

PRESERVING WATER VIEWS AT SPRING POINT

- INTRODUCTION - By Bob Lunbeck, President for
The Spring Point Board of Directors

- REPORT - "Preserving Water Views at Spring Point" -
A written report and Spring Point map -
Prepared by the Vineyard Open Land Foundation

- SUMMARY OF INDIVIDUAL WATERVIEWS

- COMMENTS ON THE WATERVIEW REPORT - By
Architectural Review Committee Members

Preserving Water Views at Spring Point

Introduction

The subject of waterview preservation was introduced and discussed at the August 8, 1993 Annual Meeting. Following is an excerpt from the minutes of that meeting:

"President Lunbeck introduced the subject of view preservation. He noted that Spring Point is becoming a dense forest of immature trees which will continue to grow and impair water views. He referred to Spring Point's governing document (The "Declaration") which established our association and mandates that the "natural beauty" of Spring Point be maintained.

He reported a view preservation plan which has been undertaken by the Prospect Hill Association, a north shore community of approximately 40 properties. Prospect Hill has retained the executive director of the Vineyard Open Land Foundation to prepare a view preservation plan. Under this plan, the initial phase was a determination of the waterview potential of each property giving due regard to the topography and the siting of homes already built or to be built. These determinations were then included in an overall property map showing the feasible "view lanes", and a report was prepared describing the existing view and the view potential for each property, and specifying how the view potential could be achieved through selective cutting or clearing on the respective individual property or on neighboring properties. The second phase of the project calls for the planner to meet privately with the individual property owners to review his determination and recommendations for achieving the view potential.

President Lunbeck then asked for comments or questions from the members:

The question of cost was raised. President Lunbeck gave \$10,000 as a rough estimate for the complete plan including the individual private meetings with each property owner.

There were comments about the need for such a plan including:

- "we don't need it, we can work within our existing guidelines and with our neighbors"

- "our waterviews make our properties valuable and we should do what we can to preserve them"
- "this plan would be a great help as a guide to the Architectural Review Committee in approving requests for cutting or clearing"
- do we need to include the individual meetings as a part of the plan?"
- "can't we as individuals retain a planner to advise on view preservation for our own properties?"

President Lunbeck then estimated that eliminating the individual meetings would reduce the cost of the plan to about \$5,000.

After further discussion, a motion was made and seconded to proceed with a View Preservation Plan. The motion as amended after further discussion was: "to engage the Vineyard Open Land Foundation to conduct a view preservation study for Spring Point for our roads and properties with specific recommendations for each individual property and to furnish a report detailing the findings of the study, with the cost not to exceed \$5,000."

A show of hands vote on the motion was called and the motion was approved with 19 in favor and 8 opposed."

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Following the meeting, the Spring Point Board of Directors authorized and directed President Lunbeck to enter into a project contract with the Vineyard Open Land Foundation for an amount not to exceed \$5,000 to:

- make a detailed objective analysis of the present and potential waterviews of each of our properties and from our roads and the cemetery
- prepare an accurate overall topographic map of Spring Point showing the potential "view lanes" for each property and from our roads and the cemetery.

This work has been carried out by Mark Racicot, during his service as Executive Director of the Foundation. Mark will attend our Sunday, August 14 Members' Meeting to discuss his findings and to answer questions about the project and his recommendations.

The Board hopes that you will take time to read his report and be present at the Members' Meeting at Gail and Jerry Davidson's home on lower Hammett Road.

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Mark has also offered his services for meetings with individual property owners to review the plan and proposed view alternatives. He will allow for a one hour meeting at the property owners site at a cost of \$75 payable to the Open Land Foundation. If desired, the meeting could include the other property owners who affect the property owner's views.

Mark will be available for such meetings on Saturday, August 13th (the day before the Annual Meeting). To arrange for a meeting, call Carol Magee (Mark's successor as Executive Director) at the Vineyard Open Land Foundation (508-693-3280).

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As you may already know, and as the report indicates, tree growth since the 1973 inception of Spring Point on our properties, the beachfront Common Land, and our roadsides has eliminated all summer road waterviews and will gradually block most individual waterviews (barring hurricanes or blights).

We now have a detailed Waterview Preservation Plan, which the Board believes will facilitate our working together as a community and as neighbors to preserve and enhance the natural beauty of Spring Point.



