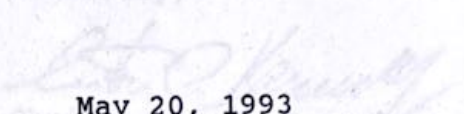


The Trustees  
of Reservations

Conserving the  
Massachusetts Landscape  
Since 1891

Islands  
Regional Office

Christopher Kennedy  
Regional Supervisor

Sincerely,  
  
May 20, 1993  
Islands Regional Supervisor

Michael Donaroma,  
Chairman  
Edgartown Planning Board  
Town Hall  
Edgartown, MA 02539

Dear Mr. Donaroma:

On February 11, 1992, Edgartown Zoning Inspector, Leonard Jason Jr., ruled that the placement of vehicle control gates within the Cape Poge District of Critical Planning Concern would require a Special Permit from the Planning Board.

Therefore, please accept this letter of application for a Special Permit under the terms of the Cape Poge District of Critical Planning Concern for the placement of two vehicle control gates located at the western end of the Dyke Bridge and eastern end of the Dyke Bridge Causeway. The reason for the placement of these gates is more fully described in the Notice of Intent (attached) and in particular the Memorandum of Agreement between the Town of Edgartown (TOE) and The Trustees of Reservations. These gates will, in part, satisfy the objections of the United State Fish and Wildlife Service who have gone on record in opposition to the reconstruction of the Bridge except in the case where vehicle safeguards for access onto the barrier beach are incorporated into the management of the property.

TOE Board of Selectmen have voted to accept TTOR's Shorebird Management Plan, and all of the provisions of the Memorandum of Agreement as the basis for reconstructing the Dyke Bridge. Federal officials have voiced their strong support for the adoption of the Dyke Bridge Agreement along with the adoption of the TTOR Shorebird Management Plan. The Agreement provides, however, that the Bridge shall not be reopened for vehicle use until and unless the gates for controlling vehicle access are in place.

The Agreement also stipulates that TTOR and the Board of Selectmen will work cooperatively to attain all necessary permits pertaining to the Bridge construction and use.

A positive vote in favor of this application will ensure that rare shorebirds and their habitats are protected and will allow for the use of the new bridge by off road vehicles.

Sincerely,



Christopher P. Kennedy,  
Islands Regional Supervisor

cc: F. Winthrop, Director.  
E. Surkin, Chair, Chappaquiddick Committee  
L. Jason Jr., Zoning Inspector  
E. Vincent, Chair, Edgartown Conservation  
Commission



SUPPORTING Documents / PLANS

MEMORANDUM OF UNDERSTANDING  
CONCERNING RECONSTRUCTION OF DYKE BRIDGE  
EDGEMOUNT, MASSACHUSETTS

TRUSTEES OF RESERVATIONS

NOTICE OF INTENT

SHOREBIRD MGMT. & PROTECTION

A. DYKE BRIDGE GATES

B. SHOREBIRD MGMT PLAN

C. The barrier beach is located on the island of Cape Poge, which is the main island of the Cape Poge peninsula at the beach's southern point, called Point. The Trustees have a plan to control vehicles on the Cape Poge peninsula, Cape Poge Wildlife Refuge and the rest of the beach, mainly by offering various stickers that indicate vehicle access and use. A number of users are going to be offered stickers, including several regular users located to the north of the barrier beach, including private residences at the Cape Poge end of the barrier beach. Such residences currently reach their houses and property drive a full-length by entering the barrier beach at Waquoit Point, which is a full-length barrier beach. Any vehicles using the barrier beach are especially subject to such driving, including four-wheel drive. The Trustees require a...

activities, such as snow fencing or planting of dune alteration will have short or long term adverse those habitats or otherwise prevent natural coastal Vehicle and pedestrian ramps may be installed where to avoid beach erosion due to ORV use, or other human

#### Control and Enforcement:

ORV access may be temporarily restricted or prohibited from areas of the Chappaquiddick beaches due to changing beach configurations, storm beaches, changes in local, state and federal regulations, and the presence of a variety of protected wildlife species.

Additionally, Mass. Division of Law Enforcement personnel will assist TTOR ranger staff on the Chappaquiddick barrier beaches for purposes of patrolling and enforcement of State and Federal natural resource protection laws.

