

VIEW AND VEGETATION MANAGEMENT STUDY
for the
PRESERVATION OF THE PUBLIC VIEW OF
LAKE TASHMOO
From the Overlook Turnout on State Road
Tisbury, Massachusetts

Prepared to assist
The Citizen's Committee to Save the View to Lake Tashmoos

by the

VINEYARD OPEN LAND FOUNDATION
as consultant
April 2013

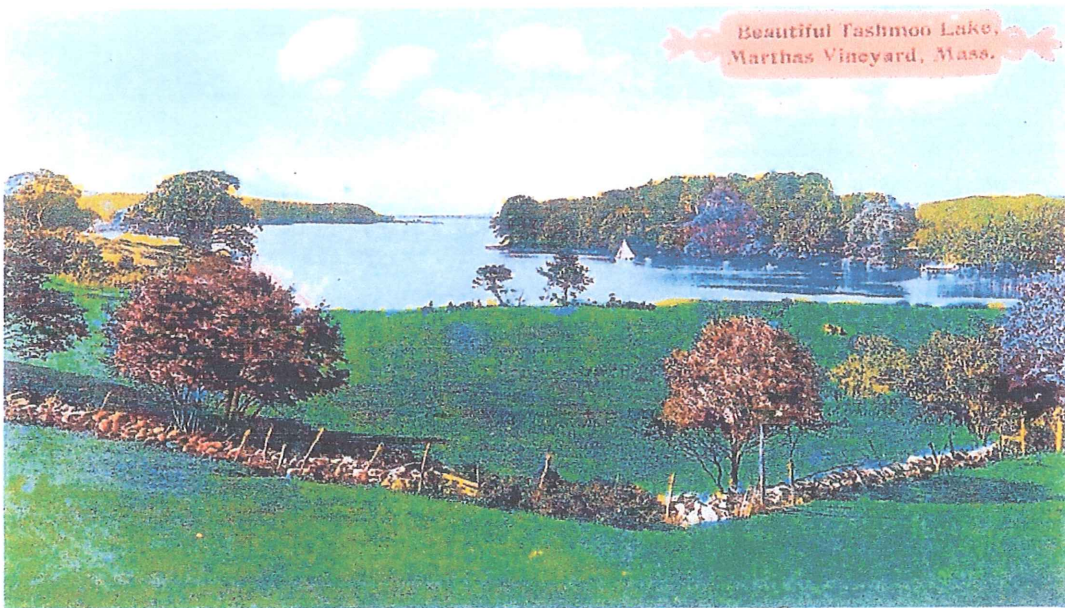
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THE HISTORIC VIEW TO LAKE TASHMOO



Postcard courtesy of
Patricia Carlet

Circa 1907 postcard showing the view of Lake Tashmo.

The late Joseph Chase Allen wrote in the Vineyard Gazette in 1958: “Tashmo is the Vineyard lake, and there is no record of any visitor who failed to express pleasure at the music and poetry of the name, and its application to the sheet of water, framed within green trees and against the distant water of Vineyard Sound, which may be seen by any traveler of the main highway from Vineyard Haven to West Tisbury.”

The Vineyard Gazette also reported: “This spot, one of the few remaining views on the Island not obscured by trees...is especially favored by large numbers of people who enjoy the view.”

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EXECUTIVE SUMMARY

The view from the Tashmoo Overlook is the only view of Vineyard Sound from a public roadway on the north side of the Island between Vineyard Haven and Menemsha. Over the last 30 or so years, the view has become obstructed by the growth of trees and other vegetation, mainly on private land, but also on Town land. The majority of the view is over a twenty-four acre Town-owned property, which includes the large field over which the view lies, the sledding hill, the amphitheater, Tashmoo Pond and the newly-restored Spring Building. However, the majority of the vegetation presently blocking the view is located on private land owned by Thomas M. & Virginia C. Payette, as Trustees of the Payette Vineyard Realty Trust.

In the spring of 2012, the Vineyard Open Land Foundation was engaged as a consultant by The Citizen's Committee to Save the View to Lake Tashmoo to assist in its efforts to preserve the view to Lake Tashmoo through acquisition of a permanent view easement.

The Citizen's Committee has obtained Tisbury Community Preservation Act funds to aid in securing permanent protection of the view. Although the Tisbury Selectmen have negotiated informal partial restoration of the view over the Payette property through the removal and trimming of some trees and other vegetation, the Citizen's Committee wishes to restore and permanently protect the view corridor to the maximum extent reasonably possible. The members of the Citizen's Committee are: Patricia Carlet (Chairman of Citizen's Committee and member of Tisbury Spring Building Committee), Henry Stephenson (Architect/Planner), Robert Woodruff (Environmental Consultant), Robert Kendall (Real Estate Broker and Land Planner), and Lynne Irons (Maintenance Gardener).

VOLF's role is to evaluate the view, facilitate survey mapping defining the parameters of the view corridor from the Overlook, create a report outlining the goals and issues, make suggestions for the management of vegetation growing up and obscuring the view, and assist with the preparation of a permanent view easement document.

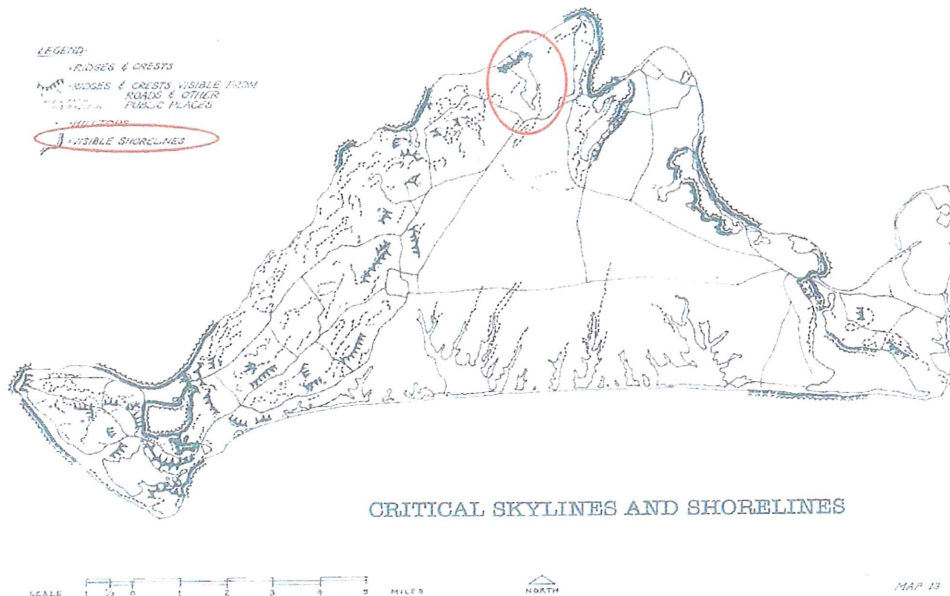
The Citizen's Committee, at the suggestion of the Vineyard Open Land Foundation, hired Schofield, Barbini & Hoehn to provide the survey mapping of the view corridor, the land contours and the existing vegetation which follows.

Over the past year, Eric Peters, the VOLF Chairman, and Carol Magee, the VOLF Executive Director, have had numerous meetings with the Citizen's Committee to obtain background on the issues and understand the goals of the Committee. Mr. Peters and Ms. Magee have also walked the site several times with members of the Citizen's Committee and with surveyor, Doug Hoehn, to become familiar with the land, its slope, existing vegetation, and view issues.

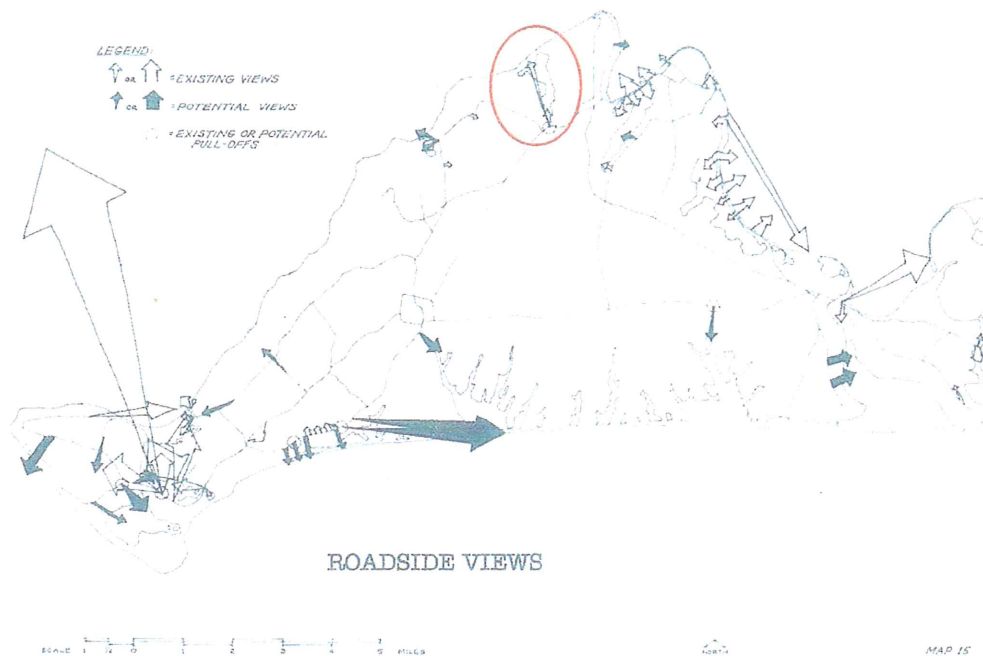
This report, prepared by VOLF, is intended to serve as a resource not only for the Citizen's Committee, but also for efforts by the Tisbury Selectmen and other town bodies to permanently secure this important and historic view for the residents of Tisbury and the public at large from the Overlook.

