

James Pond Preserve Management Plan

West Tisbury,
Massachusetts



April 25, 2023

Approved by the Martha's Vineyard land bank West Tisbury Advisory Board (May 18, 2022)

Approved by the Martha's Vineyard land bank commission (May 23, 2022)

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Executive Summary

James Pond Preserve stretches from Lambert's Cove Road to Vineyard Sound and occupies the northeastern shoreline of James Pond, one of the island's sixteen great ponds, formerly Onkokemmy and renamed after James, Duke of York. This 13.9-acre Preserve protects and provides public access for shared enjoyment of sensitive waterfront areas. From under the tall trees off Lambert's Cove Road is a view over low grasslands to James Pond, sweeping dunes and finally Vineyard Sound. These views, seen through open sprawling savannas and across hilly grasslands, capture the iconic beauty of this island. A sandy trail leads visitors to Vineyard Sound, and a viewing platform inland provides an enticing spot for picnics and relaxation.

The Martha's Vineyard land bank purchased this 13.9-acre property with 547' of coastal shoreline, and over 1000' of pond shoreline via two transactions.

The 13.9-acre preserve has a mix of woodlands, grasslands, pondshore vegetation, maritime shrublands, and dune habitats. Five commonwealth-listed species have been detected on the property and were observed during routine monitoring in the spring and summer of 2021.

This management plan includes the installation of a trailhead near Lambert's Cove Road; a universal access trail to a viewing platform overlooking James Pond with views of the Sound; beach access for all common littoral purposes; pond access for boating and fishing; and a strategic mowing and/or grazing cycle to benefit the grassland and savanna woodlands. To ensure orderly use of the preserve by visitors, a reservation system, accessible at no charge, will be in effect at the trailhead during peak months, with visitor capacity to be monitored.

All planning goals, objectives and strategies are outlined in detail in the final section of this management plan. To be implemented, this plan must be presented at a public hearing and approved by the land bank's West Tisbury town advisory board, the Martha's Vineyard land bank commission and the Massachusetts secretary of the executive office of energy and environmental affairs (EOEEA).

About the authors

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This plan is executed under the supervision of the Martha's Vineyard land bank land superintendent, Harrison Kisiel.

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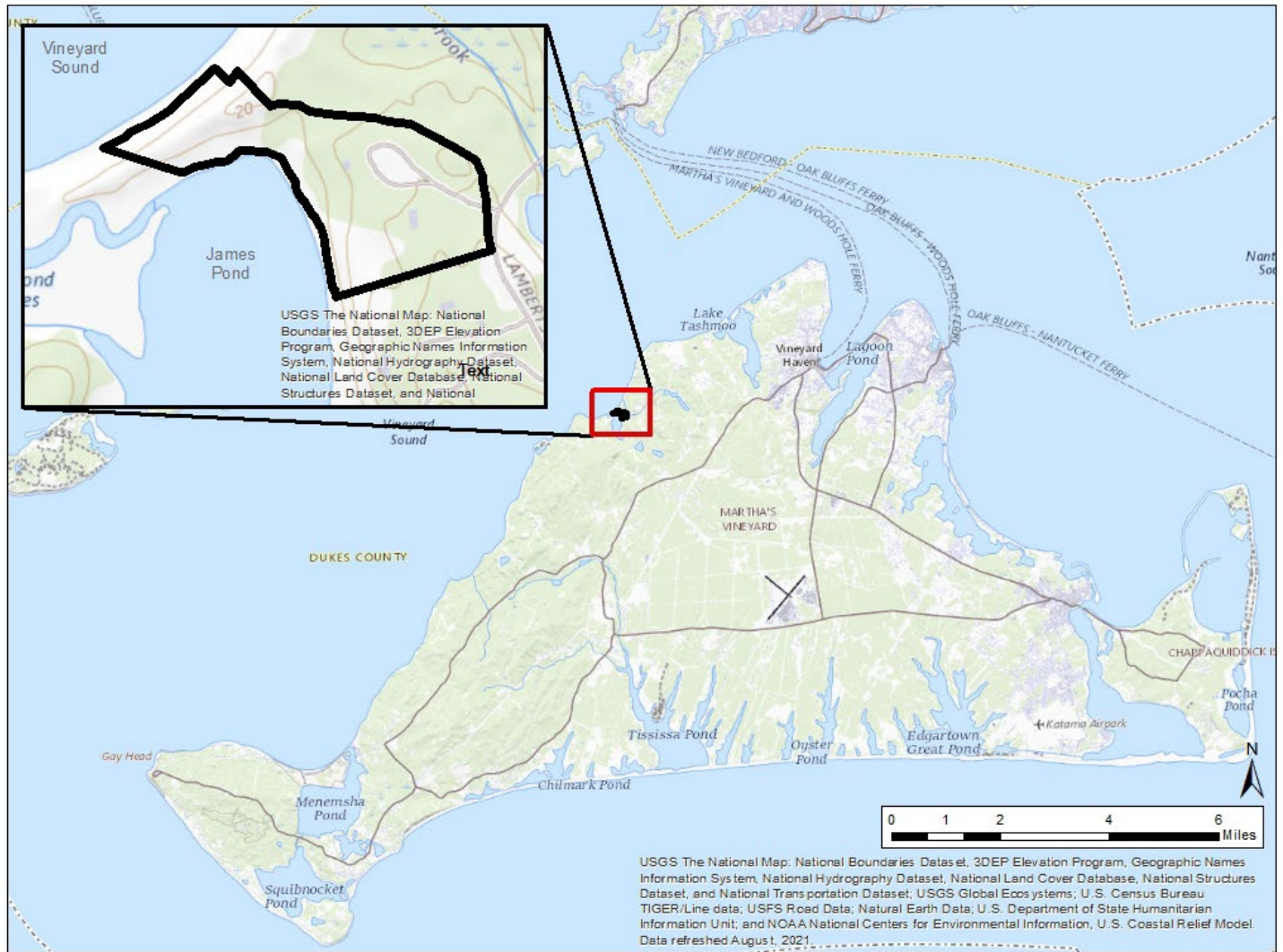
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Map 1: Locus Map of James Pond Preserve.



I. Natural Resource Inventory

A. Physical Characteristics

1. Locus

James Pond Preserve is located at roughly 41°26' 30.457" N, 70° 40' 14.592" W in West Tisbury, Massachusetts. The property consists of 13.9 acres that includes 547' of coastal shoreline and over 1000' of pond shoreline along James Pond. The preserve is accessible from Lambert's Cove Road. See locus map above (Map 1, page 7) and aerial map (Map 5, page 22). The preserve is shown on West Tisbury tax maps: 3-92, 4-1, 4-2-1, 4-2-2, 4-2-3, 4-2-4 [partial], 7-1, 7-2, 7-2-1, 7-3, 7-4.

2. Survey Maps, Deeds and Preliminary Management Plan Goals

Larger copies of all surveys are on file at the land bank office and are available for inspection by appointment. Deeds, land bank preliminary management plan goals, and reduced copies of surveys are included in Appendix B.

3. Geology

Martha's Vineyard was formed during the most recent ice age, as the Laurentide ice sheet, a glacier over 1-mile thick in places, grew and retreated over thousands of years. The movement of this glacier churned and deposited sediments forming the landscape of the region. Retreating glaciers leave many features behind on the land: moraines (large heaps of unsorted sediments); glacial erratics (oversized boulders made of rock atypical for the region); and outwash plains (relatively flat, sandy and gravelly deposits from the meltwater of a glacier). Glacial meltwater also creates streams which can scour the landscape and create ravines (Oldale 1992).

Martha's Vineyard displays all these features. Moraines are seen in the rolling hills spanning the northern edges of the island; a large outwash plain covers most of the interior and southern areas and the ubiquitous stone walls and boulders hint at glacial till and erratics. The island also experiences geologic processes unique to the coastline, as the ocean relentlessly breaks up and relocates sand.

