

**TOWN OF WEST TISBURY
COMMUNITY PRESERVATION COMMITTEE
COMMUNITY PRESERVATION PLAN**

<i>Introduction and Acknowledgements</i>	1
<i>Community Housing</i>	2
West Tisbury's Community Housing Profile	2
Community Housing Goals & Objectives	4
<i>Open Space</i>	5
Profile of West Tisbury's Open Space and Natural Resources	5
West Tisbury Conservation Commission	6
Open Space Goals & Objectives	7
<i>Recreation</i>	8
Profile of West Tisbury's Recreational Facilities	8
Beaches	8
Tennis Courts, Ball Fields, Playground and Sponsored Activities	8
Other Recreation	8
Parks and Recreation Committee	8
Recreation Goals & Objective	9
<i>Historic Preservation</i>	9
Profile of West Tisbury's Historic Resources	9
Historical Inventory	9
Historical Character	10
Historic Preservation Goals	10
<i>Appendix – list of completed and current projects</i>	11
<i>list of CPA changes as of July 8, 2012</i>	13

Town of West Tisbury Community Preservation Plan

Introduction

The Community Preservation Act (CPA), which was passed by the State Legislature in 2000, is designed to help Massachusetts cities and towns preserve and plan for their community's future and to raise funds to accomplish town goals. West Tisbury adopted this Act at the April 2005 Town Meeting and approved the Town bylaw establishing a Community Preservation Committee (CPC) at the October 2005 Special Town Meeting.

The Act authorizes the Town to levy a surcharge on property tax bills to raise funds to expand our open space, historic, recreational and affordable housing assets. In doing so we are eligible to receive matching state funds. The Town elected to levy a surcharge of 3%; the first \$100,000 of assessed value of each property's assessment is exempt from this surcharge.

Although the state matches the funds raised by the Town, it is important to note that the spending of both state and local funds is controlled by Town Meeting. The CPC will recommend projects to be funded via the CPA surcharge. The voters at Town Meeting will accept or reject these recommendations. The sole requirement is that at least 10% of these funds be allocated to projects in each of the following areas: open space/recreation, historic preservation and community housing.

In this plan we define the Town's current profile with regard to each of the areas and specify goals which we feel the Town should work at attaining. These goals will be used in the evaluation of projects that come before the Committee; the process for submitting projects is defined in the attached Community Preservation Application.

The phrase that always comes up when describing West Tisbury is "rural character." The 2000 Open Space Plan defines rural character as: *The existence of large and small areas of woodland, field, ponds, streams, and wetland, especially along State- and Town-owned roads, which give the passerby the feeling of openness.* The preservation of West Tisbury's rural character is a preeminent value that is an undercurrent in all community decisions. This, plus the creation, preservation and support of Community Housing, are the principles that guide the Community Preservation Committee.

Acknowledgments

In formulating this plan the Community Preservation Committee has consulted with the Town's Affordable Housing Committee, Parks and Recreation Committee, Historic District Commission, Paths by the Roads Committee and Conservation Committee, as well as with the Dukes County Regional Housing Authority and the Martha's Vineyard Commission. Over the past several years, much work has been done by the Planning Board and others analyzing our Town. We have drawn upon this work in creating this plan. In particular, we have relied extensively on the following; West Tisbury's Master Plan (both the 1987 Plan and current 2006 Draft Plan), West Tisbury's 2004 Community Development Plan, and the Martha's Vineyard Housing Needs Assessment 2013. The Community Preservation Plan will be reviewed annually.

Community Housing

CPA funds may be expended for “...*the creation, preservation, and support of community housing and for the rehabilitation or restoration of such... community housing that is acquired or created*” under the Act.

Community Housing is defined to include housing for persons or families earning up to 100% of the median income for Dukes County (which figure is calculated by the US Department of Housing and Urban Development).

West Tisbury's Community Housing Profile

(excerpts from the 2010 Martha's Vineyard Commission Island Plan, 2005 Housing Needs Update, and the follow-up 2013 Martha's Vineyard Needs Assessment, Summary Findings)

West Tisbury has made great strides in the last decade in its efforts to create new housing opportunities for families including the construction of 3 additional rental units recently completed to add to the existing 3 affordable units at Sepiessa Apartments. Habitat has built 3 new homeownership opportunities to add to the existing 5 affordable single family homes on Bailey Park Road in Stoney Hill Farms Homeowners Association. There were 3 new homes built and now occupied on Harpoon Way off the Edgartown West Tisbury Rd, and 8 single family, LEED certified, energy efficient homes built in a cluster development on Eliakim's Way. In 2014, the voters agreed to finance through CPA, a rental unit in Vineyard Haven giving preference to a West Tisbury worker. All of these projects have come to fruition due to voter's support of CPA funding and the town's desire to address diverse housing needs. There is much to be proud of but much that still needs to be done.