TASHMOO OVERLOOK CITED IN LOOKING AT THE VINEYARD

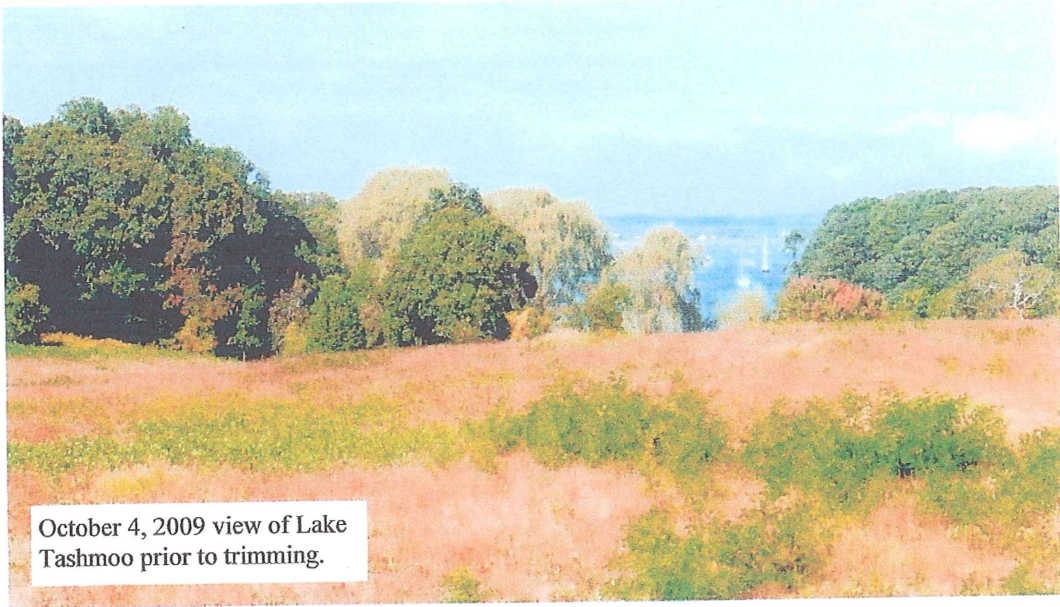
Forty years ago, in 1973, the Vineyard Open Land Foundation's study, Looking At The Vineyard, a visual study for a changing island, identified the public view from the Tashmo Overlook as an important public resource that should be preserved. It is shown circled on Map 13 below, entitled "Critical Skylines and Shorelines," as one of the views over a visible shoreline



The view from the Overlook is also shown circled on Map 15 below, entitled "Roadside Views," as an existing view with an existing pull-off. Paragraph two from page 48 in the chapter "Views from the Road," states: "View Easements...should be obtained to preserve the existing vistas."



THREE VIEWS TO LAKE TASHMOO



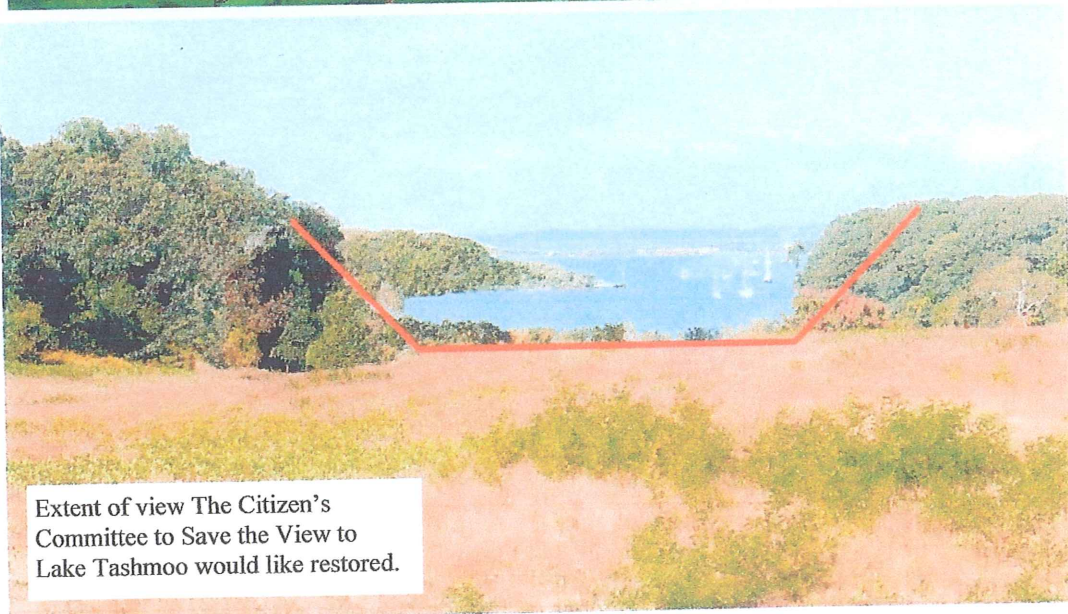
October 4, 2009 view of Lake Tashmoo prior to trimming.

Photo: Henry Stephenson



May 30, 2012 view of Lake Tashmoo from Overlook after partial clearing.

Photo: Carol Magee



Extent of view The Citizen's Committee to Save the View to Lake Tashmoo would like restored.

Proposed extent of restored view: Henry Stephenson

GOALS AND OBJECTIVES

GOALS

The goals of The Citizen's Committee to Save the View to Lake Tashmoo are to re-establish, permanently protect and maintain the historic view of Lake Tashmoo and beyond, for the public from the Overlook on the State Road Turnout in the town of Tisbury, through the acquisition of a permanent View Easement over the Payette and Tashmoo Associates, Inc. properties, and the establishment of a formal view easement on the Town property. The Citizen Committee's target for accomplishing these goals is within the next two years.

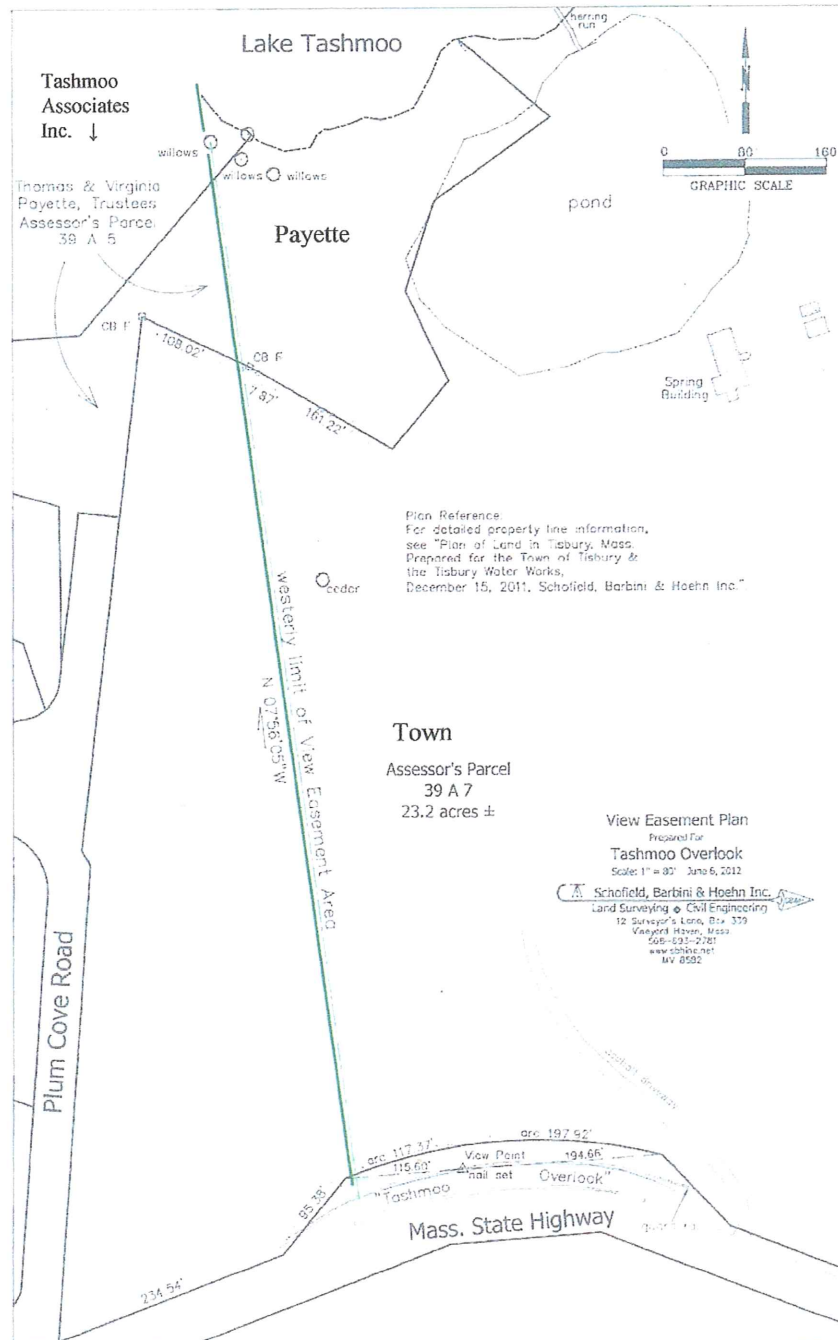
OBJECTIVES

- Establish the location and parameters of the desired view corridor.
- Identity the properties over which the view corridor exists.
- Map the view corridor and the topography of the underlying land so that it may be determined how high vegetation can grow in particular areas without interfering with the view.
- Locate the precise locations of the vegetation in the view corridor obscuring the view from the Overlook on the map.
- Identify the vegetative issues and make recommendations for the removal, topping and other management of vegetation in the view corridor on the Payette and Tashmoo Associates, Inc. properties.
- Make recommendations for adding vegetative screening on the Town property to enlarge the tree buffer protecting the privacy of the Payette parcel as an incentive to encourage the Payettes' participation in the View Easement program. Create an additional view opening on the Town parcel to benefit the Payettes, if desired.
- Make recommendations for incentives to encourage the participation of Tashmoo Associates, Inc. in the View Easement program.
- Identify the vegetative issues and make recommendations for managing the vegetation in the view corridor on the Town parcel to supplement what is already being done. Suggest that a written Town Management Plan become part of the View Easement.
- Incorporate the above objectives into a report to assist in negotiating the terms and wording of a permanent View Easement.