James Pond Preserve is situated along the northern shore of the island, and exhibits moraine features, meltwater topography, and coastal pressures. Morainal deposits in the James Pond Preserve comprise Martha's Vineyard Moraine atop Gay Head moraine soils (Fletcher and Roffinoli 1986). These different morainal soils were deposited at unique times in the glaciation timeline. The Martha's Vineyard moraine is characterized by deep deposits of variably sized stones mixed with sand and clay. The Gay Head moraine has layers of moraine and outwash deposits dating back to the Pleistocene. James Pond itself resembles a kettlehole pond formed by melting ice blocks in the moraine and is fed by a small spring in the southeast corner. The topography and wetland locations suggest James Pond was once connected to via a brook to Uncle Seth's Pond. Sea-level was 50 feet lower at that time than it is today,

placing the area of James Pond a half to one mile from the coastline (Oldale 1992). Deep channels depicted on navigation charts indicate ancient streambeds ran parallel to the shoreline with a general southward direction through the Elizabeth Islands, under Vineyard Sound and lower Buzzards Bay. The underwater topography suggests the tributary branch heading in the direction of the Vineyard flowed into James Pond. It is theorized that freshwater fish migrated through this drainage system of meltwater and entered the Vineyard's waterways through access points such as James Pond (MacKenzie C. jr. and T. Andrews 1997). As glaciers continued to melt, sea level rose constricting the extent of the island's land mass and eventually a barrier of sand blocked the flow of glacial meltwater forming James Pond on the other side. The barrier is narrow at one place and storms and human disturbance maintain a channel that opens the pond to the ocean.

4. Soils

The General Soils Map (Map 16, Appendix C) depicts broad classes of soils across Martha's Vineyard. Eastchop-Chilmark-Nantucket complex soils characterized by "reworked glacial outwash, ice-thrusted coastal plain sediments, or glacial till; on moraines" dominate the preserve (General Soil Map in Soil Conservation Service (Fletcher and Roffinoli 1986)). The Eastchop series in the complex are most pronounced in the region of James Pond Preserve and are characterized by deep and excessively drained soils. Often these soils are not conducive to crops, leaving them generally covered in woodlands on the island.

A detailed map and discussion of the soil types found on the preserve, as described by Fletcher and Roffinoli (1986) can be found in Appendix C (Map 17).

5. Topography

James Pond Preserve is modestly sloped with a maximum elevation of 46 feet observed in the southeastern corner. The landscape gradually slopes from Lambert's Cove Road downward towards the sound and James Pond. The lowest elevations are reached on either side of the dune system. The dunes are steep and varied in topography, exhibiting windswept crests reaching 24 feet and troughs with varying levels of vegetative cover. Atop the dunes, expansive views of the Vineyard Sound and James Pond can be enjoyed. A map of the topography in 2-foot intervals is located in Appendix A (Map 7, Appendix A).

6. Hydrology

The majority of James Pond Preserve falls within the James Pond watershed, a 357-acre watershed that extends nearly to the intersection of Lambert's Cove and State Road (Map 8, Appendix A). James Pond itself is a 55-acre salt pond that has a single tidal inlet to the Vineyard Sound and has historically supported a variety of wildlife including a native herring run. A small spring situated on the southeastern corner delivers freshwater to the pond and was once connected

to Uncle Seth's Pond and a herring run connects James Pond to Fresh Pond to the west. Private jetties and storm events impact the flow of sand around the island and intensify sedimentation of the channel. Increased sediments in the channel restrict the inlet and have a negative impact on the pond flushing with the ocean (Elvin 2016). A

Figure 1: James Pond Preserve Beach



Department of Fish and Game, Massachusetts Division of Marine Fisheries 2018 Annual Report

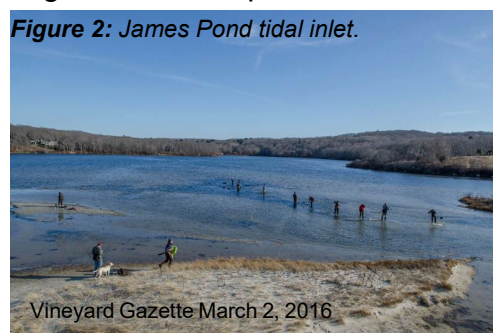
reduction of water exchange between the pond and ocean increases water temperatures and alters the degree of salinity in the pond and herring habitat viability (MVC 2019, 2022 and Biodiversity Works 2017). The water quality of James Pond in 2019 was "poor" with a water quality index (W.Q.I.) of 27 (MVC 2019). A W.Q.I. below 40 is an

indication that a water body does not meet expectations and is of highest concern (Washington 2022). Increased concentrations of nitrogen in James Pond and pigment levels close to and above the threshold of impairment values exacerbate plant, phytoplankton and algae growth in the pond and result in decreased oxygen and visibility. A

channel was hand dug and excavated with a machine several times during 2019 to maintain an open passage between the pond and sound for flushing. The W.Q.I. improved drastically in 2020 and was calculated at 44.3 indicating James Pond was of "moderate" concern (W.Q.I. values between 40 and 80). Although nitrogen and pigment values declined in

the pond in 2020, minimum values of dissolved oxygen were below the impaired threshold of 4 mg/L with average values remaining just above the threshold (MVC 2020). Improving the tidal inlet by deepening it in 2020 increased duration and flow of tidal exchange in the pond (Chase 2021) Improving the exchange between the sound and the pond could improve water quality and wildlife habitat opportunities for James Pond (savebuzzardsbay.org, Chase 2021).

Figure 2: James Pond tidal inlet.



Vineyard Gazette March 2, 2016

Climate change and sea level rise impact all coastal communities (Kulp and Strauss 2019), including this property. Reduction of beach front, dune erosion, and expansion of James Pond into inland areas are predicted with the current rate of sea level rise (Map 9, Appendix A).

7. Ecological Processes

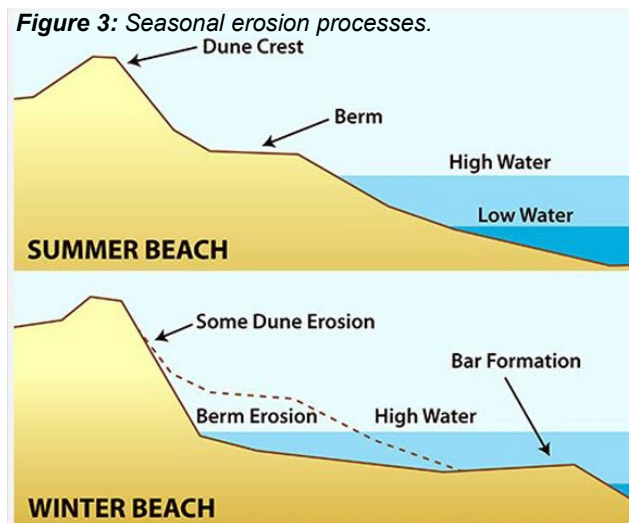
Habitat complexity

James Pond Preserve captures a gradient of habitats from coastal communities

to inland ecotypes. The transition from dunes and maritime shrublands to grasslands and woodlands supports high plant biodiversity and habitats for invertebrate and wildlife species.

Disturbance

The coastline experiences disturbances from wind, waves, and major storm events. The properties coastal shoreline experiences shallow waters, minimally intense waves, and a gradual beach profile that result in a net addition of sand to the shore in the summer. The prevailing winter winds and larger storms change these dynamics often causing a net loss of sand from beaches. These dynamic processes can quickly alter the face of dunes and the look of shorelines.



<https://www.friendsofjps.org/breaking-news/science-of-the-shore-a-tale-of-two-beaches-winter-summer-beach-profiles/>

However, an equilibrium often develops between summer and winter processes (Charbonneau, 2019). This equilibrium can become skewed when human activities alter natural sand movements, sea levels rise, or storms intensify. The latter two factors are well underway and are predicted to increase in severity over the coming decades. Dune scarping, or the creation of a steep bluff on the seaward side of dune, as well as inward migration are just some of the predictive

impacts that might be seen along these sandy coastlines.