West Tisbury has shown a great commitment over the years to increasing the supply of affordable housing in the hopes of allowing current residents the opportunity to continue to reside within the community. It has further recognized the need to have a diverse housing stock in order to have a healthy and economically diverse community, particularly as the escalating rise in property values and construction costs continue to challenge affordable housing initiatives.

By competing with local buyers, the seasonal and tourist-based economy of the Vineyard has greatly affected the rental and ownership market in West Tisbury. High property values have made affordable housing a critical issue for all of Martha's Vineyard and housing costs up island, including in West Tisbury, have traditionally been higher than in other parts of the Island.

According to the introduction in the most recent *Housing Needs Assessment, Summary Findings*, it was concluded that “The challenges to establishing a secure residence on Martha's Vineyard are quickly becoming insurmountable for a growing segment of the population, including a majority of those who grew up here, many skilled and well paid workers, and older households of moderate income...Over the next decade, more than 1,000 young, year round island residents will be forming new households with little chance of renting or owning on the Vineyard.” (Ryan, John J. *of development Cycles, Preserving Community: An Island-wide Housing needs Assessment 2001. The document was also updated in 2005*). The influx of an estimated 5,000 seasonal workers in the summer further complicate the Vineyard's housing needs.

According to the 2013 Martha's Vineyard Needs Assessment Summary, "West Tisbury had an affordability gap of \$344,000 for single family homes, among the highest on the island. This gap is the difference between what a median income household can afford (\$366,000) and the median priced unit (\$704,000)". This gap suggests

that it is extremely challenging to afford housing in town. There were only 39 single family homes in West Tisbury that would have been affordable to a household earning below median income, only three (3) for those earning below 80% AMI.

Table 21: Affordability Gaps for Homeownership as of September 2012

Town	Median Income *	Affordable Price **	Median House Price ***	Affordability Gap
Aquinnah	\$57,500	\$290,000	\$642,500	\$352,500
Chilmark	\$72,917	\$385,000	\$825,000	\$440,000
Edgartown	\$67,625	\$347,000	\$653,388	\$306,388
Oak Bluffs	\$59,156	\$280,000	\$374,000	\$94,000
Tisbury	\$58,551	\$275,000	\$430,000	\$155,000
West Tisbury	\$71,667	\$360,000	\$704,000	\$344,000
County	\$62,407	\$310,000	\$535,000	\$225,000

Source: Calculations provided by Karen Sunnarborg.

**Based on US Census Bureau estimates from its American Community Survey, 2008-2010 for Dukes County and 2006-2010 for the six towns. **Figures based on interest of 5.0%, 30-year term, annual property tax rate of \$5.36 per thousand for Dukes County (this is based on an average of the tax rates for all six towns, weighted by the number of housing units) and the actual tax rates for each town (\$3.93 for Aquinnah, \$2.08 for Chilmark, \$3.43 for Edgartown, \$7.39 for Oak Bluffs, \$8.01 for Tisbury and \$4.92 for West Tisbury) insurance costs of \$1.25 per \$1,000 of combined valuation of dwelling value (value x 0.5), personal property, (\$100,000 fixed), and personal liability (\$100,000 fixed), and 80% financing.*

The current market indicates that there is a serious gap between what a market-rate home costs and what families can actually afford. Folks are often working multiple jobs in a very tight job market, credit and mortgage issuers are getting stricter since the housing collapse and, even though our local banks have been trying to help, it is difficult for many families to get the credit scores they need to qualify for a mortgage or rent. According to LINK (the local Multiple Listing Service) there were 34 sales in West Tisbury in 2014 with a medium selling price of \$667,500. In February of 2015 the lowest priced house listed on LINK in West Tisbury was \$499,000.

Wealth has been concentrating at an accelerating pace, driving up housing prices, fueling the demand for lower paying service and retail jobs, and decreasing year-round housing availability. It continues to be the case despite significant progress that has been made, with the development in the last decade island wide of about 300 affordable and community housing units and approximately 100 units subsidized by the Dukes County Regional Housing Authority's Rental Assistance and Rental Vouchers Program.

One aspect of the housing dynamic on the Vineyard is that year-round residents, especially first time homebuyers, are competing with second-home buyers who, due to higher incomes, are often in the position to outbid local buyers, pay cash or obtain better credit ability to get financing. The same also holds true for those renting a housing unit. As a seasonal community, year-round residents often times do not have stable year-round rental housing. The seasonal rental market on the Vineyard provides a lucrative opportunity for landlords to rent their homes on a weekly or monthly basis during the summer months at a high price. As a result, year-round residents renting that housing unit are given a short-term lease and are forced to compete with vacationers and seasonal workers for summer housing at sharply higher rents. This results in the all too common “island shuffle” of having to move two or more times each year, which has both physical and sociological impacts as well as economic effects.