LOCATION OF VIEW

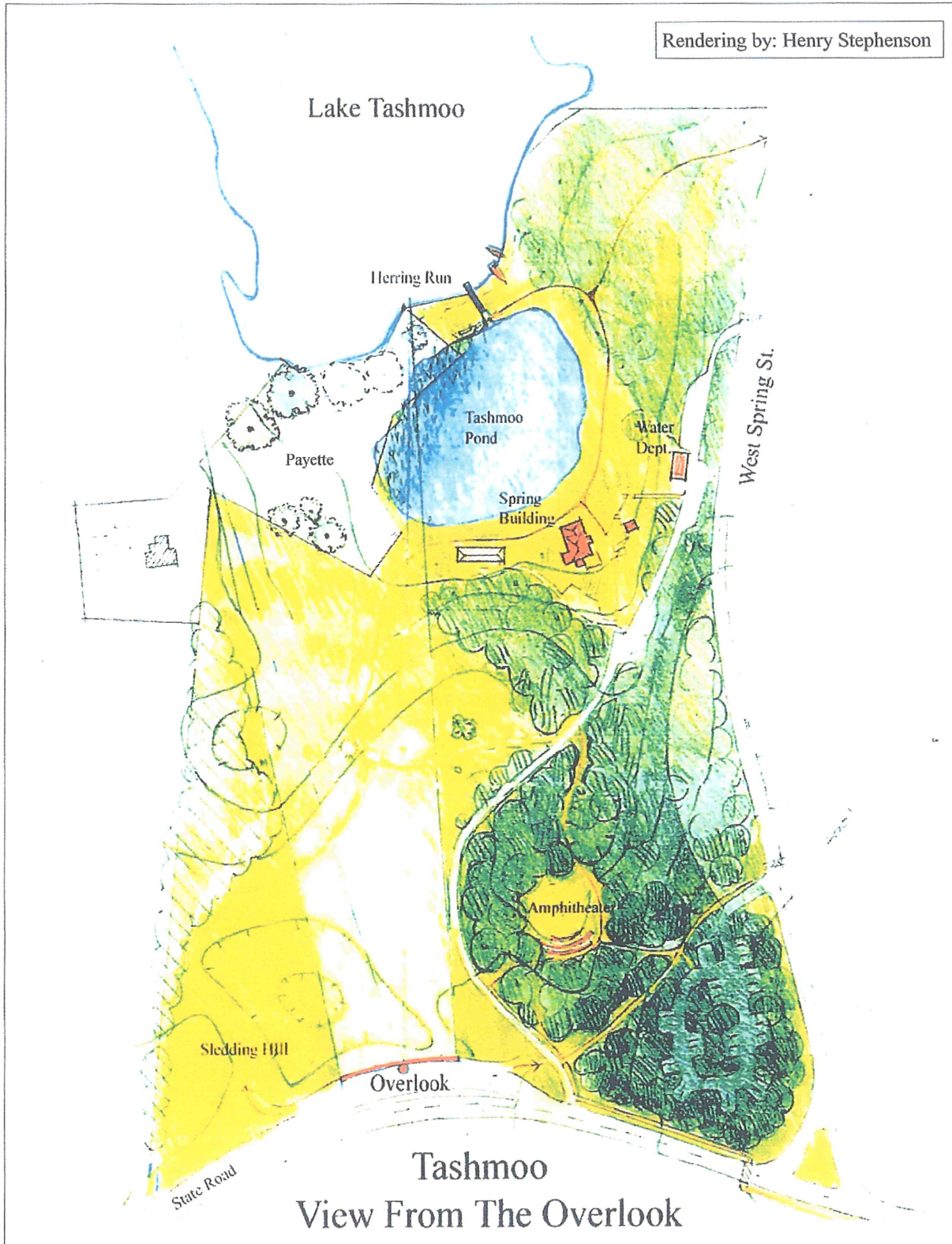
The view from the Overlook to Lake Tashmo, its barrier beach and beyond, to Vineyard Sound and the southern shore of Cape Cod, as defined by its westerly line, is shown on the survey map below. The view is over a portion of 23 acres of Town-owned land, across a portion of private property owned by Thomas & Virginia Payette, Trustees, and involves two tall trees on property owned by Tashmo Associates, Inc., as well.

The survey map below also shows the Tashmo Overlook turnoff at the bottom of the page, which is a small strip of land along the State Road in Tisbury purchased in 1958 by the Commonwealth of Massachusetts to create a turnoff, so that the people of Martha's Vineyard, as well as its visitors, would have a safe place to stop and enjoy the historic view.



TOWN OF TISBURY – 23-ACRE PARCEL

The color rendering below shows the various features of the Town-owned parcel and the view corridor from the Overlook. Some tall trees obstructing the view on the Payette property are sketched in.



VIEW TO LAKE TASHMOO – VALUABLE PUBLIC ASSET

The map below shows the extended view from the Overlook over Lake Tashmo to the barrier beach and Vineyard Sound.

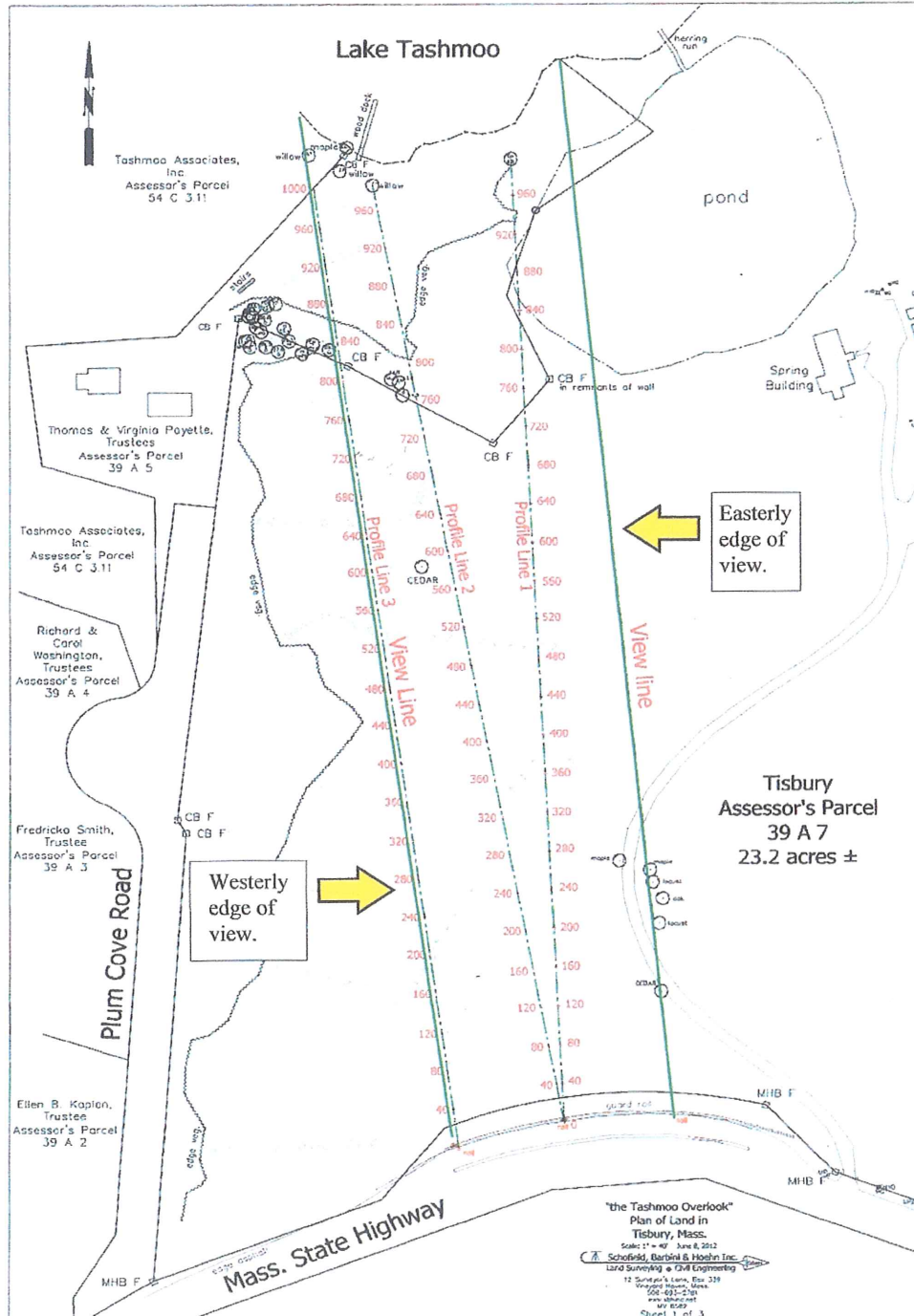


The map below shows the view corridor from the Overlook over the Town-owned parcel shown in yellow and the Payette parcel shown in red.