Nutrient cycling

Human activities have major impacts on nutrient dynamics via fertilizers, septic leaching, and land-use changes. Leach fields associated with updated septic systems are generally adequate at filtering wastewater of bacteria and pathogens before entering a watershed. However, the updated Title 5 systems are not designed to remove nitrogen from wastewater. The combination of well-drained permeable soils that are prolific on the cape and islands and nitrogen loaded filtered wastewater contribute to high nutrient levels reaching groundwater and surface water systems (Gibb 2018, Pasakarnis 2022). In combination with fertilizers and land-use that causes erosion, excess nutrients entering watersheds can cause eutrophication of downstream lakes, ponds, and estuaries. Eutrophication is a process in which nutrient additions cause an overabundance of algae; as the algae dies, decomposing bacteria use oxygen and break down the material, thus decreasing oxygen levels. Water bodies can become shallower with eutrophication resulting in increased water

temperatures that in turn cause decreased dissolved oxygen. Decreased oxygen and acidification (due to excess carbon dioxide) are harmful to fish and mollusks and can lead to “dead-zones” (NOAA 2017).

Anadromous alosine species such as river herring (*Alosa pseudoharengus*) rely on inlets such as the channel at James Pond to access freshwater for breeding. Atlantic herring populations have experienced a decline in response to habitat loss (or access) and overfishing (NOAA 2022). The herring population decline has ecological and economic consequences. River herring are important prey for larger fish such as striped bass, cod and haddock as well as osprey, otters and other piscivores. Deepening the inlet channel of James Pond should decrease water temperatures and increase rates of tidal flushing with the Vineyard Sound that could improve herring habitat in the pond (MVC 2020).

Biotic interactions

Biotic interactions require knowing the characteristics of individual species and the network within which they interact. Species in a network are connected through processes such as predation, competition, and mutualisms. Alterations of these biotic interactions can cause sweeping cascades in the ecosystem network. Invasive species, for example, can outcompete native species due to life strategy advantages and/or a lack of pests and predators. Oriental bittersweet (*Celastrus orbiculatus*) is a good case study of these effects. This invasive species was introduced from China as early as 1860. Oriental bittersweet is a fast-growing vine that can choke native woody species by girdling trunks as it climbs and decreasing sunlight from reaching native leaves. Infestations of this species can quickly alter the compositions and health of a woodland stand.

Large populations of invasive species reduce the health of native communities and can have negative impacts on biodiversity (Mollot et al. 2017). Other organisms that rely on native plants also suffer when invasive species displace native ones. Unfortunately, invasive species can be difficult to completely eradicate; diligent assertive efforts must be taken to treat invasive species whenever possible.

B. Biological Characteristics

1. Vegetation

Turning off Lambert’s Cove Road, one is immediately surrounded by the dramatic woodlands of the preserve comprising black oak (*Quercus velutina*), pitch pine (*Pinus rigida*), white oak (*Quercus alba*), and black locust (*Robinia pseudoacacia*). These grand trees rise into the canopy and are interspersed with snags and a dense understory of sassafras (*Sassafras albidum*) and thickets of common greenbrier (*Smilax rotundifolia*) and poison ivy (*Toxicodendron radicans*) vines. Woodlands on the preserve border the main road and northern edge of the property, covering over a third of James Pond

Preserve.

Dense woodlands open into grassy, shady savanna-like-woodlands with Elliott's goldenrod (*Solidago latissimifolia*) and early goldenrod (*Solidago juncea*) growing beneath high canopies of spreading black oak trees. The grassland areas, during the residential occupancy of this property, were mowed and maintained as low-growing vegetation.

The coastal vegetation of the dunes, beach and pond edge are typical of inland great ponds and the coast. A variety of pondshore species border James Pond and include common saltmarsh species such as saltmarsh hay (*Spartina patens*), Three-square club-bullrush (*Schoenoplectus pungens*), beach wormwood (*Artemisia stelleriana*), and small stands of broad-leaved cattail (*Typha latifolia*). A maritime shrubland community grows out beyond the reaches of tidal fluctuations and is dominated by coastal sweet pepperbush (*Clethra alnifolia*), groundsel tree (*Baccharis halimifolia*), swamp azalea (*Rhododendron capitellata*), and stunted, windswept black oaks (*Quercus velutina*). Dunes rise steeply from low-land shrubland and are punctuated by patches of American beachgrass (*Ammophila breviligulata*), beach pea (*Lathyrus japonicus*), and beach plum (*Prunus maritima*). Each of these vegetation communities supports a unique assemblage of plant and wildlife species. A detailed map of ecotypes on the preserve can be seen in Map 17, Appendix D.

2. Wildlife

Wildlife Surveys

Formal avian point-count surveys were conducted during the summer of 2021. Survey points were located – one situated in the dune and one in the grassland.

Night flying moth community composition and abundance was assessed using black-light traps during the summer of 2021. These traps were placed in the same locations as the bird survey points for seven nights between June 23 and September 7 (Map 19, Appendix F).

Acoustic monitors for bats (5/6-5/27) and frogs/toads (7/22-8/10) were placed on James Pond Preserve in 2021. Acoustic data were processed using the Kaleidoscope software by Wildlife Acoustics.

Opportunistic observations of other wildlife (mammals, reptiles, amphibians, and invertebrates) took place while on the property. Direct and indirect (tracks and scat) sightings aided in creating an ongoing inventory of species. The wildlife species listed in this plan are not exhaustive but provide an assessment of common occupants of James Pond Preserve.

A. Birds

A total of 36 avian species were detected on the preserve. A full list of

species and their frequencies is included in Table 2 Appendix F.

B. Invertebrates

A total of 222 (226 including NHESP-listed) moth species, belonging to 9 families, were identified during the summer and fall of 2021. Five species were new detections for the island of Martha’s Vineyard as of 2021. A full list of Megalepidoptera species observed is included in Table 2, Appendix E.

C. Mammals

Ten mammal species were detected on the preserve through direct (sightings) or indirect (acoustic recordings, tracks, scat) observations. Details regarding species and their habitats are included in Table 2, Appendix E.

D. Reptiles and amphibians

Two species of amphibians – American bullfrog and spring peeper – were detected on the preserve through acoustic surveys. No reptiles were observed.

E. Fish

No fish were surveyed to compile this management plan due to the absence of suitable habitat. However, the preserve abuts two established fishing areas – James Pond and the sound off Lambert’s Cove. Historically herring, eel and a variety of larger saltwater fish were harvested from the pond and sound. Anadromous alewives and bluebacked herring arrive through the opening of the pond in March-April as adults and spawn in the freshwater upper reaches of James Pond environs. Catadromous American eel (*Anguilla rostrata*) also use the channel between James Pond and the sound. Young eels or elvers arrive from unknown breeding

grounds in the Atlantic Ocean to mature into breeding adults in freshwater ponds and streams. Reproductive maturity can take up to between 10-25 years as eels transform from translucent elvers to yellow than silver adults (Sigelman 2021). Norman Benson and his son Franklin set eel traps in the pond and fish traps that resembled historic weirs in the sound (MacKenzie 1995, Peltz 1972, Elvin 1964). Norman Benson is also acknowledged for catching a 21cm northern barracuda (*Sphyraena borealis*) in James Pond on October 30, 1955 (Mather and Gibbs 1957). Nelsen Sigelman notes in his book “Martha’s Vineyard Fish Tales” that the shoreline off Lambert’s Cove is a good location to catch striped bass and

Figure 6: Fish trap design. Source: Peltz 1972

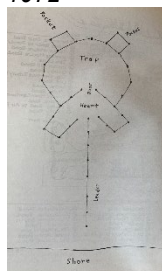


Figure 5: Fish traps at Lambert’s Cove. Source: Elvin 1964



Figure 4: Josiah Cleveland of West Tisbury with eel pot, circa 1900. Source: Martha’s Vineyard Museum

blue fish (2019).