All ORV operators using the properties owned and/or managed by TTOR must abide by rules and regulations established by The Trustees of Reservations (see attached). Under these regulations, all ORVs must be properly registered and be in possession of a valid Trustees of Reservations ORV permit. TTOR rangers and biologists will be responsible for ensuring compliance with the posted rules and regulations.

TTOR rangers will work cooperatively with state and federal natural resource managers and enforcement personnel. Violation of rules and regulations by visitors will be handled in accordance with standard enforcement procedures of The Trustees of Reservations.

State enforcement officers and TTOR rangers routinely use all terrain vehicles (ATV's) on patrol. ATV's will be routinely used on the outside beach (bordering Muskeget Channel) but may be used on other trails if deemed necessary.

#### Fees and Permits:

All ORVs must have a valid TTOR ORV permit. ORV permits may be issued on any TTOR managed beach and fees collected are to be used for costs associated with property management, land conservation (acquisition/protection), natural resource research and education on TTOR managed barrier beaches on Chappaquiddick. ORV permits may be revoked for cause and fees collected may be refunded, at the discretion of the TTOR Superintendent. The purchase of an ORV permit does not guarantee the user access to the property at all times.



REGISTERED  
PROFESSIONAL LAND SURVEYOR  
*Glenn F. Rowert*  
12-31-91



Foucha Pond  
N 133,807.79  
E 212,634.19

See Bk. 178 P. 570  
Edmund F. Leland &  
Oliver S. Leland

The Trustees of Reservations  
see Bk. 122 P. 318

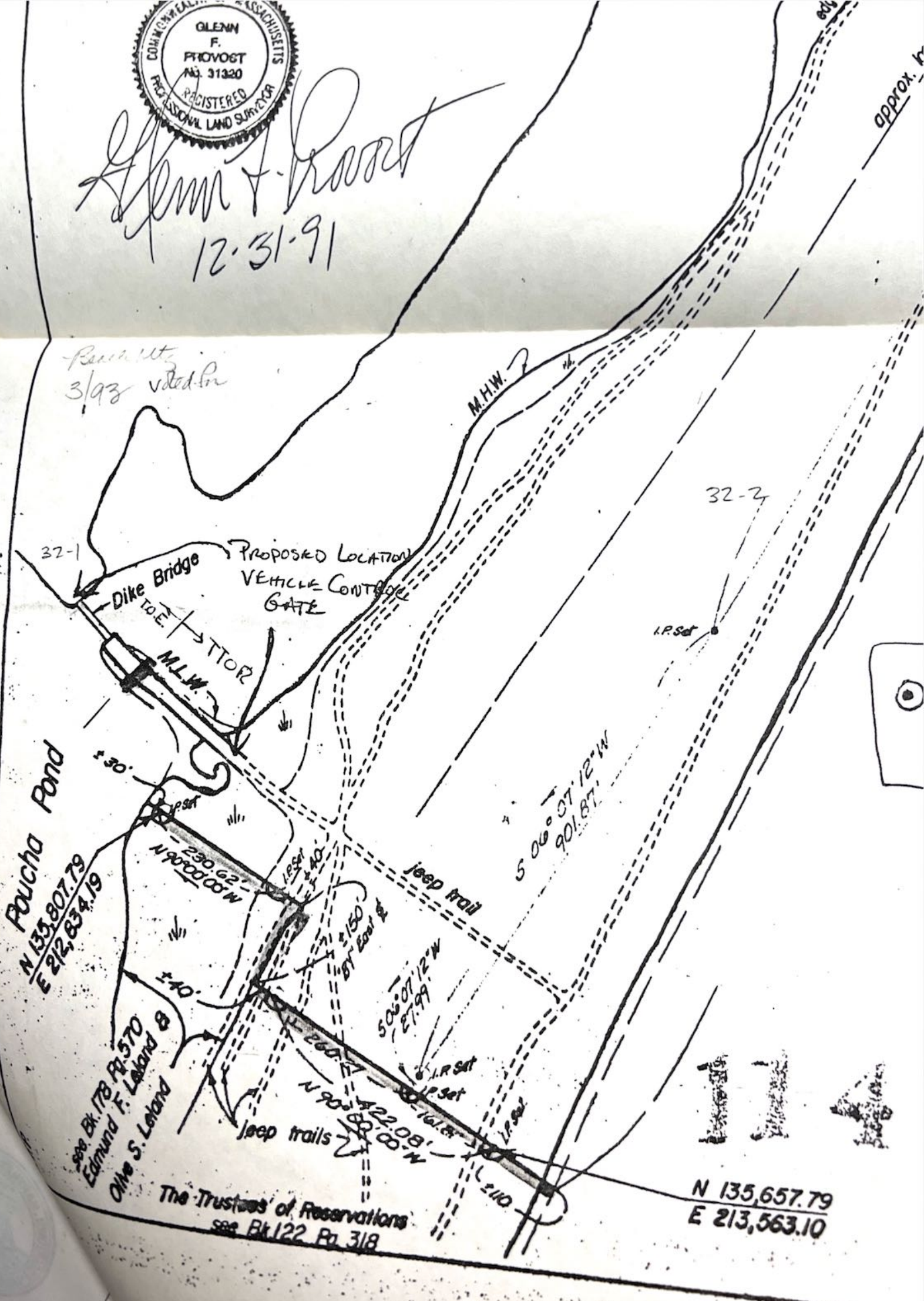
548  
G.F.P.