MAPPING THE VIEW CORRIDOR

The initial consideration was to define the boundaries of the view corridor so the vegetation within the corridor obstructing the view could be clearly located. The Citizen's Committee identified the easterly and westerly boundaries of the view corridor from the Overlook, within which it was felt the vegetation could be reasonably managed to protect both the view and the privacy of the abutting landowners. The survey map below, prepared by Schofield, Barbini & Hoehn Inc., shows the easterly and westerly View Line boundaries.



MAPPING THE LINE OF SIGHT IN RELATION TO THE LAND CONTOURS IN THE VIEW CORRIDOR

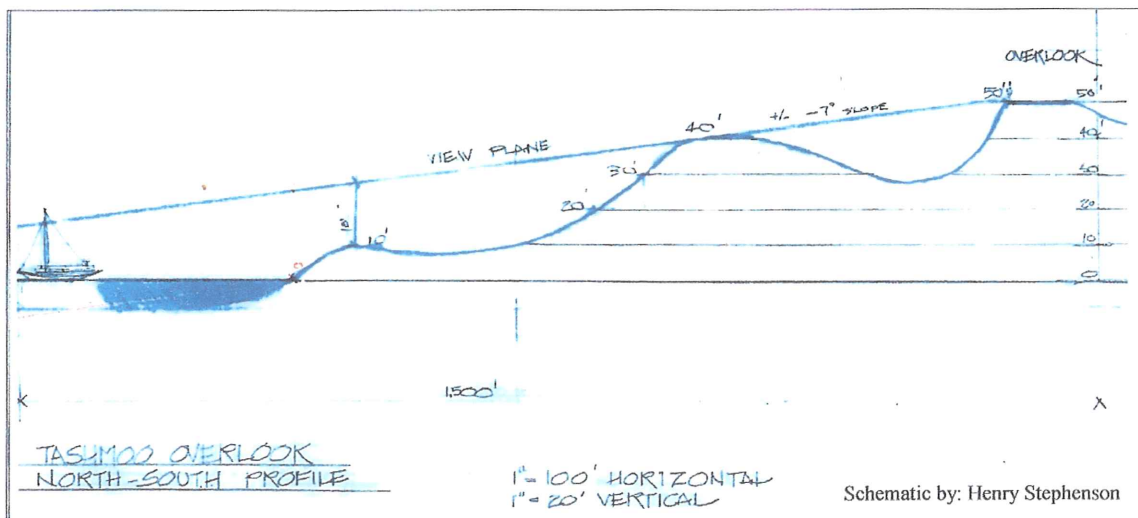
Because the Overlook is higher in elevation than the Payette property, which contains much of the obstructing vegetation, and because the contours of the land on the Town property are rolling, with a substantial rise in topography about half way down to Lake Tashmoo, the line of sight is such that one cannot see most of the ground elevation near the shore on the Payette property from the Overlook.

It would be possible to replace taller trees, particularly the willows on the Payette and Tashmoo Associates, Inc. properties which are obstructing the view, with shorter growing vegetation that would not impede the view from the Overlook, thus allowing the limited re-landscaping of these properties, if desired by the property owners.

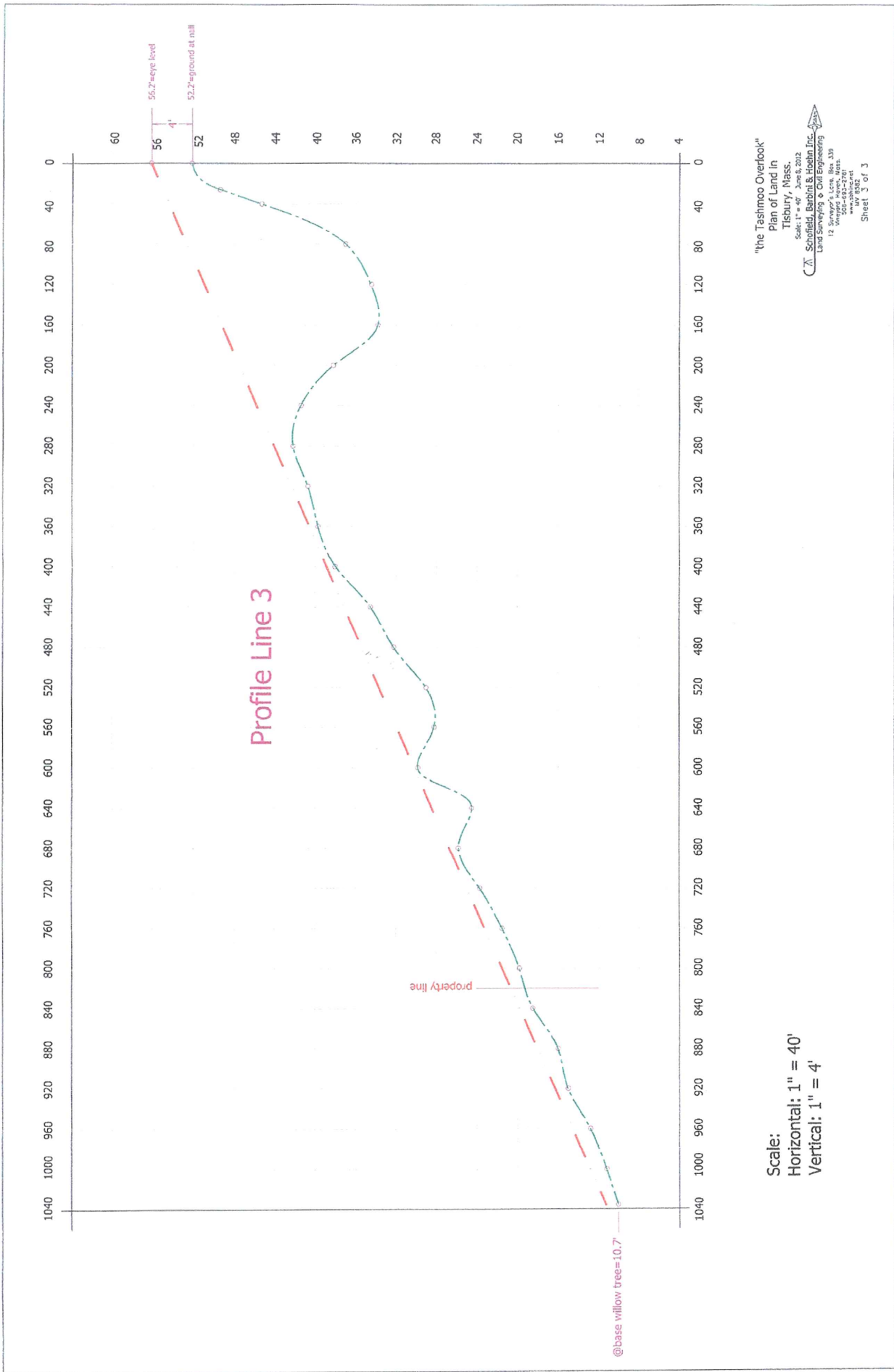
The contour mapping, shown on the next two pages, can be used to guide the choice of replacement trees or shrubs and the locations in which they could be planted. The growing habit of the replacement trees or shrubs selected would have to be carefully evaluated to make certain they would not grow up into the view.

Profile lines giving the line of sight of the view from eye level at the Overlook, superimposed over the land contours, were established over the both the Town and the Payette parcel in order to show how tall vegetation could be without protruding into the public view. *For example, replacement trees on the Payette property in the area of Profile Line 1 could be approximately 20 feet high without protruding into the sight line from the Overlook. Replacement trees planted on the Payette property in the vicinity of Profile Line 2 could be about 13 feet tall without intruding into the view from the Overlook, whereas other replacement vegetation on the Payette and Tashmoo Associates, Inc. property in the area of Profile Line 3 could only grow to about 2 feet tall before protruding into the public view.*

Please see Profile lines 1, 2 & 3, on the survey maps which follow on the next two pages. Note the Payette property is to the left of the red "property line" shown on the maps.



Schematic of contours with an 18 foot high tree on the 10 foot contour is shown above.