3. Rare and Endangered Species

Much of the coastal habitat of James Pond Preserve, approximately 28% of the total acreage, is designated as priority and estimated habitat by the natural heritage endangered species program (NHESP), see Map 20 (Appendix G). Priority habitat is the geographic extent of commonwealth-listed plant/wildlife species that fall under Massachusetts endangered species act (MESA) rulings. Estimated habitat is the extent of listed wildlife species associated with wetlands and is protected by wetland protection act (WPA) rulings. Projects proposed within these habitats that are not exempt (e.g., maintaining existing roads, agriculture) must be approved by NHESP to ensure activities are not harming protected species or their habitat.

Five protected wildlife species were detected by the land bank within the coastal/dune region of the property; no protected plants were observed during the management planning process. Rare species are associated with dune/coastal habitats due to the combination of limited areas in which this habitat exists and strong degradation pressures (e.g., coastal development, beachgoing). Dune vegetation (e.g., beach plum) is an important host for dune invertebrates and this management plan includes strategies to prevent dune erosion in support of these plants. Rare shorebirds utilize coastal habitats of the preserve for feeding, but historically have preferred nesting to the north and west of the property.

Restoring the cultural grassland on the preserve to a native grassland community that can support associated listed species is one of the management goals of this property. Restoration effort outcomes depend on the starting condition of habitats, methods used, and native seedbank presence. For these reasons, a flexible restoration plan is proposed for the preserve.

C. Cultural Characteristics

1. Land History

James Pond Preserve wraps along the northwest shore of its namesake pond historically known as *Pond Royall*, *Onkakemmy Pond* and *Eachpoquassit Pond* (Banks 1966). Land in the moraine abutting coastal freshwater had many characteristics that were appealing to indigenous people of Martha's Vineyard and European settlers: woodlands for hunting and gathering; access to the Vineyard Sound; habitat teeming with fish, shellfish and eel; and inlets clogged with herring in early spring. The property borders Christiantown, the 1-mile square area given to Native American converts to Christianity by Sachem Josias in 1659. The area of the preserve was also the location of several town-line disputes and alterations, and between 1671 - 1892 was considered within the towns of Chilmark (Chikemmoo), Tisbury, and West Tisbury.

The parcels that comprise and abut James Pond Preserve passed through

several families and generations, each with their own unique additions to the property and stories of the land. Detailed accounts can be found in Appendix H.

D. Property and Development Characteristics

1. Planning Concerns

Easements and Restrictions

James Pond Preserve is subject to a perpetual beach use and access easement benefiting members of the *Lambert's Cove Beach Association* originally comprising the Peltz, Luckey, Mullins, Griswold and Leahy families that owned abutting properties to the pond and preserve; not to be confused with the private Town of West Tisbury Lambert's Cove Beach (DCRD:Book 634, page 60-69). These footpaths persist irrespective of the land bank's ownership and the land bank cannot alter them without consent from the grantees. Additionally, the preserve is subject to the neighbor's view easement (DCRD:Book 59, page 121). Cutting of vegetation for the view easement may involve a filing with the NHESP and West Tisbury Conservation Commission.

Massachusetts Endangered Species Act

Prior to implementation of the management plan a Massachusetts Endangered Species Act application must be filed with NHESP for the entirety of the project proposed in protected habitat. There are approximately 3.1 acres of priority and estimated habitat within the James Pond Preserve (28%).

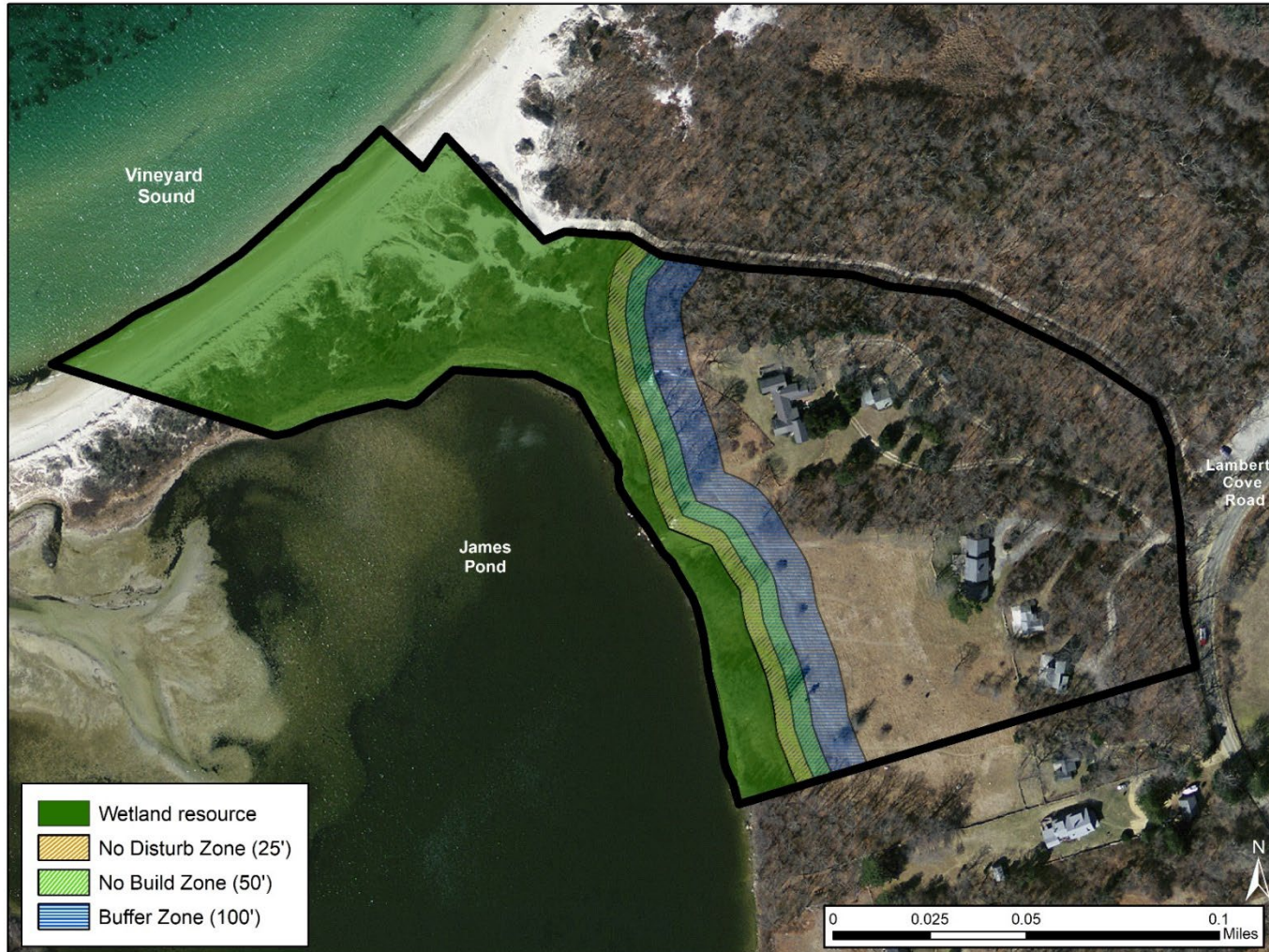
Wetland Protection Act

The coastline, dunes, pondshore, and areas subject to storm flowage (i.e., 100-year flood zone) are considered "wetland resource areas" under the Massachusetts Wetlands Protection Act; see flood zones in Map 9 (Appendix A). The wetland resource areas and a 100-foot buffer zone around them are subject to the jurisdiction of the West Tisbury conservation commission. Within the buffer zone, there is a 50' no build zone, which contains a 25' no disturbance zone (Map 2). Installing trails and stairs over these resource areas requires a filing for a Notice of Intent with the West Tisbury conservation commission and Massachusetts Department of Environmental Protection (MA DEP). Additionally, 3.1 acres of the preserve's resource area is mapped by NHESP as estimated habitat, thus triggering a review a NHESP review of the Notice of Intent.

Chapter 91

James Pond is designated as a "Great Pond" by the commonwealth and along with its shoreline is under Chapter 91 jurisdiction within Massachusetts General Law (Map 3, pg. 18). A determination from MassDEP regarding whether the proposed project specifics are within a geographic area of jurisdiction pursuant to Chapter 91 regulations at 310 CMR 9.04. is required.