Another downside to this practice, with respect to housing affordability, is that the income-generating potential of housing is one more factor pushing up the value of property. Add to this, the fact that more than 1/3 of the island is in permanent conservation, which though preserving open space, also reduces development opportunities and increases the need to form more partnerships between housing and conservation interests on the remaining undeveloped land. A good example of this practice was the 8-unit Eliakim’s Way development which worked with the Land Bank on land acquisition.

One of the significant ways that the Town of West Tisbury has worked toward addressing its affordable housing needs is through its zoning bylaws, Section 4.4 of which currently, *“allow[s] the creation of apartments, multi-family dwellings, and accessory dwellings to help meet the Town’s housing needs, as well as the construction of individual residences on lots that do not satisfy minimum lot size requirements which will remain in the affordable housing pool in perpetuity; and to require affordable, year-round housing in all larger developments.”*

The 2013 MV Housing Needs Assessment, Summary Findings recommends producing 50 units island wide a year of affordable and community housing. It is suggested that a much higher percentage of rental units be developed to house the Island’s most vulnerable populations, with a split of 80% going toward year-round rental units and 20% to affordable homeownership. This is also reflective of the fact that most state and federal funding is for rental unit development. The 2010 Island Plan Highlights on housing has suggested that 20% of year round housing stock be permanently affordable to people earning less than 150% of the area’s medium income (AMI). This indicates the great disparity between income levels and the ability to pay for the actual cost of housing on island. CPA funding can only address up to 100% of AMI.

Community Housing Goals & Objectives

- Encourage the Town to commit a more dedicated stream of funding through CPA for critical ongoing housing needs
- Support non-profit and for-profit developers in the creation of affordable rental and ownership units such as single or multi-family housing units, duplex housing units, and/or condominium housing units, with long-term affordability restrictions achieved by way of a deed rider or ground lease.
- Work to ensure that current affordable restrictions do not expire and that they are monitored by groups such as the Island Housing Trust.
- Through CPA, continue to work with the other island towns, the Dukes County Regional Housing Authority, and the Martha’s Vineyard Commission, conservation organizations as well as other

affordable housing groups to address the need for affordable housing through cooperative multi-town projects. This is an Island problem!

- Work toward the state's goal of designating 10% of a town's year-round housing stock for affordable housing, as defined by the Department of Housing and Community Development, to be counted towards the state's Chapter 40B Subsidized Housing Inventory.
- Continue to encourage designating a percentage of developable vacant Town-owned land for the purposes of addressing the need for both rental and homeownership units for families and individuals earning up to 100% of the area median income.
- Seek monetary funding from the State, local, or private resources for the development or rehabilitation of affordable housing, including both rental and homeownership.

Encourage community consensus on additional appropriate measures for creating affordable housing, such as refining or changing zoning bylaws to allow for increased density within certain areas of the town using alternative treatment facilities versus basic title V septic systems and wells.

- Early on in the process, encourage developers who come before the CPC to seek ways to work with abutters of potential developments to ease their concerns in hopes of avoiding "Not In My Backyard" (NIMBY) sentiments which prolong the process and cause expensive delays.
- Continue to set aside a fund to assist renters through the Dukes County Regional Housing Authority and rental voucher program.
- Encourage the support of the building of "Green" Leed practices in the construction or rehabilitation of housing in hopes of continuing the affordability of these homes into the future.
- Continue to support the Town's Affordable Housing Committee in such projects including:

Purchase of land and/or buildings for affordable housing developments;

Provide income qualified renters with funds for first, last and security deposits

Develop an incentive program whereby residents get tax breaks in exchange for permanently restricting by deed the resale price of their real estate for affordable housing.

Provide mortgage assistance to income-qualified homebuyers and homeowners in exchange for perpetually deeded resale restrictions.

Open Space

CPA funds may be expended for "...the acquisition, creation, and preservation of open space...", and for the rehabilitation or restoration of such open space.

Profile of West Tisbury's Open Space and Natural Resources

Despite the distinct physical characteristics and different patterns of land use, the people of the six towns of Martha's Vineyard share a deep appreciation for the natural beauty of their surroundings and the connection

between the Island's open, undeveloped spaces and water quality, habitat protection, scenic vistas, recreational opportunities and access, and overall enjoyment of a unique quality of life. In addition to notable efforts by the six towns, the Vineyard is graced with private conservation organizations, both local (Sheriff's Meadow Foundation, Vineyard Conservation Society, Vineyard Open Land Foundation) and Mainland-based (Trustees of Reservations and The Nature Conservancy). Over the decades, the vision and dedication of these organizations have resulted in the successful protection of especially choice parts of the Island.