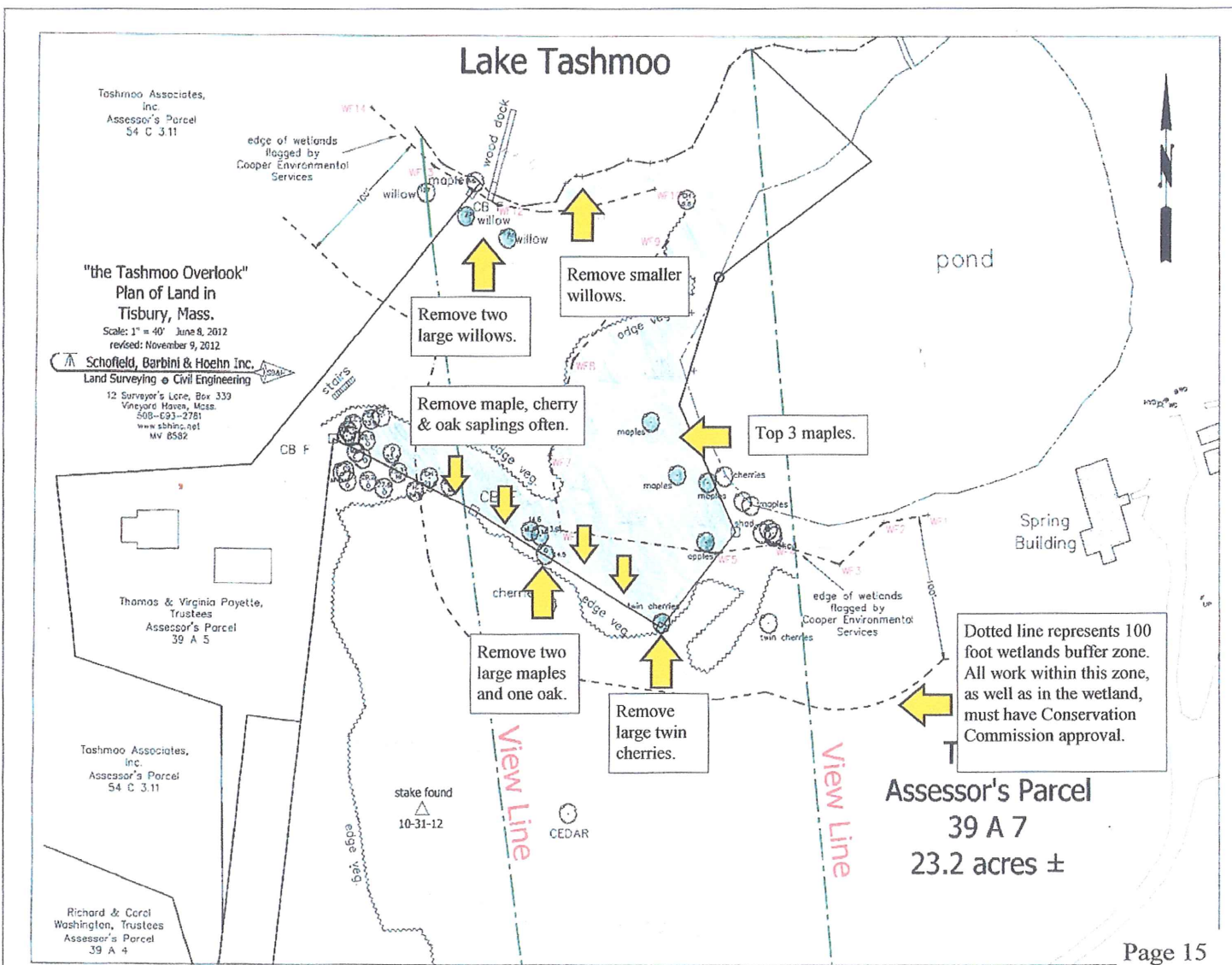
"the Tashmo Overlook"
 Plan of Land in
 Tiebury, Mass.
 Scale: 1" = 40'
 Date: 3/28/2012
 C.A. Schofield, Barndt & Hoehn Inc.
 Land Surveying & Civil Engineering
 12 Sawyer's Lane, Box 339
 Westport, MA 01886
 www.schofield.com
 Sheet 3 of 3

Scale:
 Horizontal: 1" = 40'
 Vertical: 1" = 4'

VEGETATION BLOCKING THE VIEW ON THE PAYETTE PROPERTY

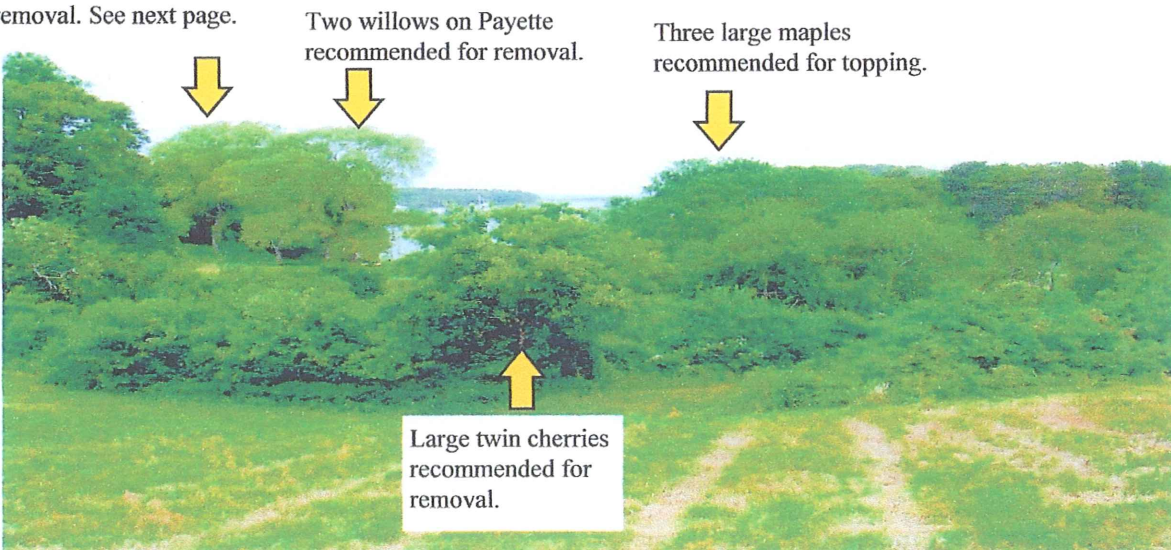
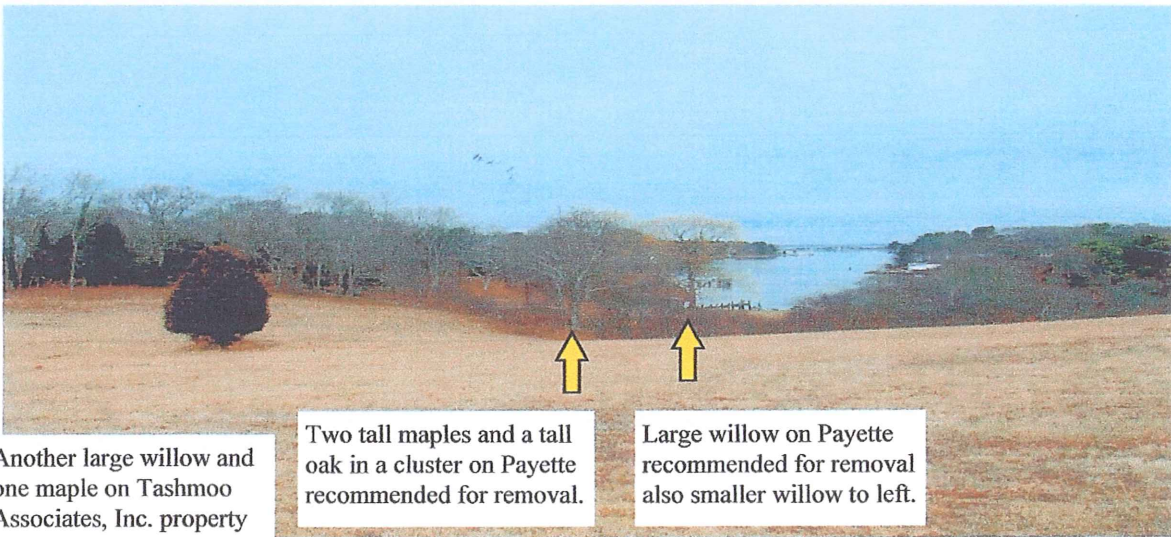
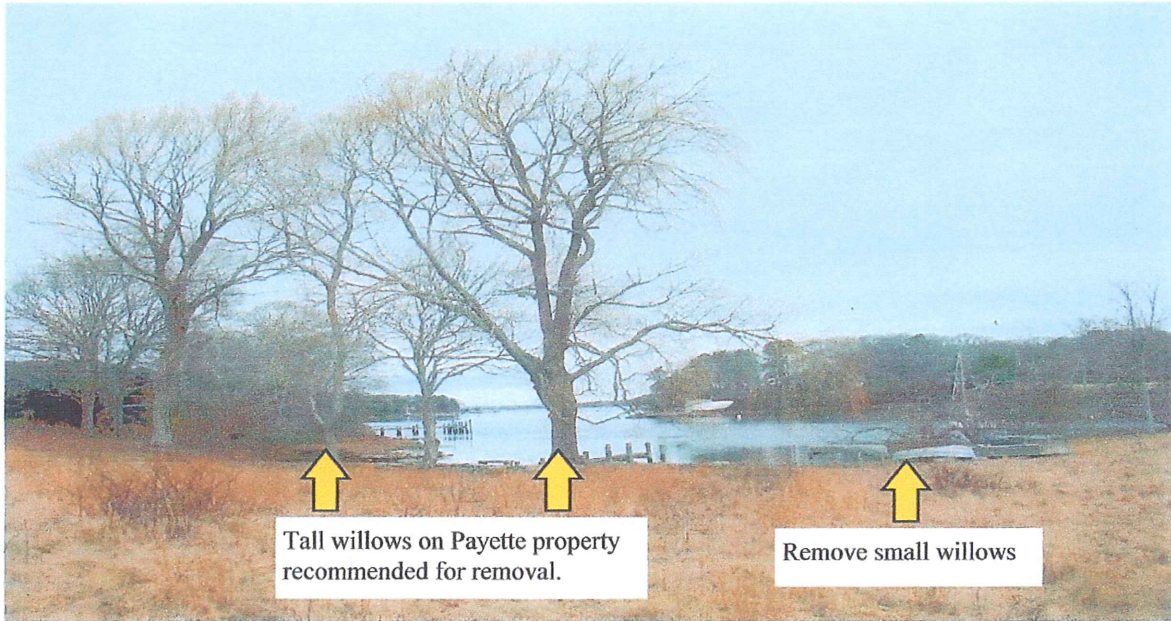
ISSUES: The privately-owned Payette property contains the majority of the trees blocking the view from the Overlook. Two tall willows by the shore of Lake Tashmoo are protruding into the view corridor. Two large maples and one oak in a cluster and large twin cherries along the property line with the Town parcel are blocking the view. Three larger maples near the boundary with the Town property near the pond are growing into the view. Various maples, oaks and saplings with the potential to grow into the view in the future are starting in the underbrush near the stone wall along the southwestern boundary with the Town land. All work within the wetlands and the 100 ft. wetlands buffer zone will require Tisbury Conservation Commission approval.

