
4th MVLB farmland project off Old County Rd; 1992 bought land across from WT School – Old County Arboretum; 2001 CR on Childs Farm East; 2007 CR on Square Field;

MVLB Annual Report 2008

Shows percentage of revenue received by town.

MVLB 2010 Annual report

5.2% of MV

Square Field 25 ac from Ann Nelson – 2010; added to 87-ac SF; Kingsbury Field CR; Removed 30 tons of junk at Ripley's Field; 8 tons at Felix Neck.

MVLB Laws

Purpose of acquiring and holding and managing land and interests in land as set forth...; body politic..public instrumentality...essential government function.
Will file an annual report which shall be distributed with the annual report of each member town. Report annually to Secretary of Environmental Affairs.
Can issues bonds and notes
Much more

VG 10.16.2013

TNC Protects WT Bottom

Medicine Lots; 100 ac abuts Long Point Preserve; \$881,866; Dr Flint's Quaker Bitters; 13 yrs of research, 15 majority title holders; ; 2345 lots 25x75 feet
Not much to look at but good example of sandplain habitat acc to Matt Pelikan

VG 8.31.2012

Chappy Golf Course

18 ac. SMF CR 1994 Golf course or natural area. Borders Cove Meadow also CR with SMF.
\$12.5m list. Big Camp House

VG 3.4.2011

Seismic Shifts at TTOR

Due to demotion of Chris K, firing of Chris Egan. Not forthcoming.

Moshup Trail Legal Brief – Vineyard Conservation Society

Great detail on Indian rights, ownership, etc. Compares Mashpee to Chappy to GH.

Chappy - In 1828, commissioners divided 487 acres among 17 families, reserving 205 acres for public purposes. By 1849 decided to divide rest of land. the commissioners provided for access to the common lands so divided:

A road or cartway, by gates and bars, for the accommodation of all concerned, is reserved to and from Cohog Point, so called, on the Southeast side of said Neck; and also, on the Southwest side of said Neck from the Pond to the Harbor.

We have also reserved a road leading from the Swimming Place Road, so called, to Sampson's Hill, for the accommodation of the persons herein named, to whom the wood land is set off; and a road leading from the Landing Place to the road on the Northeast side of the Indian Line fence, said road being twenty feet in width.

It is also intended that the persons, to whom the Peat Swamp is set off, shall have the privilege of passing to and from their several shares of said swamp with carts, teams, &c. for the purpose of taking their Peat &c.

GH different 1849 Bird Report. For about thirty years, they have been without any guardian, and the division of their lands, and indeed the whole arrangements of their affairs, except of the school money, have been left to themselves. None of the lands are held, as far as we could learn, by any title, depending for its validity upon statute law. The primitive title, possession, to which has been added, inclosure [sic], is the only title recognized or required. The rule has been, that any native could, at any time, appropriate to his own use such portion of the unimproved common land, as he wished, and, as soon as he enclosed it, with a fence, of however frail structure, it belonged to him and his heirs forever. That rule still exists.

Earl report 1859. Any member of the tribe may take up, fence in, and improve as much of this land as he pleases, and, when enclosed, it becomes his own. The benefit to the plantation of having more land subdued and brought into cultivation, is considered a fair equivalent for its value in the natural state, and the title to land, so taken up and enclosed, is never called in question. ... To outsiders it seems strange that such a community should live together in peace, from generation to generation, holding real estate in common and severalty, yet without any recorded title of that held in severalty, or any written law regulating its transfer or descent. Yet it is no more remarkable than the whole civil polity of the tribe, by which a community residing in the State, and nominally of the State, and subject to its laws, is yet a sort of *imperium in imperio*, not governed by the laws to which it is nominally subject, but having its own independent law, by which all its internal affairs are regulated. This law is the unwritten Indian traditional law, which, from its apparently favorable working, is probably as well adapted to their condition and circumstances as any that can be devised. At any rate, they adhere to it with great tenacity, and are fearful of any innovations upon it.

Common land divided 1878.= while allowing some people to take peat, and secured a strip on both sides of the Herring Creek

Use old photos.

Eric Peters is VOLF chair.

1973 – VOLF – Lookin at the Vineyard. A visual study for a changing island.

Citizen's Committee to Save the View to Lake Tashmoo. Would like View Easement.

Issues on Payette land and on town land on other side.

VOLF supports CCSVLT's efforts

VOLF – professional land use planning conservation organization, non-profit, established 1970 to protect the quality of life on MV through preservation of natural beauty and rural character. Specializes in preserving visual quality especially public roadside views. Has protected 4.5 miles of MV roadsides, including 2.5 miles of open scenic views. Has conducted 108 View and Vegetation Mgt Studies

WT CPA plan Rev. 09

Farmland; pond front or coastal; forest; hilltops; vacant adjacent to POS; other enviro sensitive; trail easement;

ConsComm primarily wetlands and stewardship of land purchased for OS; CR reviews; 2000 ac of CR in WT;

CPA also community housing, recreation, historic preservation

Housing: WT 1849 units, 1774 (96%) single family; 1997 to 2003 median price \$282,250 to \$670,000

MV income 30% below state; housing 800% above

Old Mill building only National Historic Site in WT;

Rural Roads Discussion

Incl Mark London Michael Van Volkenburg

Ancient and Special Ways Primer Bill Veno MVC 2007

AW no legal meaning. Public rights ambiguous.

Important - Protection of old "ways" among first three DCPCs ever enacted by MVC 1975.

SW – old cart paths with little/no motor vehicle that retain link to cultural past.

Part of Island Road DCPC – Major Roads and Special Ways. Parallels Special Place terminology for another type of DCPC. Prevents heavier traffic, widening, etc. Towns can designate SW.