The creation and implementation of the Martha's Vineyard Land Bank Commission illustrates the breadth of this appreciation among Islanders and citizens of each town. Established in 1986, our Land Bank uses a surcharge, paid by the buyer, on each transfer of real estate for the purpose of acquiring, holding and managing land and interests in land such as (a) land to protect existing and future well fields, aquifers and recharge areas; (b) agricultural land; (c) forest land; (d) fresh and salt water marshes and other wetlands; (e) ocean and pond frontage; beaches, dunes and adjoining backlands, to protect their natural and scenic resources; (f) land to protect scenic vistas; (g) land for nature or wildlife preserves; (h) easements for trails and for publicly owned lands; and (i) land for passive recreational use. Through 2003, the Land Bank had preserved 738.9 acres in West Tisbury alone, complementing the efforts of the other conservation groups. The Land Bank is an effective tool for towns to target and realize their open space objectives.

The West Tisbury 2000 Open Space and Recreation Plan identified 6,536 acres, 42% of the town, as having some degree of conservation protection. Thirty-nine percent of the town is protected permanently; of this, the State Forest accounts for 41%. If the State Forest acreage were excluded from consideration, 29% of the town's (non-State Forest) total area or nearly 3,900 acres would have some form of protection. Often overshadowed, but evident from the ownership of conserved land, private landowners play a significant role in efforts to conserve portions of the town. In 2000, privately owned protected land exceeded the amount held by the Town's Conservation Commission, the Land Bank and the private non-profits combined. West Tisbury sets as the Town's highest priorities (in no particular order):

- Active or fallow farmland, particularly if visible from a public road or water body
- Vacant or virtually vacant pond front or coastal parcels, including beaches, dunes, bluffs and adjoining backlands
- Forest land
- Hilltops and other scenic vistas
- Any vacant or virtually vacant property bordering existing protected open space
- Other environmentally sensitive areas such as fresh and salt water wetlands, sandplain grasslands and other wildlife habitat
- Any trail easement connecting or potentially connecting other protected open space or conservation land

West Tisbury Conservation Commission

The primary function of the Conservation Commission is the protection of the Town's wetlands. The Commission is the local permitting authority under the Massachusetts Wetlands Protection Act (WPA). The WPA regulates dredging, filling, removing or regulating activities within these areas to protect the wetlands value for flood control, storm damage prevention, prevention of pollution, drinking and groundwater supply, fish and shellfisheries, and wildlife habitat. Anyone proposing to work in a resource area must apply to the Commission for a determination of the law's applicability and, if it is applicable, obtain an Order of Conditions regulating the activity.

In the 1987 Master Plan, one of the primary goals of the Commission was the adoption of a Town non-zoning wetlands bylaw and associated regulations; this was accomplished in 2004. The bylaw establishes the buffer zone created under the WPA as a resource area in its own right and gives the Commission the ability to create

performance standards for work proposed in the first 100 feet from a pond, bordering or isolated wetland and for work near vernal pool habitat. The Commission is currently developing new Wetlands Protection Bylaw Regulations.

Another responsibility given the Commission by Massachusetts General Law is the management of land for conservation and passive recreation. The town purchased the 365-acre Greenlands preserve in 1982 for the primary purpose of protecting a portion of the Regional Aquifer and to provide passive recreation. In accordance with the management plan, the Commission has worked with the Martha's Vineyard Land Bank to re-establish and create new walking trails. In 2004, the site was dedicated to a long time Conservation Commissioner and was renamed the Margaret K. Littlefield Greenlands.

The Commission is also charged with stewardship of land purchased for open space and land entrusted to the Town's care. Additionally, the Commission reviews conservation restrictions between various land conservation organizations and West Tisbury property owners. To date, conservation restrictions have been placed on over 2,000 acres of land.

Open Space Goals & Objectives

- Protect water quality (surface water, watersheds, public well zones); identify areas of land with the greatest sensitivity and seek to preserve the land for water quality protection; educate public about water quality issues (nitrogen reduction, run-off, Title V, vegetation management, etc.).
- Increase open space to protect woodlands, habitat protection, wetlands, well zones, agricultural lands, water access, parcels in existing neighborhoods; identify areas where public access to the water is limited (for swimming, beaching, boating, walking) and seek additional public coastal access; identify and prioritize those areas most significant to watershed and habitat protection and seek protection; review need for additional open space in underserved areas; educate public on value of open space to the community's quality of life and economy.
- Ensure that open land stays open; obtain Conservation Restrictions on parks, neighborhood common lands.
- Protect scenic vistas, roadside greenbelts, wildlife habitat & historic areas.
- Provide walking trails; reactivate Trails & Byways Committee; seek to protect trails & ancient ways, possible Special Ways Bylaw, identify areas where new trails would be suitable.
- Preserve and protect natural resources from invasive species.
- Strengthen viability of agriculture, including but not limited to preservation of farmland, through monetary grants, land purchases, etc.