Map 2: Wetland resource areas of James Pond Preserve including 100' buffer zone treated as resource area per town of West Tisbury wetland bylaws.



Sources: Office of Geographic and Environmental Information (MassGIS) Commonwealth of Massachusetts Executive Office of Environmental Affairs; Aerial USGS Ortho Imagery 2019; Zoning districts from Town of West Tisbury, MV Commission 2017; Coordinate Reference: State Plane, Mass Mainland, Meters, NAD83
Note: Map prepared by the Martha's Vineyard land bank for planning purposes only. The land bank is not responsible for end-users' interpretation of the map.

Map 3: Jurisdiction pursuant to Chapter 91 regulations at 310 CMR 9.04 at James Pond Preserve, West Tisbury.



Sources: Office of Geographic and Environmental Information (MassGIS) Commonwealth of Massachusetts Executive Office of Environmental Affairs; Aerial USGS Ortho Imagery 2019; Zoning districts from Town of West Tisbury, MV Commission 2017; Coordinate Reference: State Plane, Mass Mainland, Meters, NAD83
Note: Map prepared by the Martha's Vineyard land bank for planning purposes only. The land bank is not responsible for end-users' interpretation of the map.

District of Critical Planning Concern and Overlay Districts

The Martha's Vineyard Commission has the power to define and designate districts of planning concern (DCPC). The preserve falls within several districts within the Town of West Tisbury: Wild and Scenic North Shore District; Coastal District (shore and inland zone); Floodplain district; and the Island Roads District (Special Zoning District Map). The DCPCs and Overlay Districts are governed by West Tisbury Zoning Bylaws found in Article VI; brief overviews can be found below (see Map 4).

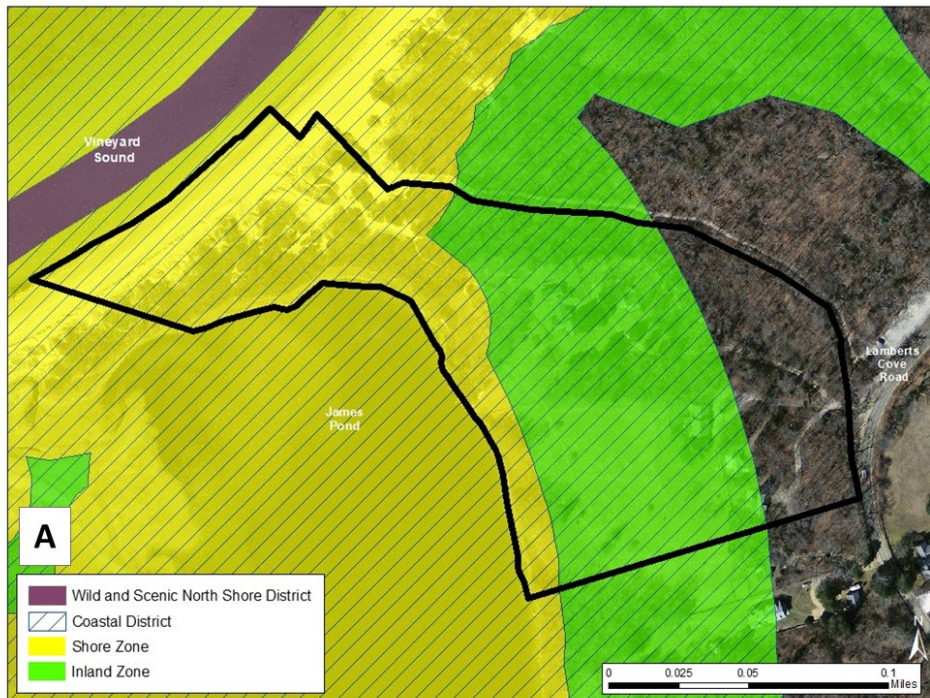
Coastal District: Within the Coastal District (Article VI 6.1) a special permit is required from the West Tisbury planning board review committee for minor non-residential structures; modifications to existing residential structures and alterations of a bank or stream. Specific regulations and restrictions govern permitted and special permitted activities in this zone including height restrictions, development within 100 feet of a stream and wetland draining into a coastal pond, construction of hard surface roads and parking lots servicing 6 or more vehicles, utility placement, roads exceeding 10 feet, development within 500 feet of a major public investment and development within 40 feet of a special place of historic value as listed on the special place register of the Martha's Vineyard Commission. All management activities proposed within the Coastal District that are permitted in the respective zoning districts are permitted by fulfilling the purpose of outdoor recreation, conservation and agriculture. The proposed 12-vehicle trailhead is outside of the Coastal District.

Flood Plain Zone: Within the Flood Plain Zone (Article VI 6.7) a special permit is required from the town of West Tisbury planning board review committee for any new construction or for alterations of existing structures or the landform.

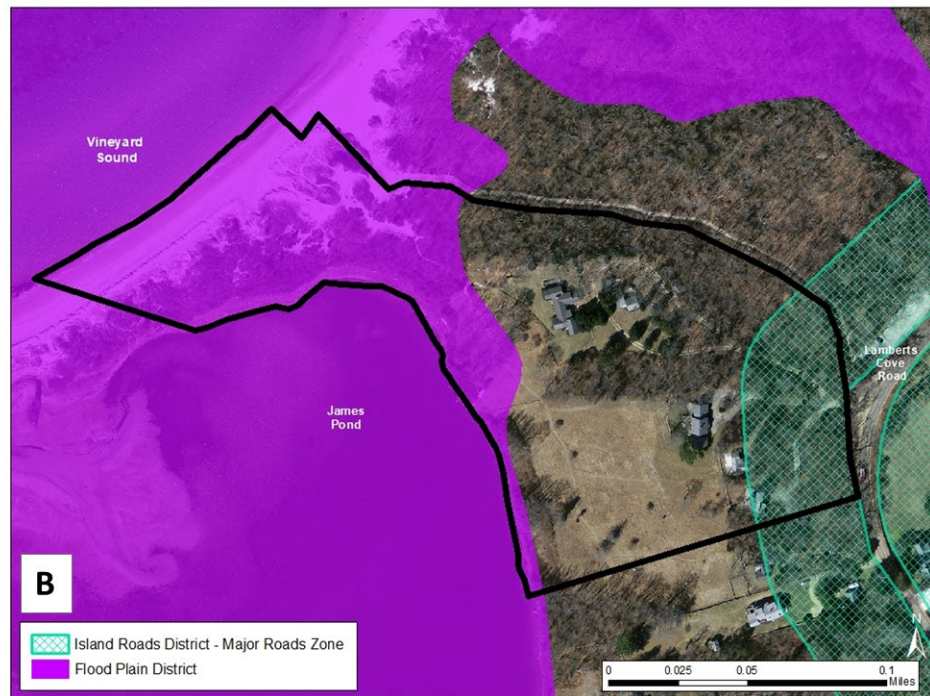
Wild and Scenic North Shore District: This planning district protects the waters 100 ft seaward of the mean low water line and the beach processes such as unimpeded littoral drift, unobstructed navigation, minimization of storm damage, and allowing economic development of fisheries (Article VI 6.8). There are no management activities proposed in this district.

Island Major Roads District: The Island Major Roads District is an area within 200 ft of the right of way of a major road—in this case Lambert's Cove Road. Regulations in this district limit the height of structures built within the zone.

Map 4: Districts of Critical Planning Concerns within West Tisbury. A) Coastal District (inland and shore zone), and Wild and Scenic North Shore. B) Floodplain District and Island Roads District



Sources: Office of Geographic and Environmental Information (MassGIS) Commonwealth of Massachusetts Executive Office of Environmental Affairs; Aerial USGS Ortho Imagery 2019; Zoning districts from Town of West Tisbury, MV Commission 2017, Coordinate Reference: State Plane, Mass Mainland, Meters, NAD83
Note: Map prepared by the Martha's Vineyard land bank for planning purposes only. The land bank is not responsible for end-users' interpretation of the map.