RECOMMENDATIONS: (as shown on the map below): Remove the two large willows and the smaller willows to the east of them. Lower-growing semi-dwarf trees up to 20 feet high (in the vicinity of Profile Line #1) or shrubs up to 13 feet high (in the vicinity of Profile Line #2) that are salt tolerant could be planted to replace the willows. Anything planted near Profile Line 3 would have to be 2 feet or shorter. Remove the maples and oak cluster. Remove the large twin cherries. Grind up all stumps, dress with topsoil and seed with grass. Top the maples near the pond and remove cuttings. Remove the various maple, oak and other saplings in the underbrush area along the stone wall on the southern boundary of the Payette property every few years. Otherwise, leave underbrush in that area as a buffer. The underbrush will grow and thicken as a result of getting more sunlight when the large trees are removed. Leave trees in the northwestern corner of the Town property as a buffer.



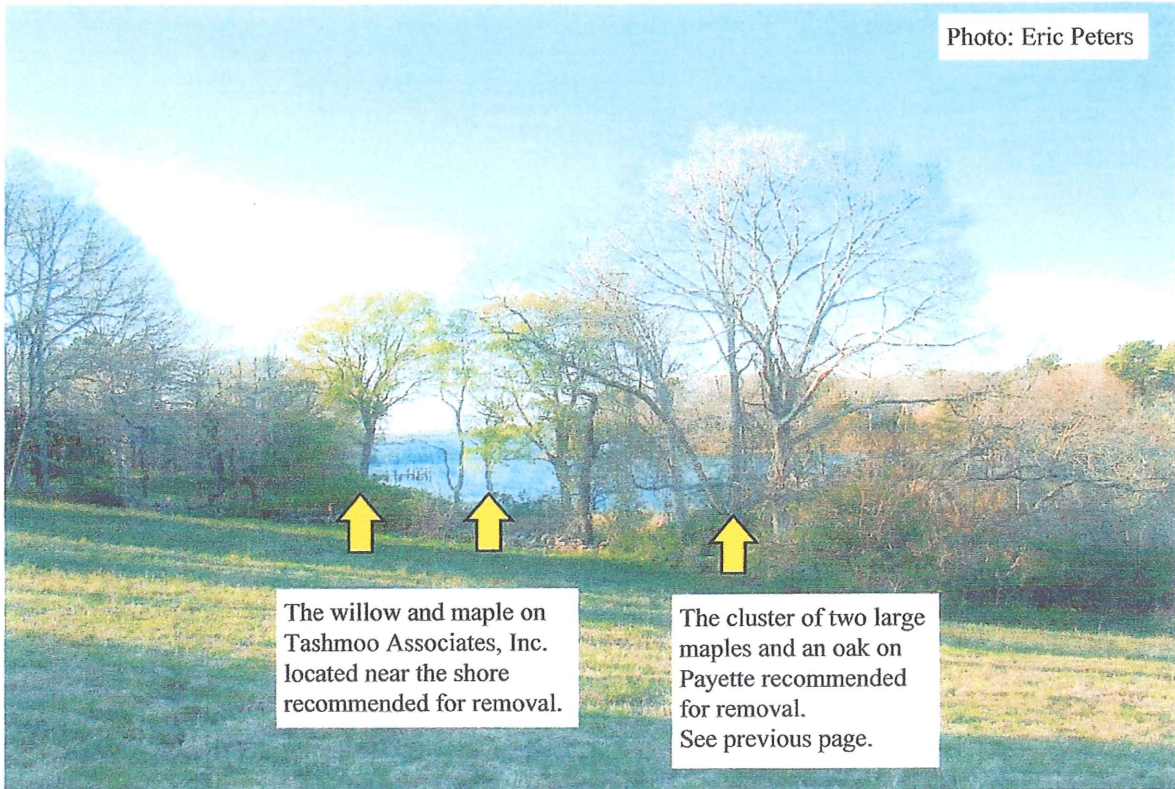
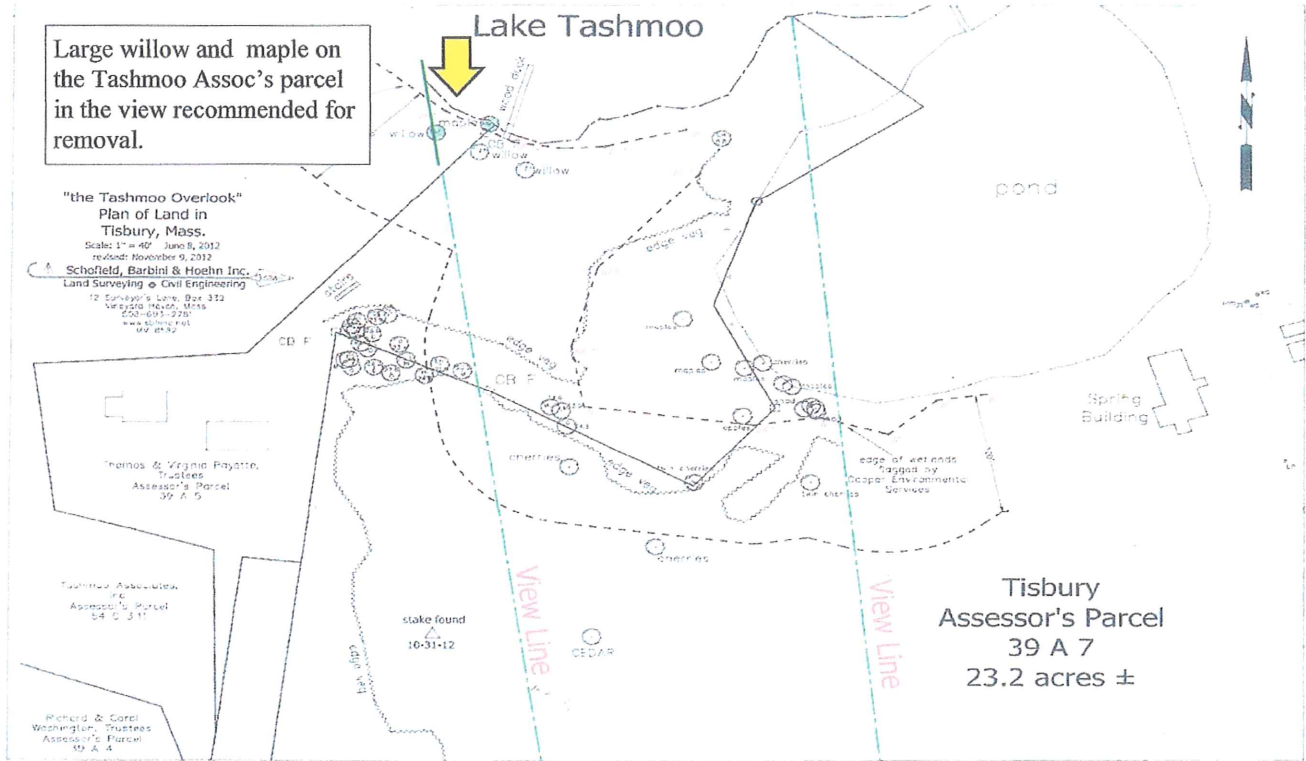
RECOMMENDED TREE REMOVAL IN THE VIEW CORRIDOR ON THE PAYETTE PROPERTY