*Glenn F. Provost*  
12-31-91

*Revised  
3/93 vdd/bn*



Roucha Pond  
N 135,807.79  
E 212,834.19

see Bk. 178 P. 370  
Edmund F. Leland &  
Oliver S. Leland

The Trustees of Reservations  
see Bk. 122 P. 318

N 135,657.79  
E 213,563.10





Town of Edgartown  
The Planning Board

P.O. Box 1065

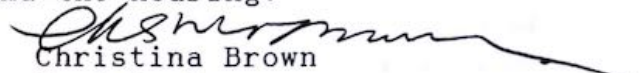
Edgartown, Massachusetts 02539

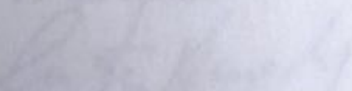
February 15, 1994

Town of Edgartown  
April 1, 1994  
Received  
AT 2 10/2/94

NOTICE OF PUBLIC HEARING

The Edgartown Planning Board will hold a public hearing on Tuesday, April 19, 1994 at 7:45 p.m. in the Meeting Room, Edgartown Town Hall on the application of the Town of Edgartown and The Trustees of Reservations for a special permit under the Edgartown Zoning Bylaws Article 14 Cape Pogue District of Critical Planning Concern and Coastal District for the placement of two vehicle control gates to be located at the eastern and western ends of Dyke Bridge located on Chappaquiddick at Dyke Road. The hearing is held in accordance with MGL40A. A full copy of the plans and application may be seen in the Planning Board office. Interested persons are urged to send comments and to attend the hearing.

  
Christina Brown  
Assistant

For the Town:  
  
Christina Brown  
Regional Supervisor

For the Trustees:  
  
Trustees of Reservations







Town of Edgartown  
The Planning Board

P.O. Box 1065

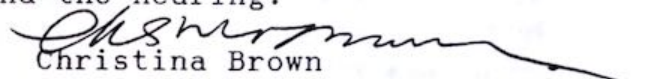
Edgartown, Massachusetts 02539

February 15, 1994

April 1, 1994  
Rec'd: [unclear]  
[unclear]

NOTICE OF PUBLIC HEARING

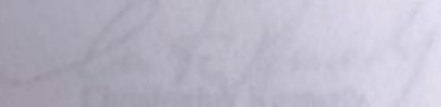
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Christina Brown  
Assistant





The gates will be installed on Town property... controlled as per the provisions of the... The Edgartown Conservation Commission... January 20, 1994.