Recreation

CPA funds may be expended on "...the acquisition, creation, and preservation of land for recreational use... and for rehabilitation or restoration of... land for recreational use..." under the CPA. Recreational use is defined as active or passive. The Act prohibits use of funds to acquire, create or preserve land for a stadium, gymnasium, or similar structure.

As of July 8, 2012, Chapter 44B H4200, was signed into law allowing the same use of funds for recreational land and facilities regardless of whether they were acquired/created with CPA funds or not. This change in the law allowed the CPC, with Town Meeting approval, to fund the rehabilitation of the infield of the Gretchen Memorial Ball Field, scheduled to begin in the fall of 2013.

Profile of West Tisbury's Recreational Facilities

Beaches

Beaches are the heart of recreation on Martha's Vineyard. Each of West Tisbury's two beaches has a distinct character.

Lambert's Cove Beach is an 1,800-foot-long beach on Vineyard Sound. It is accessible by a short walk through the woods from the parking lot off Lambert's Cove Road. The beach is guarded from late June through Labor Day from 10 a.m. to 5 p.m. daily.

Seth's Pond is a 12-acre freshwater kettle pond. The sandy portion of the beach has receded dramatically over the past three years.

The growing year-round and seasonal population strains the capacity of the beaches, the parking places and access. Parking space at Lambert's Cove Beach is not able to accommodate even five percent of the cars for which beach stickers have been issued. The Parks and Recreation Committee's attempt to renovate and slightly enlarge the parking lot was restrained by conservation concerns. It did, however, install a new fence and grade the parking area in 2002. By necessity, parking occurs along Lambert's Cove Road; only those cars without stickers are towed. Increasing boating in Lambert's Cove is hazardous to swimmers. Seth's Pond is vulnerable to pollution, and at peak season, high coliform counts have at times necessitated closing the beach.

Tennis Courts, Ball Fields, Playground and Sponsored Activities

The Parks and Recreation Committee is responsible for maintaining the school ball field and Manter field for use year round, as well as the grounds and playground equipment at the Town Hall and the park at Mill Pond. At Town Meeting in April 2004, the Town approved \$65,000 to renovate the tennis courts, which was completed in 2005. At the 2011, Annual Town Meeting, \$80,000 was approved for a new basketball court adjacent to the tennis courts at the school which was completed in the fall. At the 2013 Annual Town Meeting, \$12,000 in Community Preservation Funding was approved to renovate Manter Field. This project was completed in the spring of the following year. In 2014, funding was approved to renovate the ball field at the West Tisbury School as well.

Town-sponsored recreation may be less of a necessity than other services, but the availability of recreation is an important aspect of the quality of life in a community. The feasibility of Town-supported, year round and summer programs becomes greater as the community grows, simply because there is a greater population to participate in and support such programs. The Council on Aging offers some recreation for senior residents. The Parks and Recreation Department offers a summer basketball and swim program, and a winter recreation program including sports, art, theatre, chess and yoga, which supplement other activities available on the Island. It also hosts individual events through the year such as the Halloween party and family skating at the Martha's Vineyard Arena.

Other Recreation

An array of recreational pursuits in West Tisbury occurs apart from the facilities described above. Bicycling, jogging, walking, horseback riding, bird watching, nature study, shell fishing, and fishing are some of them. In many cases, Town policies and decisions have had and will have a significant impact on the availability and

quality of such pursuits. The only recreation area not run by the Town is Long Point, which is run by the Trustees of Reservations.

Parks and Recreation Committee

The Parks and Recreation Committee has the responsibility of overseeing the recreational facilities of the Town; they hire personnel to sell beach stickers, supervise use of the beaches and courts, give swimming lessons, and contract for the care of the Town grounds in their charge.

Recreation Goals & Objectives:

- Maintain the quality of beach areas for Town residents by securing sufficient space and access to prevent overcrowding and by conscientious supervision of existing beaches.
- Create opportunities for environmental education.
- Preservation of quality playgrounds, ball fields, tennis and basketball courts.
- Develop a long-range financial plan for upgrading all physical properties under the direction of the Parks and Recreation Committee.

The Committee's \$132,290.53 budget for 2014 is allocated for beach expenses, personnel, swim and many recreation programs. Revenues from the sale of beach stickers was \$61,805. This includes the new tennis program of key sales for use of the courts. In 2008 the Committee had a new shed built in front of the tennis courts which serves as the summer office. This has greatly improved the consistency, efficiency and accessibility for the community.

Historic Preservation

CPA funds may be expended "...for the acquisition, preservation, rehabilitation and restoration of historic resources..." A historic resource is defined to include a building, structure, vessel, or other real property that is either listed or eligible for listing on the State Register of Historic Places; or determined by the local Historic Commission to be significant in the history, archeology, architecture, or culture (including cultural landscapes) of the Town.