Photos: Eric Peters



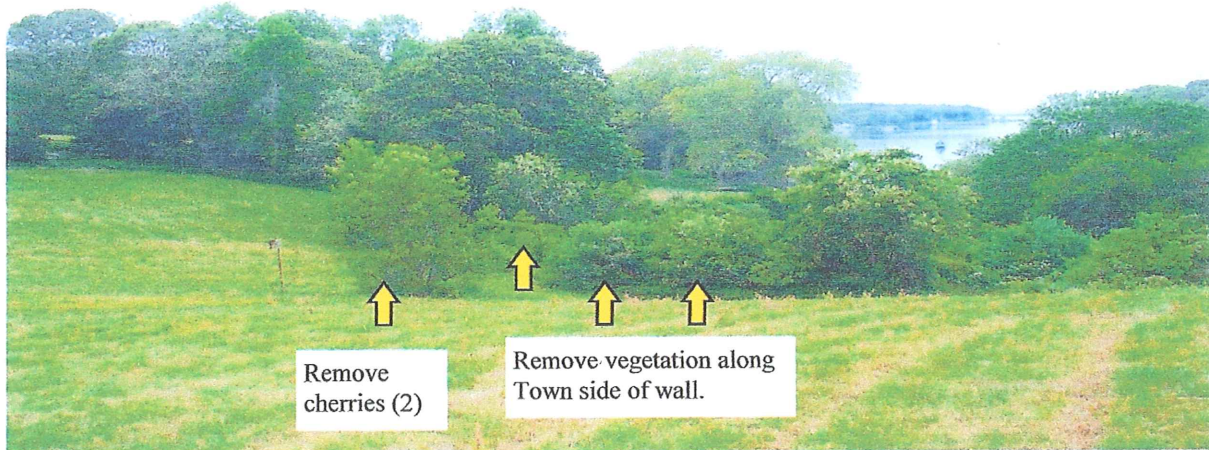
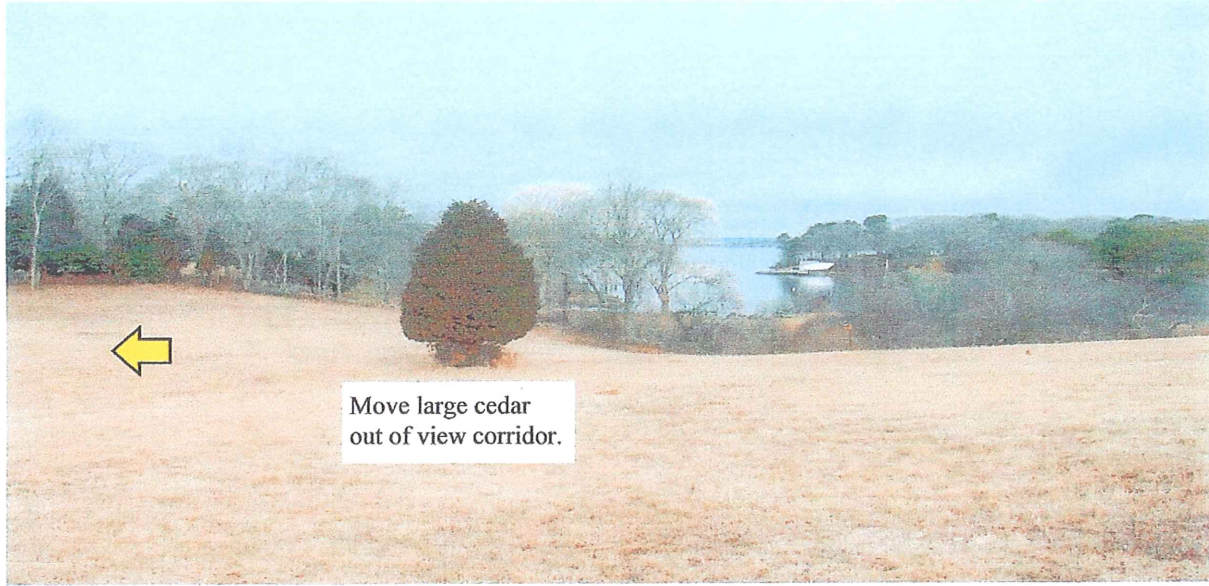
**VEGETATION BLOCKING VIEW ON TASHMOO ASSOCIATES, INC. PROPERTY
AND RECOMMENDATIONS FOR REMOVAL**

As located on the map below, there is a large willow and a maple growing on the shore of Lake Tashmo in the view corridor on the Tashmo Associates, Inc., property that are recommended for removal. To prevent re-growth, it is suggested the stumps be ground up, and the area dressed with topsoil and seeded with grass.



RECOMMENDED VEGETATION REMOVAL IN VIEW
ON TOWN PROPERTY

Photos: Eric Peters



INCENTIVES FOR PAYETTES TO GRANT VIEW EASEMENT

The Citizen's Committee wishes to reclaim the historic public view of Tashmoo from the Overlook for the citizens of Tisbury and the public at large, by assisting the Town to negotiate an agreement that protects the Payette's privacy and adds certain benefits in exchange for permission to manage the vegetation in the view corridor on the Payette property.

If agreement can be reached with the Payettes for a permanent View Easement, the Citizen's Committee is willing to apply for Community Preservation Act funding to assist the Town in accomplishing the vegetation management previously proposed at no cost to the Payettes, as well as to create a new tree buffer on Town property to benefit the Payettes.

The proposal for a new tree buffer would be for the Town to plant additional trees on the Town parcel to the east of the Payette house near the property line outside the view corridor to help buffer the Payette property from traffic noise from the Overlook. This proposed buffer would consist of 25 to 50 new trees 4 to 5 feet high of the Payette's choosing, but preferably native evergreens such as Island red cedars. The Town would also be asked to guarantee that the existing tree buffer on Town property along Plum Cove Road remain as it is and not be reduced to the 10 feet wide area now under discussion.

The Citizen's Committee would also propose that the Town offer the Payettes a Privacy Agreement that the new buffer zone would be excluded from public use in any future plans for a perimeter trail or other public activity on the Town property, which is currently being considered for designation as a public park.

The Payette's may be able to take an income tax deduction, which could be carried forward for five years for gifting the Town a View Easement. If the Payettes wish to do this, the Citizen's Committee may be able to pay for an appraisal which would establish the value of the income tax deduction for the View Easement. Based on the findings of an appraisal, a View Easement may also lower the value of the Payette property for real estate tax purposes.

Photo: Eric Peters

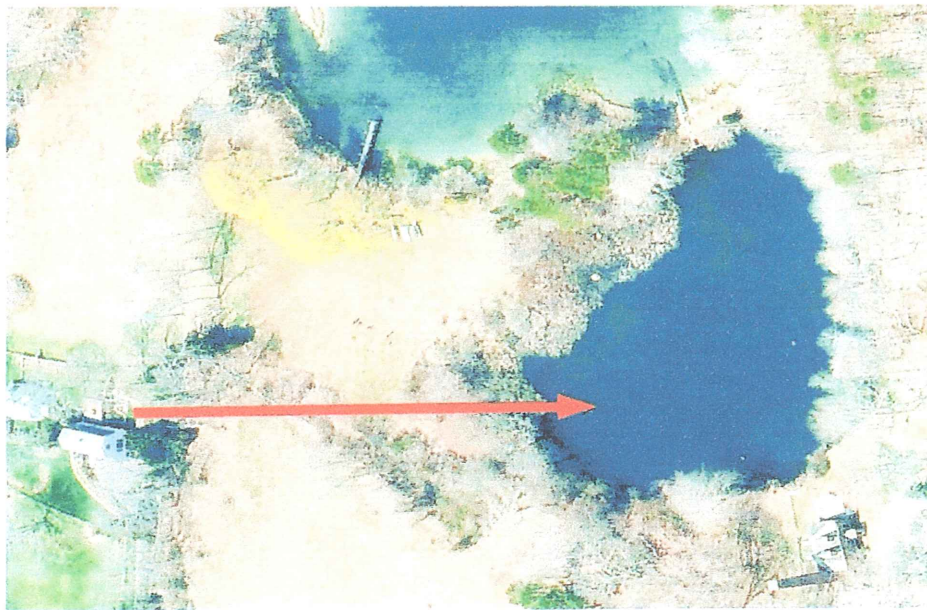


INCENTIVES FOR THE PAYETTE PROPERTY, continued

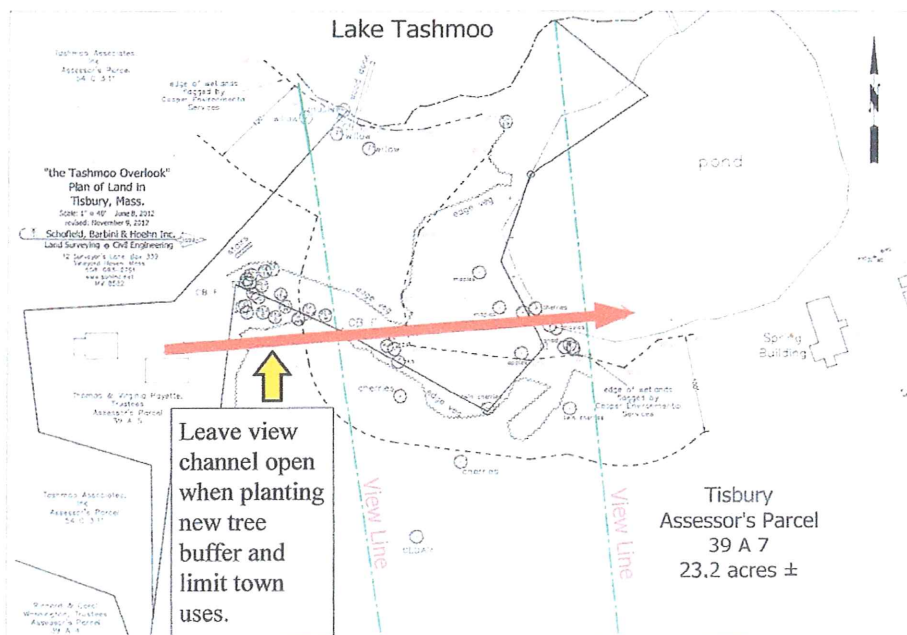
The Citizen's Committee also recommends to the Town of Tisbury that an Easement for a view channel over the field to the pond by the Spring Building for the benefit of the Payette property over the Town property be granted as part of an exchange for the Payette's granting a View Easement over their property from the Overlook.