Thank you for your consideration

For the Trustees:

  
Christopher Kennedy  
Regional Supervisor

For the Selectmen:

  
Thomas A. D'Amico  
  
Emil B. Murphy  
  
George L. [unclear]  








*Town of Edgartown  
The Planning Board*

*P.O. Box 1065*

*Edgartown, Massachusetts 02539*

NOTICE OF PUBLIC HEARING

The Edgartown Planning Board will hold a public hearing on Tuesday, July 6, 1993 at 8:00 p.m. in the Meeting Room, Edgartown Town Hall on the application of The Trustees of Reservations for a special permit under the Edgartown Zoning Bylaws Article 14 Cape Pogue District of Critical Planning Concern and Coastal District for the placement of two vehicle control gates located at the western end of the Dyke Bridge and the eastern end of the Dyke Bridge Causeway located on Chappaquiddick at Dyke Road. The hearing is held in accordance with MGL40A. A full copy of the plans and application may be seen in the Planning Board office. Interested persons are urged to send comments and to attend the hearing.

Christina Brown  
Assistant

CONTINUED TO AUG 3.

8/3 - KENNEDY REQUESTS CONTINUATION TO 9/14 @

Town of Edgartown  
Board



Town of Edgartown  
The Planning Board

P.O. Box 1065

Edgartown, Massachusetts 02539

July 20, 1993

To: Board of Selectmen  
From: Planning Board *Brown*  
Subject: Dyke Bridge Pipe Gates - Special Permit Application

The public hearing on the application for pipe gates on either side of Dyke Bridge, filed by TTOR, was opened on July 6 and continued to July 27.

The Planning Board would appreciate comments from you about this application. The Board understands that the gates are to be installed on Town property and wants to know whether you concur with TTOR submitting the application. In addition, the Board would welcome information from you about any other issues relevant to the special permit.





TOWN OF EDGARTOWN  
OFFICE OF SELECTMEN  
70 MAIN STREET, P. O. BOX 5158  
EDGARTOWN, MASSACHUSETTS 02539

TELEPHONE  
(508) 627-6180

August 3, 1993

The Planning Board  
P.O. Box 1065  
Edgartown, MA. 02539

Subject: Dyke Bridge Pipe Gates - Special Permit Application

Dear Board Members:

In regards to the above subject, the Board is in full agreement that the gates are to be installed on Town property. Further, the Board concurs with the Trustees of Reservations' submittal of the application for the pipe gates.

It is respectfully requested that the permit, when issued, be issued to both TTOR and the Town of Edgartown. We also request that the Memorandum of Understanding concerning the reconstruction of Dyke Bridge between the Town of Edgartown and the TTOR, dated April 16, 1992, be incorporated as part of the permit issuance process.

Thank you for giving us this opportunity to respond.

Sincerely,

Thomas A. Durawa, Chairman

Fred B. Morgan, Jr.