Profile of West Tisbury's Historic Resources

There is presently an historic district in the West Tisbury town center. This district was established in 1982 and originally included 14 properties. In April of 2000 at annual town meeting, by two-thirds majority, the district was expanded along Music Street, Old County Road, State Road toward the cemetery, and West Tisbury-Edgartown Road, to include 119 properties. The purposes of the historic district are: 1) to preserve distinctive characteristics of significant historic sites; 2) to maintain and improve the setting of such sites; and 3) to encourage compatibility of new building designs with existing ones.

At the present time there is only one site in West Tisbury listed on the National Register: the Old Mill building on Edgartown-West Tisbury Road (MV Garden Club headquarters). Whether other sites or larger areas will eventually also be listed is not yet certain; the Historical Commission is considering possibilities. It is the combination of National Register listing, the establishment of local historic districts, and zoning that provides the most effective protection from inappropriate, aesthetically incompatible construction and development.

Historical Inventory

The committee appointed to study the need for an historic district began an inventory in 1979, focusing on the town center area. In 1984 the Historical Commission began the work necessary to make it complete. This inventory was finished in 1986 and is on file in Boston at the office of the Massachusetts Historical Commission as well as at the Town Hall. In addition to providing information for potential districts, the

inventory can provide material for a comprehensive community history and be an important educational tool. The current inventory is by no means complete. It is an outline of the Town's historic assets. In the future, additional research is needed to fully document building dates, expand the body of knowledge, and substantiate some of the existing information concerning the history and historic sites of West Tisbury.

A total of 198 historic properties have been identified. Ten are either pre-historic or historic-period archaeological sites; one is an area designation – the section of North Tisbury known as Middletown; 180 are specific buildings; five are cemeteries; and two are monuments. Further research will probably establish that there are about five buildings in town that were built in the late 1600s, 35 houses built in the 1700s, and 126 in the 1800s. Each site, with a photograph and designated by the appropriate assessor's map and lot numbers, is recorded on a Massachusetts Historical Commission inventory form. (Unfortunately, because of the State Historical Commission's policy of maintaining sole oversight access to sites of archaeological value, the forms describing those sites are not duplicated in the Town's files.)

Historical Character

It is clear that what characterizes the Town and what popular consensus wishes the Town to maintain is an essentially rural ambiance. The original Town was incorporated in 1671; the part that is now West Tisbury became separately incorporated in 1892. In all those years some old structures were preserved, even if in modified ways, and some were moved to new sites or given new functions. What has primarily contributed to the Town's distinctive atmosphere is not the existence of numerous famous old houses or of an untouched old town, but the spatial patterns – the acreage of woodland, farmland, and wildlife sanctuaries, with clusters of relatively old public buildings and private dwellings bounded and enhanced by the spaces between. West Tisbury's historical character has thus been marked not simply by the look of its older buildings and open fields, but inescapably by the visible patterns of communal life to which all the buildings and sites contribute.

Historic Preservation Goals

- Protect the present historic district as the Town's center – a place where town business, library use, and religious activities all come together.
- Encourage the Historic District Commission to study the possibility of expanding the present district along State Road toward the concentration of residential and commercial properties that constitute Middletown.
- Begin and complete an inventory of roadside trees in the present historic district and Middletown
- Use every reasonable means to resist the crowding or invasion of those open spaces through which one approaches the Town center, Middletown, and other historic areas that deserve respect.
- Support the rehabilitation and restoration of historic sites located within the Town.

Appendix

Community Preservation Act – Funded Projects 2007-2015

Open Space:

Mill Pond Studies: Approved \$20,000 in 2008, completed in 2011, remaining funds(\$89.57) returned to the Community Preservation Open Space reserve in 2013.

Old County Road path project: Approved \$80,000 in 2007, expended \$2,156 on planning. Further expenditures were postponed indefinitely in 2008, and the balance of the path project funds were returned to the CPA undesignated reserve in 2009.

Field Gallery: Approved \$310,000 from funds available in 2011, plus \$40,000 in Open Space funds available in FY 2012, and a commitment to provide \$40,000 per year in Open Space funds for four additional years to support debt service.

Renovation of the Manter Memorial Baseball field: Approved \$12,000 in 2013.

Renovation of the West Tisbury School Baseball field: Approved \$12,000 in 2014.

Penn Field phase II construction (MV Little League): Approved \$25,000 in 2014.

Historic Resources:

Town Hall Renovation, debt service on bond issue: Approved \$500,000 in 2008, with \$100,000 to be expended annually beginning in 2009 and completed in 2010.

First Congregational Church of West Tisbury, engineering and architectural studies to prepare for historic preservation and restoration work: Approved \$30,000 in 2009, completed in 2011: Approved \$150,000 toward preservation of the church's structural integrity in 2010. Project completed in 2014.

Cemetery Records, collect and organize records for the town's cemeteries: Approved \$10,000 in 2009; project in progress.