Robert A. Lunbeck, President
for the Spring Point
Association Board of Directors

PRESERVING WATER VIEWS AT SPRING POINT
A REPORT TO THE SPRING POINT ASSOCIATION
Prepared by Mark G. Racicot, Executive Director
Vineyard Open Land Foundation
6/2/94

The goal of this report is to provide the Directors of the Spring Point Association, the ARC, and the landowners with objective guidelines for retaining and obtaining water views. The specific objectives of this project were 1) to determine the existing and potential views from each house or lot, 2) to determine over which lots a given view existed, 3) to make recommendations regarding appropriate cutting/planting to retain or restore the views while at the same time protecting wildlife habitats, and 4) to examine the views from the Common Areas (in particular the roads and the cemetery) and to make recommendations regarding the long-term management of the common areas.

The process began with the preparation of the 1"=200' base map which illustrates the various physical site features of Spring Point. The next phase was to visit each house or lot to determine the existing and/or potential views. In the case of vacant lots, various potential house sites were considered. The view analysis was completed in March and April, 1994, when potential views were visible since the leaves were not yet on the trees. Views were measured with a hand-held compass, and were estimated to the nearest degree. All compass angles are listed using one to 360 degrees descriptions, with 360 being true north, 90 degrees being east, 180 degrees being south, and 270 degrees being west. These viewscape angles were then marked on the map for each lot. A copy of the map accompanies this report.

Many of the owners of houses at Spring Point have seen significant encroachment of their water views due to the growth of vegetation. Some lot owners have been able to retain their views through recorded or unrecorded agreements with abutters which allow the cutting of vegetation which has encroached on the view. Some lot owners, due to the topography and orientation of their lot, have not yet experienced significant reduction of their view. However, it should be noted that the trees at Spring Point will continue to grow, with the result that almost all of the existing views will be impacted. In conducting my analysis, I made the assumption that since oaks on the site have the potential for 60' heights, a view was not guaranteed unless the owner

controlled the 60' in elevation below the house in the viewshed. Based on this assumption, it becomes clear that most of the lot owners in Spring Point do not fully control their views.

In the case of a number of the western lots, the views are impacted by vegetation on the adjacent Harris Trust Property. However, since the Harris Trust also owns land to the south of lots 34, 35 and 39 (all Meyer) and could benefit by a view easement over these and other lots, it may be possible to negotiate mutually advantageous view clearing/maintenance agreements.

The maintenance of views can be accomplished by either topping or cutting down existing vegetation. Because in many areas the trees are important for ground level screening between the houses, removal may not be a viable option. Topping of these trees may provide for interim view retention, but topping requires constant maintenance due to the rapid regrowth of trees after pruning. An alternative long term solution is to initially top or thin the trees, and at the same time plant appropriate replacement stock underneath the trees (or allow for growth of natural regeneration). Topping would probably remain an annual necessity for a number of years. However, once the underplanted stock has grown, the overstory trees can be removed. Appropriate replacement stock will vary from lot to lot. Shorter (15' tall) native blueberry, maleberry, bayberry, arrowwood, swamp azalea and Russian olive or taller (20-25') shadbush may be used based on required screening height and soils conditions (wetland versus upland). Native evergreen red cedars will grow relatively slowly, and will therefore provide dense ground level screening for many years before they would impact views, and will generally be shorter than oaks at maturity.

Re-establishment of meadows would also be a method of restoring views in areas where ground level screening by shrubs is not necessary between houses. Each of the various possibilities will have an impact on wildlife habitat, but use of native vegetation in the view areas can also provide new habitats. One possible meadow location is on lots 23 (Rosenbaum) and 20 (Weichert). Other hilltop areas where trees may impact views from other lots [e.g. 70' hilltop on lot 13 (Kenney)] may also be appropriate for meadow restoration. Once established, these meadows would be maintained by annual mowing at times which would not impact use of the areas by wildlife.

Long-term management of the common areas as preserved natural wildlife areas can also help to mitigate the habitat changes in view restoration areas.

The common areas of Spring Point consist of the beach, the cemetery, and the 40 acre parcel known as the Woodland. These areas are open for use by the Association members. These areas were established in the covenants which were instituted at the time of the subdivision of the property.

These covenants run with the land, but ARE NOT PERPETUAL, but rather depend upon periodic votes of the Association membership to continue.