George E. Piper

BOARD OF SELECTMEN

cc: Christopher Kennedy  
Trustees of Reservations

# LEGEND

----- OSV Road

Scale

1/4 Mile

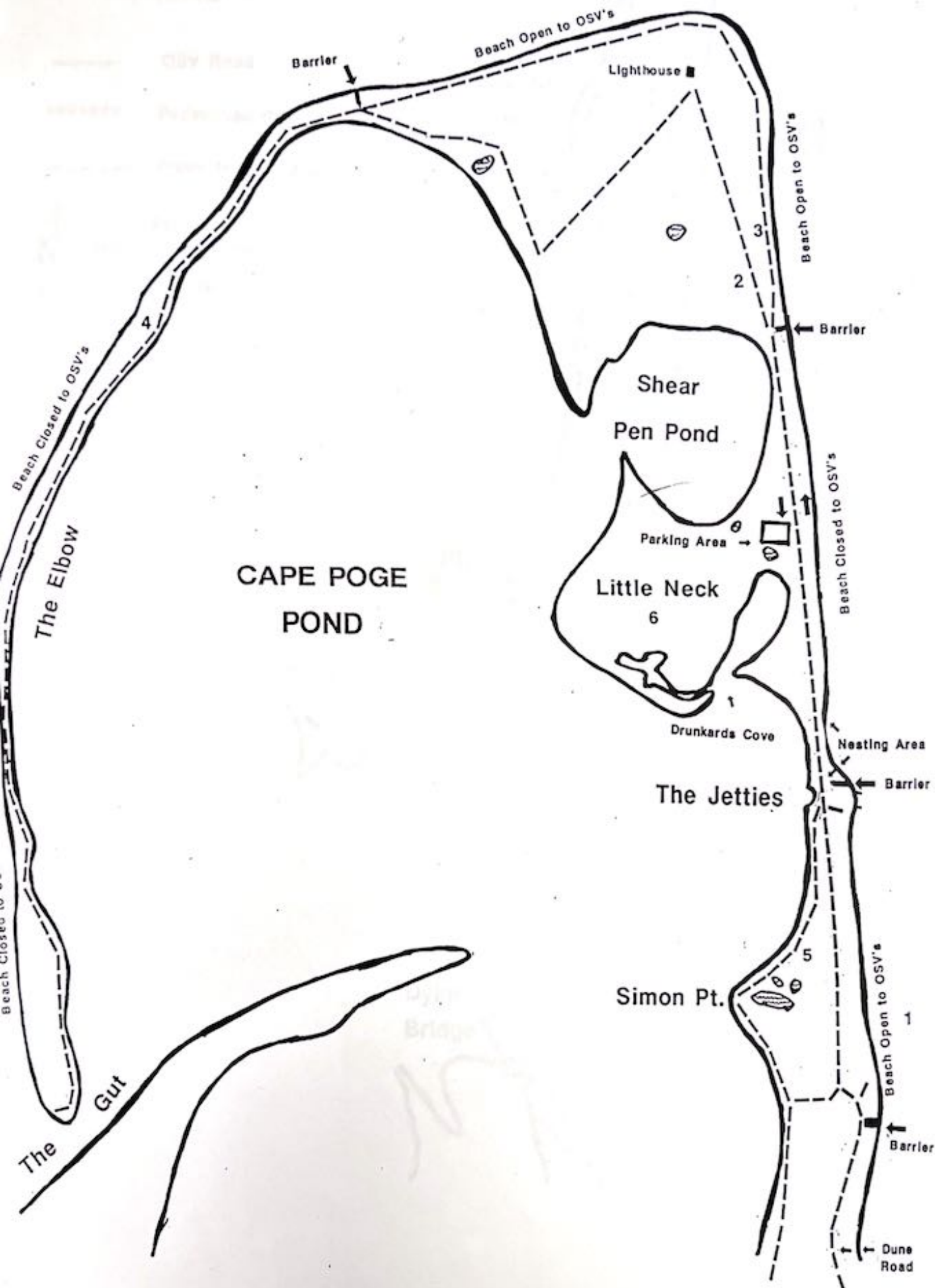
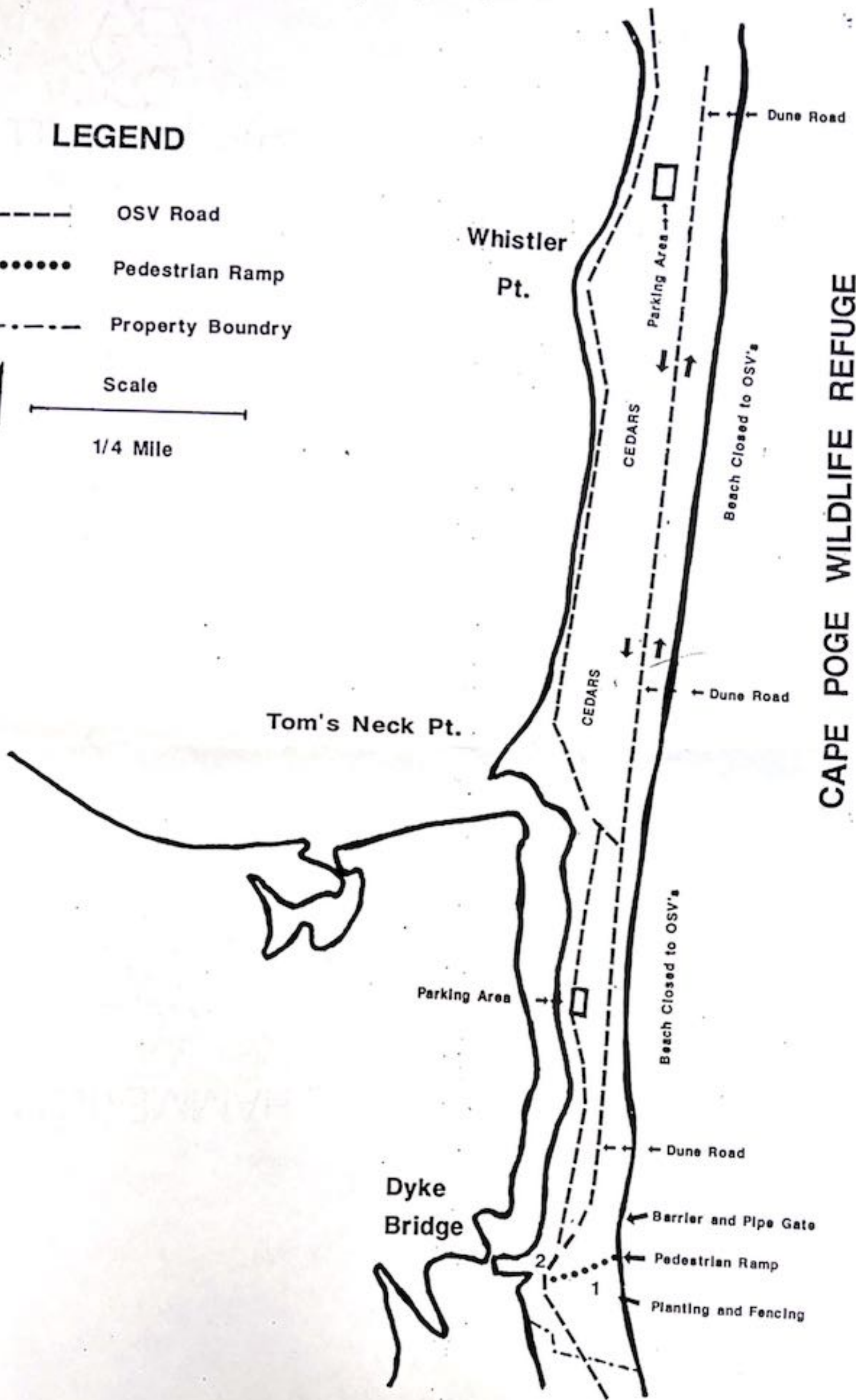
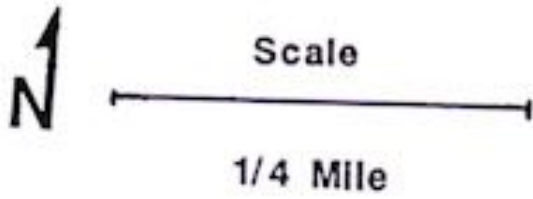