Replacement of windows in historic Dukes County Courthouse, Approved \$8,150 in 2010; completed in 2013. Approved \$10,808 at Fall STM in 2013 for Phase II repairs; Project complete.

Historic Resources Inventory, to develop a comprehensive database of the town's historic resources. Supported by CPA administrative funds: \$5,700 in 2007, 13,000 in 2008 and 13,000 in 2009;

Martha's Vineyard Museum: Approved \$27,038 in 2012 to catalog and preserve historic material in the collection of the Martha's Vineyard Museum; Project completed in 2014.

Town Hall Records preservation: Approved \$5,250 in 2012; in progress, \$5,000 in 2013; in progress.

West Tisbury Library Archival Storage Cabinet, Approved \$7,442 at Fall STM in 2013. Project complete.

Electrical Systems Upgrade Dukes County Courthouse, Approved \$8,239 in 2014; Project in progress.

Replacement of West Tisbury Cemetery Fence. Approved \$75,000 in 2014; Project out for bids.

Preservation of Old Mill (MV Garden Club). Approved \$30,000 in 2014 to repair roof and other exterior elements; Project Completed in 2015.

Gay Head Lighthouse Relocation Project. Approved \$80,738 in 2014; Project in progress.

Martha's Vineyard Agricultural Society Historical Resources Preservation (MVAS). Approved \$2,650 in 2014 to protect and archive historic documents; Project completed in 2015.

Community Housing:

Sepiessa Affordable Rental Property expansion, to add three additional units: Approved \$29,000 for predevelopment costs, 2007; Approved \$250,000 for construction, 2008; Approved \$70,000 for Septic upgrade and expansion, 2012; Approved \$242,000 in 2013; Project completed in 2014.

Rental Subsidies, for Dukes County Regional Housing Authority ongoing rental assistance program: Approved \$18,000 in 2007, \$30,000 in 2008, \$66,000 in 2009, \$104,000 in 2010, \$104,000 in 2011, \$86,000 in 2012 and \$58,000 in 2013, \$104,000 in 2014.

Affordable Housing Bailey Park: Approved \$45,000 in 2008 to fund access and electricity rights for three affordable single family homes on Bailey Park Road. In 2010, the West Tisbury Affordable Housing Trust Fund was granted \$225,000 in CPA funds towards completion of this and other affordable housing projects. In 2011, and additional \$80,000 was approved to construct house #2. \$104,000 Approved in 2012 for house #3; all homes have been completed and are occupied by eligible families.

Affordable Housing, 250 State Rd, renamed Eliakim's Way: Approved \$400,000 in 2008 and \$170,000 in 2009 to support affordability of six new homes; project is complete. In Spring 2010, seven homes were awarded to eligible buyers by lottery; Habitat for Humanity has designated a recipient for the eighth home. All homes have been completed and are occupied by eligible families.

Affordable Housing, 619 Edgartown Rd: Approved \$150,000 in 2012 to support construction of two affordable homes, Both homes have been completed and are occupied by eligible families.

Second Mortgage Loans: A fund administered by the Marthas Vineyard Housing Fund to assist qualified buyers of affordable housing. Approved \$50,000 in 2008, loans awarded in 2008-2009. Approved \$70,000 in 2010; \$52,700.00 remaining.

Energy Efficient Construction: A fund administered by the Martha's Vineyard Housing Fund to support energy efficiency in affordable housing. All remaining funds transferred to CPC undesignated reserve.

Affordable Housing Trust Fund: A fund administered by the Affordable Housing Committee and the Board of Selectmen to support affordable housing initiatives. Approved \$50,000 in 2013.

Fire Station Lot-predevelopment, Approved \$50,000 in 2014. Project in progress.

14 Village Court Rental Apts. (Island Housing Trust), Approved \$65,000 in 2014 for renovation of six unit building in Tisbury, with preference for 1 unit for a WT resident or WT employed person. Project completed in 2015.

Summary: Changes to the Community Preservation Act

July 2012

This document summarizes the major changes to the Community Preservation Act included in H. 4200 signed by Governor Patrick on July 8, 2012. The section numbers shown below are those found in Chapter 44B, The Community Preservation Act enabling statute, which can be found at: www.communitypreservation.org/content/text-legislation

In addition to the changes explained below, H. 4200 also included a \$25 million transfer from the state's FY 2013 budget surplus to the statewide CPA Trust Fund, for distribution to CPA communities in the fall of 2013.

Section 2

- Adds a new definition for "Capital improvement" as shown below.

"Capital improvement", reconstruction or alteration of real property that: (1) materially adds to the value of the real property or appreciably prolongs the useful life of the real property; (2) becomes part of the real property or is permanently affixed to the real property so that removal would cause material damage to the property or article itself; and (3) is intended to become a permanent installation or is intended to remain there for an indefinite period of time.