The intent in establishing the common area was to maintain appropriate portions of the property for wildlife areas and community use. The Declaration also allows the Association to place these areas under a permanent conservation restriction, but this has not yet been done. A conservation restriction is the only permanent means of protecting this land as wildlife habitat. Without this permanent protection, the Woodland (in spite of large areas of wetlands) could be used for residential development in the future if the covenants were allowed to lapse.

The Spring Point common Woodland is an important component in a potential continuous open space corridor which would connect the Menemsha Hills Reservation with the extensive conservation properties along the Mill Brook at the east end of North Road in Chilmark. Negotiations are underway to protect additional properties in this corridor through conservation restrictions. Negotiations on other properties can often be spurred on by successes on nearby properties. Therefore, placing a conservation restriction on your common woodland would not only ensure proper long-term uses of this area, it could also result in the preservation of additional parcels along the North Road corridor. Also shown on the accompanying map are portions of some of the lots abutting the Woodland which could be included in a conservation program to expand the permanently preserved habitat areas. This expanded conservation area is comprised of 'excess' acreage on the lots which could be added to the adjacent conservation areas without impacting the use of the lot for residential purposes. I look forward to discussing these conservation restriction proposals with the Association members at your annual meeting.

20 house). The vegetation between the house and the water is approximately 10'-15' tall. Portions of this water view may be lost in the future due to growth of vegetation on the Common Land and part of lot 24 (Lee).

LOT #28 : Lee

The view from the northwest corner of the second-story deck is approximately from 240 degrees (at the Gay Head light) to 20 degrees. This view is very good quality now, but vegetation on lots 27 (Davidson), 29 (Kass), and the Common Land, may grow to impact the existing views.

LOT #29 : Kass

The view from the deck at the northwest corner of this house is approximately 210 degrees (at the Sandhill) to 335 degrees. The view from the southwest corner of the house is more limited (and ends at 250 degrees) due to vegetation on lot 30 (Campbell). This south end view could be expanded, or a limited tunnel view could be established, to allow for a view of the Gay Head light from the southwest deck, by limited cutting on lot 30. Long-term retention of both views may be dependent upon vegetation management on the Common Land and a portion of lot 30.

LOT #30 : Campbell

The view from the center of the deck of this house is approximately 290 to 350 degrees over an area of existing topped trees. It appears that the view could be expanded to the south (to 215 degrees) by management of trees near the house and perhaps on the north corners of lots 31 (Hobby) and 32 (Kaplan) in the future. Maintenance of the existing view is dependent upon vegetation management on the Common Land and a portion of lot 29 (Kass).

LOT #31 : Hobby

The view from the center of the deck of this house is approximately 265 to 310 degrees over an area of topped vegetation. This view is entirely over the subject lot and the Common Land. It may be possible to expand this view, if desired, to the north through cooperative limited cutting

with lot 30 (Campbell). The existing view is dependent upon vegetation management on the Common Land.

LOT #32 : Kaplan

The view from this vacant lot was analyzed from the pole which is approximately 210' from the road in the center of the property. The best potential for a view appeared to be in the direction of 260 to 320 degrees (over the subject lot and the Common Land). However, this also includes a narrow strip of Harris land at the top of the bluff on the Common Land, which may someday limit the view. A better view angle may therefore be more to the north across a corner of lot 31 (Hobby) and the Common Land. (See additional discussion related to Harris land in introduction.)

LOT #33 : Trees

The view from the point of the center deck of this house is approximately 270 to 355 degrees over topped vegetation and through limbed trees near the house. This view is largely over the abutting Harris property (see additional discussion in introduction). The view from the north-tower-room could probably be expanded to the north (to 335 degrees ?) if topping were allowed on the corner of lot 32 (Kaplan) and the Common Land.

LOT #34 : Meyer (unbuilt)

Three possible locations were examined on this vacant lot. Site 'A' at the upper elevations of the lot has the potential for a view at 325 to 350 degrees by topping of trees on the subject lot, and a possible second story view over trees on the Harris land at 285 to 300 degrees. The disadvantage of this location is that it would be near what appears to be the logical site for a house on the currently vacant adjacent lot 35 (Meyer).

Site 'B' is at the mid-elevations of the lot 34, slightly uphill from the dirt road crossing the lot. This site has a potential water view through (potentially) limbed and thinned trees on the site at about 310 to 340 degrees. Disadvantages of this site are the proximity to Hammett Road and the dirt road crossing the lot, and the potential for permitting problems from the Chilmark Conservation Commission when attempting to thin and limb the trees in the downhill