Figure 3. Map of the northern portion of the Cape Poge Wildlife Refuge, Martha's Vineyard, MA.



# LEGEND

- OSV Road
- ..... Pedestrian Ramp
- .-.-.- Property Boundry



## CAPE POGGE WILDLIFE REFUGE

Figure 2. Map of the southern portion of the Cape Poge Wildlife Refuge, Martha's Vineyard, MA.

Notice of Intent, TTOR

*Cape Poge  
wildlife  
refuge*

- Cape Poge  
Map 3, Lot 13-2  
5 acres 1
- Map 3, Lot 13-17  
1
- Map 3, Lot 13-18  
1
- Map 3, Lot 13-112  
1
- Map 3, Lot 15  
10.8 acres 1
- Cape Poge - Elbow  
Map 4, Lot 1  
2.5 acres 1
- Map 4, Lot 2  
3.1 acres 1
- Map 15, Lot 3  
5 acres 1
- Map 15, Lot 4  
3.9 acres 1

*Cape Poge  
wildlife refuge*

- East Beach  
Map 17, Lot 1  
132.1 acres
- Map 32, Lot 2  
73.2 acres
- Map 3, Lot 14  
30.7 acres

*WASQUE  
Reservoir*

- Wasque  
Map 49, Lot 1  
200.0 acres
- Map 50, Lot 1  
36,660 s.f.
- Map 50, Lot 4  
10,000 s.f.

*Cape  
Poge  
wildlife  
Refuge*

- Cape Poge  
Map 3, Lot 5-1  
26.35 acres
- Map 3, Lot 7-1  
7.1 acres
- Map 3, Lot 12  
18.3 acres

Leland Beach  
Map 48, Lot 45  
108 Acres