- "Historic resources" definition: Deletes the confusing phrase "or eligible for listing," as shown below.

"Historic resources", a building, structure, vessel, real property, document or artifact that is listed ~~or eligible for listing~~ on the state register of historic places or has been determined by the local historic preservation commission to be significant in the history, archeology, architecture or culture of a city or town.

- Adds a clearer definition of the term "Maintenance" as shown below, and relocates the prohibition on using CPA funds for maintenance to Section 5(b)2.

"Maintenance", incidental repairs which neither materially add to the value of the property nor appreciably prolong the property's life, but keep the property in a condition of fitness, efficiency or readiness.

- For recreation projects only, expands the definition of "rehabilitation," as shown below, to allow for replacement of recreational equipment and other capital improvements.

"Rehabilitation", capital improvements, or the making of extraordinary repairs, to historic resources, open spaces, lands for recreational use and community housing for the purpose of making such historic resources, open spaces, lands for recreational use and community housing functional for their intended uses including, but not limited to, improvements to comply with the Americans with Disabilities Act and other federal, state or local building or access codes; provided, that with respect to historic resources, "rehabilitation" shall comply with the Standards for Rehabilitation stated in the United States Secretary of the Interior's Standards for the Treatment of Historic Properties codified in 36 C.F.R. Part 68; and provided further, that with respect to land for recreational use, "rehabilitation" shall include the replacement of playground equipment and other capital improvements to the land or the facilities thereon which make the land or the related facilities more functional for the intended recreational use.

Summary: Changes to the Community Preservation Act

July 2012

- Adds a definition of “support of community housing,” as shown below, to clarify that assistance may be provided directly to persons that qualify for community housing.

“Support of community housing”, shall include, but not be limited to, programs that provide grants, loans, rental assistance, security deposits, interest-rate write downs or other forms of assistance directly to individuals and families who are eligible for community housing or to an entity that owns, operates or manages such housing, for the purpose of making housing affordable.

Section 3

- Allows communities to adopt CPA at the ballot with a minimum 1% property tax surcharge and then dedicate additional municipal revenues (such as hotel/motel excise taxes) to their CPA Fund, up to the full 3% of the real estate levy against real property.
- Adds a new, optional commercial exemption for the first \$100,000 of property value for commercial and industrial properties, mirroring the current optional \$100,000 residential exemption.

Section 5

- Adds a requirement that Community Preservation Committees should, as part of their Community Preservation Plan, consider CPA projects that are regional in scope.
- Modifies the allowable uses of CPA funds to permit the rehabilitation of existing recreational land not created or acquired with CPA funds.
- Adds a prohibition on using CPA funds to acquire artificial turf for athletic fields.
- Clarifies that in the case of cities, legislative body action on CPA spending recommendations will be governed by the same procedures used for other city appropriations, as specified in the city charter.

Section 6

- Allows communities to use their annual 10% open space set-aside on both passive and active recreation projects.
- Allows communities to use some of their CPA administrative and operating expenses, in their first year only, to cover CPA costs associated with tax billing software upgrades. Such costs currently must be paid from non-CPA revenue sources.

Summary: Changes to the Community Preservation Act
July 2012

Section 7

- For communities that adopt CPA with the provision allowing for additional municipal revenue to be deposited into their Community Preservation Fund, this section provides the language that allows that additional revenue to be deposited into the fund.

Section 10

- Allows the CPA Trust Fund disbursement for municipalities to be delayed to November 15th each year, if necessary, so that monies from the state budget surplus can be deposited into the CPA Trust Fund prior to the distribution. Previously the deadline was October 15th.
- If applicable, requires municipalities to certify to the commissioner of revenue by October 30th each year the maximum additional funds it intends to transfer to its Community Preservation Fund from other allowable municipal revenues for the following fiscal year, and clarifies that such municipalities will qualify for annual CPA matching funds for those additional funds, as well.

Section 12

- Clarifies that a real property interest *acquired* by a municipality by any mechanism using CPA funds shall be bound by a permanent restriction. Current legislation uses the word *purchased*.
- Changes the term “deed restriction” to the more proper “permanent restriction,” and clarifies that the restriction must be recorded as a separate instrument that meets the requirements of Chapter 184, sections 31 to 33.
- Clarifies that CPA funds may be appropriated to non-profit organizations to hold, monitor and enforce restrictions limiting the use of land to CPA purposes.

Section 16

- Allows communities that have already accepted the CPA at a surcharge level above 1% the option of reducing their CPA surcharge to 1% and committing additional municipal revenues to their Community Preservation Fund, pursuant to Section 2 above.

Please Note: This document was prepared on July 9, 2012 by the Community Preservation Coalition based on an unofficial version of the Community Preservation Act as amended on July 8, 2012. The Coalition does not render legal opinions or advice, and recommends consulting with an attorney.