Sources: Office of Geographic and Environmental Information (MassGIS) Commonwealth of Massachusetts Executive Office of Environmental Affairs; Aerial USGS Ortho Imagery 2019; Zoning districts from Town of West Tisbury, MV Commission 2017, Coordinate Reference: State Plane, Mass Mainland, Meters, NAD83
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2. Abutters

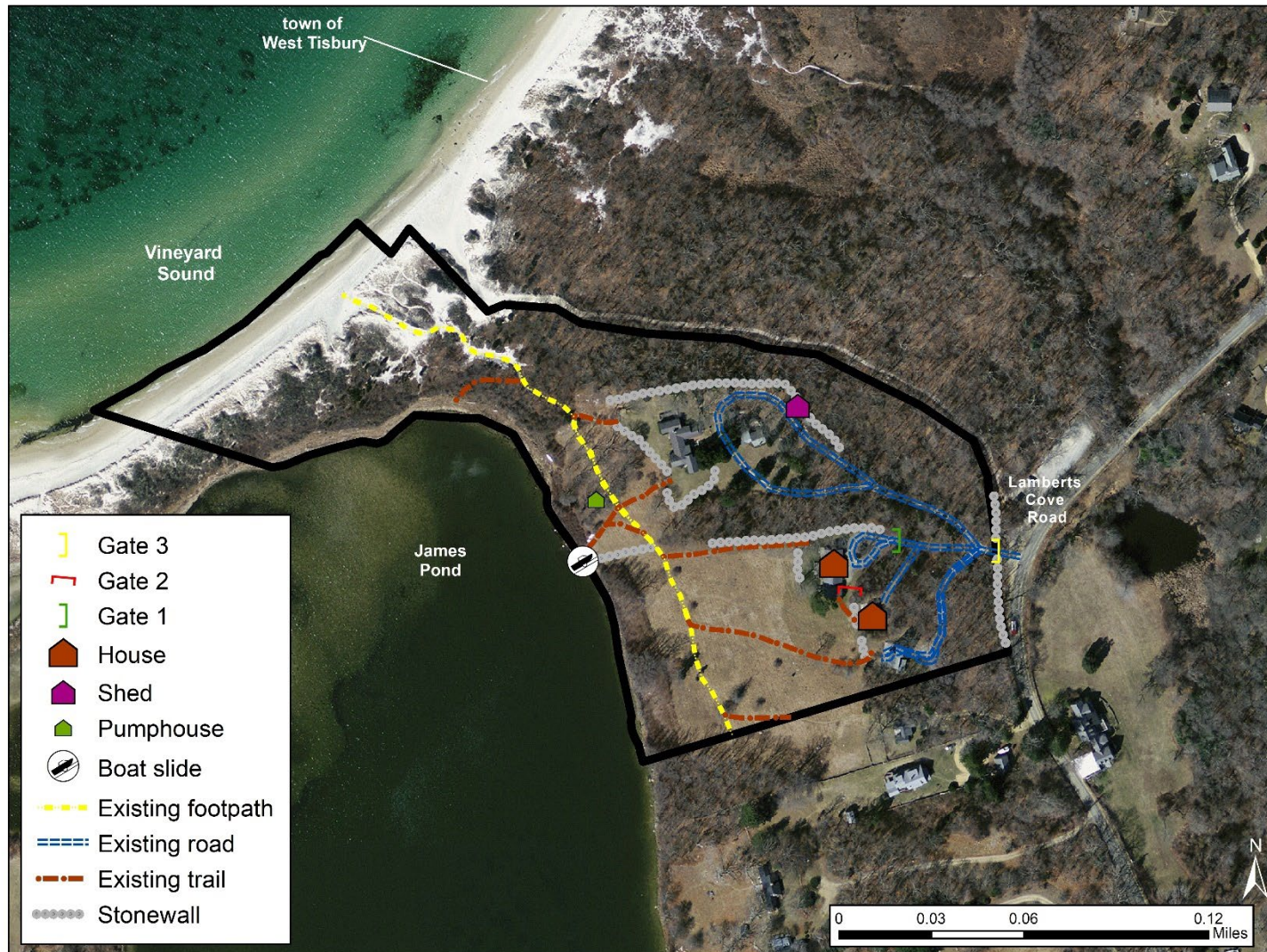
A list of those owning land abutting or within 200 ft of the James Pond Preserve was generated based on the West Tisbury, 2022 Assessors Map as it appears in the AxisGIS program (Map 21, Appendix J). Abutters are included on the Abutters List in Table 5, Appendix J.

3. Existing Use and Infrastructure

James Pond Preserve is bounded by the Vineyard Sound, James Pond, Lambert's Cove Road, the beach-access-trail of the Lambert's Cove town beach, and various private properties (Abutters – Map 21, Appendix J). The preserve is an aggregation of parcels that were used for homes and vacation rentals, and as such some infrastructure currently exists (Map 5, pg. 22):

- A. Structures:** There are four structures within the James Pond Preserve: two dwellings, one shed, and one pumphouse. The pumphouse will be removed at a later date and the shed will be repurposed somewhere else on the property. The northerly of the two dwellings will be retained as caretaker/ranger housing; the southerly will be retained for this purpose so long as it is functional for this goal.
- B. Roads:** Several existing roads/driveways with a single entrance from Lambert's Cove Rd exist on the property, totaling 1669 feet. A length of 215 feet will be maintained to access caretaker housing; 324 feet will be repurposed for the trail system; 301 feet will be incorporated into the trailhead loop; and 890 feet will be re-naturalized.
- C. Trails:** Several trails exist on the property that connect the James Pond *Lambert's Cove Beach Association* lots to the beachfront, totaling 1894 ft. The beach-access easement trail will be maintained and connected to additional proposed trails. Approximately 1126 linear feet of existing trail is proposed for decommissioning.
- D. Gates:** There are three gates on the preserve. One gate is located between the two caretaker and seasonal staff residence. A second gate separates the caretaker driveway from the proposed trailhead. A third gate is located at the entrance to the access road. (Map 5, pg. 22; Map 13, Appendix A).
- E. Boat slide:** A small, grassy boat slide exists to access James Pond; a light-penetrable boardwalk is proposed in this location to prevent further erosion and will be maintained during summer months for non-motorized boaters and fishermen to use; boat portaging from trailhead will be required.

Map 5: Existing infrastructure of James Pond Preserve See Section 1.D.3 for descriptions of these features.



Sources: Office of Geographic and Environmental Information (MassGIS) Commonwealth of Massachusetts Executive Office of Environmental Affairs; Aerial USGS Ortho Imagery 2019; Zoning districts from Town of West Tisbury, MV Commission 2017; Coordinate Reference: State Plane, Mass Mainland, Meters, NAD83
Note: Map prepared by the Martha's Vineyard land bank for planning purposes only. The land bank is not responsible for end-users' interpretation of the map.

II. Inventory Analysis

In this section, problems and opportunities that may arise in the management of James Pond Preserve are analyzed.

A. Constraints & Issues

1. Ecological Context

James Pond Preserve comprises a small portion of the much larger Lambert's Cove, a mile-long dip in the northern coastline of Martha's Vineyard on Vineyard Sound. The preserve protects 16% of the James Pond shoreline and reduces the impact of abutting residential dwellings on the pond by two households. The open coastal grassland has the opportunity to boast sandplain grassland plant species and provide nesting habitat for listed reptile, invertebrate and avian species as well as hunting grounds for birds of prey.

2. Natural and Cultural Resource Concerns

There are five main areas of concern in James Pond Preserve, each briefly addressed below and then in more detail in the land management section of the plan:

Commonwealth-listed rare species

Five commonwealth-listed wildlife species are known to occur on the preserve; continued protection of the coastal habitat that supports these species, as well as continued monitoring, is proposed in this management plan. There were no observations of commonwealth-listed plant species on the property during habitat inventories of the beach, pond shore, grassland and woodland in 2022. Harvard herbarium accounts of historic plants on the shores of James Pond indicate continued monitoring is advisable.