15 – Old Lobsterville Rd, Old South Rd, Old Church Rd; Kings Highway; Tiah's Cove Rd, Watcha Path; Dr Fisher Rd in WT, Extension Watcha Path/Scrubby Neck Path, Old Courthouse Rd, Old Holmes Rd, Roger's Path/Burying Ground Rd; Old Holmes Hole Rd-OB, Old Back Rd to OB, Road to Farm Neck, Chase Rd, Connector Rd; E – Dr Fisher Rd – Specil Ways By law.

BGlobe 10.14.2007

Ancient Ways Feud

25 in Edgartown; committee oversees them; 2/3 vote at town meeting allows a DCPC Ben Hall E lawyer owns 140 ac – ways should evolve with transportation: cart to cars and trucks.

VG 7.1.2013

Ben Hall Shade Tree

Wants to remove. Town opposed. 10 yr old case.

MV Magazine Sept-Oct 2007

Dr Fisher's Road

Great detail and map.

VG 6.7.2011

Rogers Path to Stay Open

Once a cart path that connected Middletown and Christiantown past Civil War era cemetery. 1 mile long, ½ mile past private homes. Portion called Burying Ground Rd. MVLB takes care of it and abutters sued.

VG 2.25.2011

Edgartown Ancient Way Protection Plan Stalls

DCPC plan sent back to MVC – want MiddleLine Rd, Ben Tom's Rd, Pennywise Path, Watcha Path, Tar Kiln Rd. Technical ruling in response to Hall family.

MVT 9.28.2011

MVC Rescinds Special Way Vote

For Ben Tom's, Pennywise, Middle Line Path, Pennywise Path, Tar Kiln Rd. After reconsidering following judges order MVC approved amendments to clarify designation. Three days later town renominated.

MVT 12.15.2011

Aquinnah Cliff Trail

MVLB bought 1 ac abutting AHighlands Preserve from VOLF. For access to Pilot's Landing. Wamps, citizens complained. LB ewants to keep Steamboat landing out of developer hands.

Ogilivie a property owner at Pilot's Landing. Land federally protected nad sacred is crossed by path. Alexandra and Kate Taylor also upset with access to backside of cliffs. Key access and trail loop. Town wouldn't buy it.

MVT 7.10.2013

Woods Access

No connection to PHA, Ag Society, Waskosim's.

Tom Chase responding to Bill Veno MVC. Only limited guided access. Mr Veno – an essential segment of a broader trail network.

511-ac under CR with 23 ac then sold to Ag Society.

Brendan 1991 – not intent to prohibit trails in future provided no detrimental impacts on natural values.

Veno – to connect WT and C.

Ed Woods Jr. None ta this point. Unlikely in future. Wildlife preserve and would add people to nature. "The amount of ground that is disrupted was not in my grandmother's thought process, was not in my our parents thought process, and we prefer the thing being

left in the natural state, as opposed to being another trail with a bit of litter here and there and the dogs here and there and the bicycle tracks here and there, and the wanderings off the trail, the carvings on the trees, the knocked-over stone walls here and there, if a trail went nearby them. We just prefer it in its natural state."



MVT 6.29.2011

House bill protect rights to public beach

When beach m

Quansoo beach rights - \$300K or more. oves into great pond or other public land it shall remain in public ownership.

Section 35 of Chapter 91 of the Massachusetts General Laws defines great ponds as, "[fresh or salt water] ponds containing in their natural state more than ten acres of land." Great ponds in Massachusetts are open to the public for the purpose of hunting, fishing, or boating, but if the pond is less than 500 acres, towns "may make and enforce rules and regulations relative to hunting, fishing, and boating thereon... subject to the approval of the commissioner of environmental protection.... All persons shall be allowed reasonable means of access to such ponds for the purposes aforesaid."

VG5.10.2001

Herring Creek

Cohans right of first refusal. Could be largest real estate transaction in history and largest CR gift.

If the sale is completed and the new plan is approved, The Nature Conservancy will own outright nearly half of the farm, and will launch the largest sandplain grassland restoration project in the history of the international conservation movement. The project will involve converting the entire 62-acre east field to sandplain grasslands and restoring rare native plant communities like the bushy rockrose and Nantucket shadbush.

FARM – Farming, Agriculture and Resource Management.

MVTimes 12.23.2013

Kennedys donate 30 acres to VCS.

30 ac. 17 parcels <1 ac to almost 6 ac. \$3.7m assessment.

Red Gate Farm 377 ac. VG 12.23.2013 Not all contiguous and separate from Red Gate Farm. VCS currently owns 40 ac along Moshup Trail. Began with \$500K self-help grant to Aquinnah, VCS, SMF to preserve Moshup Trail area and watershed.

VG 8.18.2006

Tess Bramhall VCS President

One framer of Conservation Partnership. 34% conservation land; 30% developable. She is Seven Gates historian; SGF is a civil wilderness; everyone benefits from open space even if don't experience it firsthand; aquifer; farmed; beauty;

VG 12.16.2013

Strock Family Donates 1000 feet of Lagoon Pd Waterfront

To MVLB; S of Bridge; Moses & Alvin Strock – “Doug’s Cove” (family member); 4.4 ac; discussions since 1988; beach access for shellfish etc; opposite Eastville Point Park; will restore dune between beach and pond as now bittersweet and poison ivy;

2008 Land Bank. \$9.56m vs \$11.12m 2007, \$12.94m 2006. Lower 2/3 of houses decline, upper increase. 68% from >\$1.2m sales.

VG 7-25-2008

SMF 140 parcels, >1780 ac, with 26 CR on 425 ac. Only 8 open to public.

Dormant trail easement to be used when connections are made.

Access -- McMahon Article on Public Trust Document (In Land Protection)

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