The proposed view channel, shown by a red line on the photo and map below, would be from the Payette's deck and could be created by mainly trimming trees and other vegetation. The work could be done at the same time that the maples near the pond are topped, as previously recommended. Care would have to be taken, when planting the proposed new tree screen on the Town land, to leave this view channel open. The Town would also agree to limit its use of the area of its property in this view channel.

The trimming work involved would also require Tisbury Conservation Commission approval.



2008 aerial photo courtesy of the M. V. Commission.

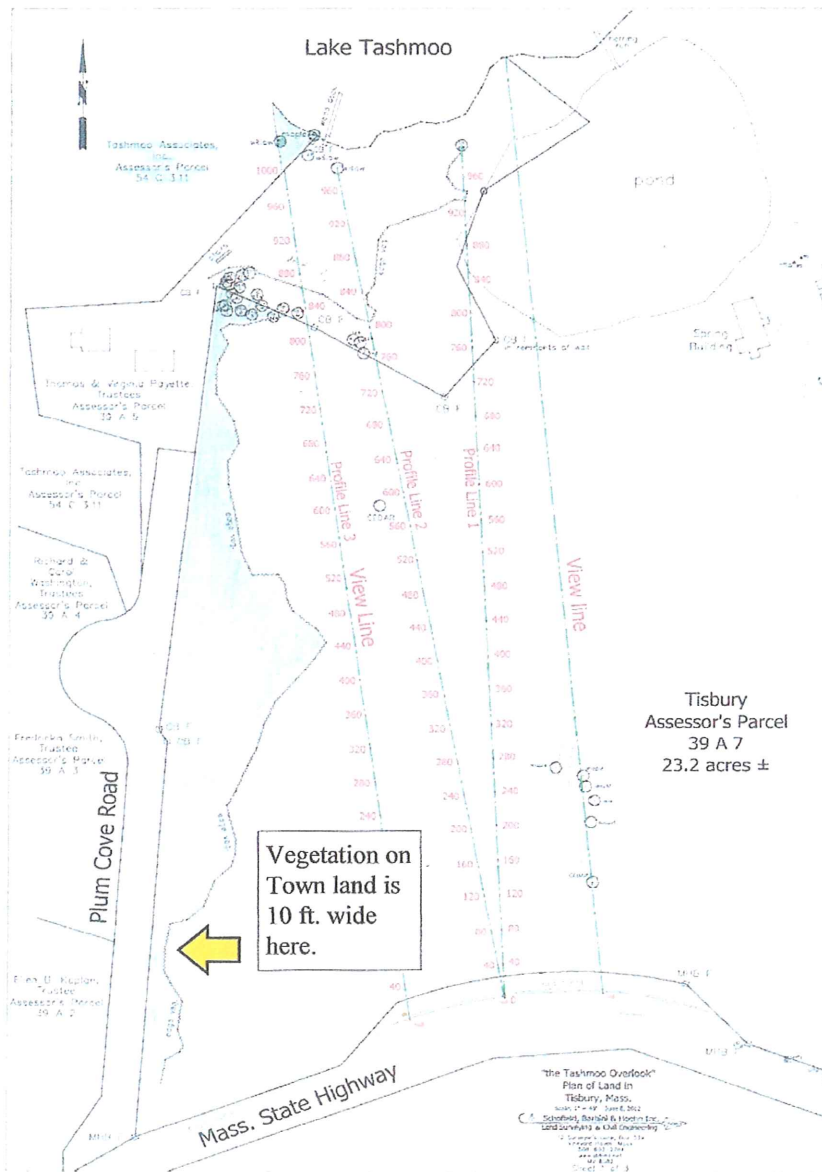


INCENTIVES FOR THE TASHMOO ASSOCIATES, INC.
TO GRANT VIEW EASEMENT

The Tashmoo Associates, Inc. would be contributing to a worthwhile public cause by participating in the proposed View Easement and allowing removal of a large willow and a maple in the view corridor on its property.

There would be no cost to Tashmoo Associates, Inc. The Citizen's Committee would apply for Community Preservation Act funds to pay for tree removal.

The Citizen's Committee would recommend to the Tisbury Board of Selectmen and other pertinent Town bodies that the present vegetative buffer along Plum Cove Road remain as it presently is and not be reduced to the 10 feet now under discussion with the Town.



CONCLUSION

The goal of the Citizen's Committee to Save the View to Lake Tashmoo, as well as 300 local people who signed a petition stating that "the People of the Vineyard want the view restored," and the voters of the Town of Tisbury who approved the expenditure of Community Preservation Act funds to assist in this effort, is to acquire a View Easement over the view corridor which includes restoration, maintenance and permanent protection of the historic public view to Lake Tashmoo and beyond, from the Tashmoo Overlook.

This Report, prepared by the Vineyard Open Land Foundation as consultant to the Citizen's Committee, examines the issues, identifies the view corridor, identifies vegetation obscuring the view that was located on the ground and mapped by the surveying company, Schofield, Barbini & Hoehn Inc., and gives recommendations for management of the obstructing vegetation.

The Vineyard Open Land Foundation supports the Citizen's Committee's efforts to assist the Board of Selectmen and other pertinent Town of Tisbury bodies to acquire a permanent View Easement through friendly negotiations with the Payettes and Tashmoo Associates, Inc., and is willing to participate in the negotiations as the Committee's consultant. The public view from the Tashmoo Overlook is identified in Looking At The Vineyard, a visual study for a changing island, published by the Vineyard Open Land Foundation in 1973, as one of the important public resources that should be preserved

The primary focus of this study has been to determine the "on the ground" parameters of the view corridor necessary to preserve the public view of Lake Tashmoo from the State Road Overlook and elsewhere on the Town property. The view corridor is over land owned by the Town of Tisbury, Thomas M. Payette and Virginia C. Payette, as Trustees of the Payette Vineyard Realty Trust, and Tashmoo Associates, Inc. The permanent preservation of this view will require a View Easement addressing the terms and conditions of the Town of Tisbury's right to clear within the view corridor on private property. A perpetual View Easement should be recorded with the Dukes County Registry of Deeds binding the relevant properties. Any future Management Plan for the Town property should address the preservation of the Overlook view.

In addition, because of the nature of the topography as noted on Pages 12, 13 & 14, further discussion between the Town and the property owners is warranted to address line of site issues that will both preserve the public view and allow use of the private property that does not conflict with the public purpose. This report has identified issues of mutual benefit to the Town and the private property owners. Further evaluation and negotiation between the Selectmen of Tisbury and the property owners, their attorneys and a surveyor will be necessary. VOLF is prepared to assist and advise the Selectmen and the private property owners in this endeavor.

The Vineyard Open Land Foundation and the Citizen's Committee to Save the View to Lake Tashmoo would like to see a permanent View Easement put in place now, so that the public view, as well as the privacy of the Payettes and Tashmoo Associates, Inc., are secured as the Town of Tisbury moves forward with plans for the future uses of the Town property. We hope the parties involved will be willing to work together amicably to achieve this goal.

VINEYARD OPEN LAND FOUNDATION

The Vineyard Open Land Foundation (VOLF) is a professional land use planning conservation organization which is fully qualified as a 501 (c) (3) non-profit, public charitable trust. VOLF was established in 1970 to protect the quality of life on Martha's Vineyard through preservation of the Island's natural beauty and rural character.

VOLF specializes in preserving the visual quality of the landscape, especially public roadside views over open land. In addition to other land conservation work, VOLF has planned, obtained regulatory permitting for, and in some cases implemented, sixteen conservation communities on Martha's Vineyard, which integrate a limited amount of human usage harmoniously into the natural landscape. Through this work, VOLF has protected 4.5 miles of the Vineyard's public roadsides, including 2.5 miles of open scenic views. The VOLF principle of integrating the built environment harmoniously into the natural environment is set forth in VOLF's 1973 publication, Looking At The Vineyard, which forms the basis for VOLF planning.

VOLF works with Vineyard landowners, community groups, other conservation organizations and municipalities on land conservation projects that blend private and public interests to achieve satisfactory and workable outcomes. Through these and other projects, 2,035 acres of agricultural land, wildlife habitat, wetlands systems, beaches on the Atlantic Ocean and Vineyard Sound, as well as large and small ponds and extensive areas of upland have been permanently preserved. In addition, the land use pattern of one-half again as many acres has been professionally set, most of which is governed by Protective Covenants.

VOLF has also conducted 108 View and Vegetation Management Studies, which have included coordination and negotiations among landowners to facilitate the creation, implementation, preservation, maintenance and regulatory permitting of views. These studies have been for individual landowners on Chappaquiddick and at Blacksmith Valley, in Chilmark, as well as for multiple landowners in other Vineyard communities including Prospect Hill, Spring Point and Upper Makonikey. VOLF has written easements and provisions for view and vegetation management into the Protective Covenants used in its planning work. VOLF's recommendations for vegetation management include use of native, non-invasive species that support wildlife habitat for local and migratory populations.