Erosion

Dune systems are sensitive to erosion and destabilizing vertical growth. Dune mats, adjustable dune stairs, and sand-trapping fencing are proposed to protect the dune and nourish sand in compromised areas while providing beach access. Visitors will be encouraged to stay off dune vegetation with signage, symbolic fencing and beach ranger monitoring.

Invasive exotic species

Invasive exotic species are a concern on any property. These species often are generalists and can outcompete native species resulting in displacement and drastic alterations to the composition of natural vegetation communities (Somers 1996). Frequently without natural enemies, these seedlings compete aggressively for nutrients, water, and light with neighboring native plants, or even directly kill native plants. Annual monitoring followed by rapid management to remove and control populations of invasive species are important to maintaining an ecological balance and improving habitat integrity on the preserve. A list of invasive species can be found in Appendix D. Table1.

Coastal ponds

Coastal ponds are important components of the health and beauty of Martha's Vineyard and are crucial habitats for fish and shellfish. These systems are sensitive to nutrient fluctuations and alterations in tidal exchange processes with the sea. This resource and other wetland habitats that fall under the wetland protection act (e.g., dune, coastline) on the preserve are guarded by special regulations to mitigate and prevent negative impacts of human use on the health of these systems.

Indigenous People's Artifacts

Many areas of the island contain significant archaeological findings, especially seasonal villages located near freshwater that abuts the coast. Evidence of indigenous people's use of the land is often left behind in the form of tools and shell middens or trash piles. Management strategies such as pounding posts instead of digging, building up universal access trails by adding material and covering exposed soil on trails with wood chips are proposed to mitigate the exposure and disturbance of archaeological findings that are presumed to exist on the preserve.

3. Sociological Context

James Pond Preserve is positioned in the town of West Tisbury abutting private residences to the south and land owned by the Town of West Tisbury to the north. The townland to the north is Lambert's Cove Beach and has restricted public access; it is open to West Tisbury residents with passes. A short trail (Goethals Family Trail) meanders from the town parking lot through woodland over which Sherrif's Meadow Foundation has a conservation restriction and connects to the town beach path. The area is popular for its natural beauty, fishing, and beachgoing. The preserve provides public access for all to enjoy these coveted amenities as well as boating and fishing opportunities on James Pond.

4. Neighborhood Concerns

The land bank considers the concerns of neighbors as part of the planning process. All abutting property owners and the local conservation commission are sent written notice of a public hearing on the draft plan. All neighbors and all members of the public are invited to review the draft plan, attend the public hearing, and make written or oral comments. Anyone may also express concerns at any public meeting of the Martha's Vineyard land bank commission and West Tisbury town advisory board or may simply contact land bank staff. The land bank's West Tisbury town advisory board and the Martha's Vineyard land bank commission review all comments and can change the draft plan if desired. Some general concerns already incorporated into this management plan include:

- Trespassing on private property.
- Boat use in James Pond

- Noise from visitors disturbing residential neighbors.
- Conflicts surrounding beachgoers from James Pond and Lambert's Cove Town Beach.
- Waterfowl hunting and fishing access.
- Parking conflicts with Lambert's Cove Beach.
- Traffic on Lambert's Cove Road

B. Addressing Problems and Opportunities

1. Land bank mandate

In 1986, the voters of Martha's Vineyard created the land bank to acquire, hold, and manage land in a predominantly natural, scenic, or open condition. The land bank keeps open space open and allows modest public use. Its "shared-use" policy strives to provide a range of public benefits, from low-impact recreation and aesthetics to wildlife conservation and watershed protection. Protection of natural resources is the land bank's highest priority, yet "shared-use" demands balancing the public use of natural resources with protection of the same.

2. Goals at Purchase

The purchase of James Pond Preserve meets seven of the land bank's nine criteria for property acquisition: forest land conservation; fresh and saltwater marshes or wetland conservation; ocean and pond frontage, beach, dune and adjoining backland resource protection; wildlife habitat conservation; easements for trails and for publicly owned lands; protection of scenic vistas; and sites for passive recreation.

A preliminary management plan was adopted by the land bank commission and its West Tisbury advisory board (see Appendix B).

3. Opportunities

The 13.9 acres of James Pond Preserve provide several opportunities for the public to interact with this scenic landscape. They are as follows:

- A. Access:** A trailhead that accommodates 12 vehicles including one universal access space is proposed near Lambert's Cove Road and the northern property boundary. An in-season reservation system as well as summer rangers will be utilized to manage visitors accessing the property and ensure orderly use of the beach. A boat slide along the James Pond shoreline will provide access to boaters and fishermen to this great pond.
- B. Trails:** A 0.5-mile trail loop utilizing existing and proposed trails will provide visitors the opportunity to explore the upland areas of the preserve and access the beach.
- C. Views:** The preserve offers enchanting views of James Pond and the Vineyard Sound, as well as the dynamic tidal outlet and dune system

between them. The savanna -like open-growth woodland provides visitors a shady haven to rest under so they may enjoy views of the pond over a cascade of flowering grassland plants.

D. Passive recreation: The preserve is well-suited for passive recreational use such as kayaking, hiking, birdwatching, and beachgoing.

E. Hunting and Fishing: The location of the preserve on James Pond invites fishing. However, size and proximity to residents and roads precludes hunting on the preserve.

4. Universal Access (UA)

The minimal slope, wide existing road, and unhindered expansive views of the pond and sound from the hilltop in the upland area are ideal for creating universal accessibility within James Pond Preserve. A 325-foot UA trail is proposed within the abandoned driveway that accessed a former residential dwelling. The remaining segments of the proposed trail system within the existing trail easement area are less conducive to universal accessibility due to their sandy nature and proximity to the pond environs.

The preserve's ROS (Recreation Opportunities Spectrum) classification is "Semi-Primitive Non-motorized". Further details are included in Appendix K.

III. Land Management Planning

This final section of the management plan states goals for James Pond Preserve and outlines MVLB strategies for achieving them. The plan addresses five areas of planning concern: nature conservation; recreation and aesthetics; natural products; community interaction; and land administration. These goals and strategies are designed to fit within the social and ecological constraints defined previously and, with the exception of matters under the control of the NHESP, apply to members of the general public and not the private easement-holders.

A. Nature Conservation Goals

Provide long-term protection for coastal pond, plants, wildlife, and natural processes occurring at James Pond Preserve.

Objective 1: Protect and encourage rare and endangered species and habitats on the preserve.

Strategies:

- A.** Monitor the property for rare plants and wildlife during regular property checks; annually report new observations to the proper commonwealth authorities.
- B.** Develop and implement appurtenant strategies to protect any additional rare species observed on the property; consult with NHESP as necessary.
- C.** Reroute or close trails and fence habitats in the event that recreational use interferes with a rare species.
- D.** Protect dune habitats.
 - a. Minimize erosion impacts on rare moth host plants through beach

- access management strategies.
 - i. Install dune mats on beach access trail.
 - ii. Install adjustable dune stair system (e.g., Sebago dock) down face of dune to beach.
 - iii. Install snow-fencing in areas of dune that are compromised in order to encourage lateral growth.
 - b. Discourage unauthorized trails over and in dune system.
 - i. Use signage and symbolic fencing as necessary.
 - ii. Close unauthorized trails as they are discovered.
 - c. Protect larval host plant species such as beach plum from cutting and encourage population growth through cultivation from native stock and utilization in screening and restoration areas.
- E. Protect James Pond shoreline.**
- a. Designate one specific pond access point to mitigate expanding impacts on rare plant and wildlife habitat.
 - b. Site kayak access point at the existing boat slide based on topography and absence of rare shoreline plant species.
 - c. Utilize a raised boardwalk decked with light-penetrating material and adjustable floating ramp at the access point.
 - d. Use signage, detailed maps, and symbolic fencing where necessary to discourage unauthorized pondshore access.
 - e. Prohibit storage of boats on property (See B, Objective 10 for additional details).
- F. Protect shorebird breeding habitat.**
- a. Monitor for rare shorebirds.
 - b. Follow “Guidelines for Managing Recreational Use of Beaches to Protect Piping Plovers, Terns, and Their Habitats in Massachusetts”, MA Division of Fisheries and Wildlife, <https://www.mass.gov/doc/guidelines-for-managing-recreational-use-of-beaches-to-protect-piping-plovers-terns-and-their-0/download>.
 - c. Use symbolic fencing to designate and protect breeding and foraging habitat of listed shorebird species, as necessary.
 - d. Use signage to discourage unauthorized uses.
 - e. Follow NHESP protocol prohibiting kites on the preserve between April and September for shorebird nesting season.
 - f. Prohibit dogs on the preserve from April – September, excluding easement-holders, regardless of shorebird presence or absence (See B, Objective 8 for additional details on preserve dog policies).
 - i. Per commonwealth endangered species act, dog restrictions (leashing or prohibition) for easement-holders may be required in the event that protected shorebirds are initiating use of the beach for breeding purposes (e.g. scrapes, courtship postures, aerial displays, aggressive dive-bombing, broken wing).
 - ii. Utilize signage and summer rangers to enforce all dog policies adopted, including temporary alterations for easement holders.
- G. Protect ground nesting birds and reptiles during breeding season.**

