

March 4, 2024

Planning Board
Town of Tisbury
PO Box 602
Vineyard Haven, MA 02568

RE: Multiple Family Dwelling Proposal for a special permit under Section 04.04.02
for 211 Edgartown Road on behalf of Mercy Bell for a multiple family dwelling

Dear Planning Board:

This matter is scheduled for a Zoom meeting on March 6th. I am the abutter to Mercy Bell at 203 Edgartown Road.

My great grandfather built the house on my property at 203 Edgartown Road in the early 1900's and my mother and father sold the property in October 1959. I purchased the property to bring back into the family 43 years later in October 2002 and have now owned it for over twenty years.

In or around 2018 Antone Dias, who I believe to be the brother of Mercy Bell, and who was residing on the property, contacted me to tell me about a project of a two bedroom house he wanted to add to the property and a curb cut at the street for a long driveway running from Edgartown Road to his property which is set well back from Edgartown Road. He promised me that he would make sure I was not unhappy with what he did putting the road in and that he would landscape the area. I also met with him at his property. At that meeting it became apparent that he did not intend to keep his word. There is a strange cut in the property lines in which technically it belongs to their lot, yet cuts in front of the house at 203 Edgartown Road. The original agreement was that he would minimize the impact on the aesthetics on my property and he would pleasantly landscape and finish off the cut into what used to appear to be my front yard. I suggested that he could run the driveway perpendicular to the street like most streets off Edgartown Road are. After realizing that he had no intention of following up on his original promise to try not to have too much impact on the appearance of my front yard, I wrote a letter of opposition to the board that reviewed the driveway and the curb cut expressing my concern. I do not know if it was retaliatory for my writing the letter to the town, but thereafter, the driveway scooped across the yard, was not perpendicular to the street, and is unsightly to my property. While it was his choice and his and his sister's land, my point is that he did not keep his word to me. He also did not keep his word

about landscaping where he cut in and some six years later the mound of dirt that existed when the driveway was cut runs a long way along the property between is and is quite unsightly, and unfinished. Through the warm months it is filled with tall weeds. My point is that Antone Dias promised me that he would try to have as little impact on my property and he would landscape it. He did not keep his word about where the curb cut would take place and six years later it is an unfinished mess that we have to look at every day at 203 Edgartown Road. Mr. Dias had also promised to run a row of evergreens to help the appearance of this new driveway/road, which I found unnecessary, but that was not done either. I can only speculate that his leaving this large mound of soil running up the driveway was punitive to me for expressing my concern to the board about the new curb cut and we have been left to live with this for many years. I only wanted Mr. Dias to keep his word on what he promised to do. He may have made similar statements to the town at that hearing regarding his intention to landscape where the road cut came in. I have sent in a separate email photos of the mound of soil running between the driveway and my front yard but the photos do not do this problem justice.

In looking at the current proposal of Mercy Bell, again, who I believe to be Mr. Dias' brother, I have no objection to the two bedroom house he plans to build. It is a nicely designed two bedroom house that maximizes the layout and the space quite nicely.

My objection is to the fact that he is planning to build this house fifteen feet from my property line. Fifteen feet is about the size of a bedroom width. It is nothing. I have no question that there will be encroachment upon and usage of my property both during construction and by the occupants of the house. It is almost impossible for construction crews to build this property and stay within 15 feet on one side.

Mercy Bell and Antone Dias have a large lot at 211 Edgartown Road. It appears that they want this new two bedroom dwelling as far away from the existing house as possible and are fine with putting the dwelling a mere 15 feet from my property line. When I look at the full property at 211 Edgartown Road there is far more space to put this second house in to the left side of the property where it will not impact or encroach on the abutter's property line. Since I already have a history of Mr. Dias not keeping his word, the end result and impact on me is easy to understand.

I would ask Mercy Bell and Mr. Dias to relocate this further away than 15 feet from my property, and in the alternative if the town allows it that they install a permanent fence at the property line before the construction starts. If not, in order to protect from the inevitable encroachment on my property that is bound to happen, I will install a five foot high chicken wire fence between the two properties to prevent the encroachment and it will remain in place permanently. My concern is over this building's placement.

Sincerely yours,

Robin Canha
Abutter
PO Box 754
West Tisbury, MA 02575