- a. Prohibit dogs on the property April – September.
- b. Mow grassland in spring prior to April 1; if in-season treatment is necessary to manage woody growth utilize small paddock rotational grazing.
- c. Encourage visitors and their dogs to remain on trails and remove dog waste from the preserve.

Objective 2: Reduce and control erosion on the preserve.

Strategies:

- A. Site trails on appropriate grades to minimize erosion.
 - a. Reroute or close trails if substrate does not support proposed recreational use volume, as deemed necessary by staff.
 - b. Add soil-stabilizing material to trails where and when necessary.
- B. Utilize soil-retention techniques, such as steps and underlayment fabrics, as necessary.
- C. Prohibit use of motorized vehicles such as dirt bikes, electric bikes, and all-terrain vehicles on the trail system, except for emergency vehicles.
- D. Prohibit horses and bicycles from preserve due to trail infrastructure and proximity to wetlands; bicycle rack is provided at trailhead.
- E. Cover trails with woodchips or other appropriate materials if needed to manage unforeseen issues and prevent further surface soil erosion.
- F. Mitigate dune erosion
 - a. Use existing footpath.
 - b. Use dune mats along beach access trail.
 - c. Remove mats in the event of winter storms, as necessary.
 - d. Install adjustable dune stairs.
 - e. Use drift fencing at beach entrance during winter to nourish the toe of the dune by catching migrating sand traveling up the path.
- G. Install approximately 25-50 feet of raised light-penetrable boardwalk and floating ramp at existing pond boat-slide.
- H. Provide one pond shore access point and prohibit all other access to the shoreline from the preserve.
- I. Improve existing road slated for trailhead loop and access driveway through grading and surface material enhancements; maintain as such following annual assessments and recommendations by land bank staff.
- J. Explore alternative erosion control measures as such methods are discovered.

Objective 3: Protect the value of the preserve as migratory and breeding habitat for wildlife species.

Strategies:

- A. Retain select snags in woodlands where these trees do not pose unacceptable safety or fire hazard.
- B. Maintain shrubland habitat along pond shoreline and in dune system.
- C. Monitor changes in vegetation cover during regular property checks and by updating ecological inventory in 2032.

Objective 4: Monitor for and control the spread of exotic invasive species,

such as Oriental bittersweet, Japanese honeysuckle, and black locust.

Strategies:

- A. Use appropriate methods to control invasive species such as hand-pulling, repeated in-season mowing and grazing, herbicide use, weed wrench removal, and girdling as time and funding allow per approval from the West Tisbury Conservation Commission and NHESP where necessary.
- B. Target heavily infested areas of Oriental bittersweet (Map 11, Appendix A).
- C. Monitor for re-growth and continue to manage exotic invasive species.
- D. Dispose of invasive species following approved protocols.
- E. Clean maintenance equipment between properties to avoid the spread of exotic invasive species.

Objective 5: Reduce forest fire danger on the preserve.

Strategies:

- A. Prohibit open fires on the preserve, including firepits and beach bonfires.
- B. Follow the recommendation of the Martha's Vineyard Commission Community Wildfire Protection Plan, providing recommendations do not preclude attainment of natural conservation objectives.

Objective 6: Protect natural processes on the preserve.

Strategies:

- A. Encourage native plants that support native pollinators.
 - a. Convert lawn areas into native grassland and forb habitat (Map 11, Appendix A)
 - b. Use island-grown native plants and/or seed for any restoration or screening projects.
 - c. Implement mowing and grazing regime around flowering times of dominant vegetation.
- B. Wetland resource areas
 - a. Protect buffer zone of wetland resource areas by minimizing any cutting of existing shrubland vegetation.
 - b. Prevent dune erosion and destabilization by using snow fencing.
 - c. Prohibit auxiliary access paths to pondshore from the preserve.
 - d. Prohibit horses from preserve to minimize nutrient loading into the pond.

Objective 7: Create and manage open habitats (see Project Map A).

Strategies:

- A. Convert 3.5 acres of mowed lawn to native grassland.
 - a. Seed with native grasses and forbs as necessary.
 - b. Perform in-season mowing and/or grazing.
- B. Highlight open-growth trees and promote a grass-dominated understory in a 1.4-acre area through the removal of black locust and other small diameter trees and shrubs leaving oaks, pitch pine and beetlebung grove (Map 11, Appendix A).
 - a. Mow and graze understory annually to manage woody vegetation.
- C. Hand clear or graze vegetation around stonewalls when visible from a public trail.

- D. Mow understory of savanna-like open-growth woodland to promote a grassland understory.

Objective 8: Plan for climate change through adaptive management strategies.

Strategies:

- A. Minimize soil erosion across the property.
 - a. Drive supports into ground instead of digging
 - b. Spread woodchips or other stabilizing surface material on trails
 - c. Seed or plant exposed soil.
 - d. Prohibit horses, bicycles, and motorized vehicles from preserve.
- B. Promote carbon sequestration in management practices.
 - a. Protect coastal saltmarsh habitat.
 - b. Explore the use of biochar to dispose of exotic invasive species
- C. Site or reroute trails outside of 10 ft sea-level rise prediction zone when necessary.
- D. Relocate beach access easement trail to higher ground if extensive boardwalk is necessary to mitigate sea level rise.

B. Recreation and Aesthetics

Allow limited, low-impact recreational use of the preserve as well as create and maintain attractive views and landscapes, provided that these uses do not preclude attainment of nature conservation objectives.

Objective 1: Maintain the property open for low-impact recreation.

Strategies:

- A. Open the property for hiking, kayaking, birdwatching, beachgoing, and other passive uses (See Map 12 for simplified trail system).
 - a. Open preserve to all visitors (walk-on, vehicle and bicycle) between 10am and 6pm during the summer season, June 1 – September 15 with the ability to alter the hours as circumstances indicate.
 - b. Utilize a daily reservation system for vehicles between June 1 – September 15 (12 vehicles can reserve a space per day)
 - c. During remainder of year post signs stating the preserve is open between dawn and dusk except for fishing or stargazing.
 - d. Permit kayakers to be dropped off; monitor use and modify kayak policy if problems arise.
- B. Limit total number of people on the preserve at any given time to 110 during in-season (June 1 – September 15).
 - a. This calculation is based on full-capacity vehicles (5 people/car) at the 12-vehicle trailhead and an additional 50 walk-on, drop-off, and bicycling visitors.
 - b. The carrying capacity of the preserve was set 36% below that of abutting Lambert's Cove town beach.
 - c. The capacity ceiling count excludes any person with pre-existing easements to access the beach.
 - d. Utilize seasonal attendants on the Preserve between June 1 –

September 15, as necessary to monitor and enforce visitor carrying capacity limits and uses.

- C. On-site caretaker(s) will routinely monitor after-hour and off-season activity.
- D. Install a bike rack to accommodate visitors arriving via bicycle otherwise bicycles are not permitted on the trail system.
- E. Prohibit horses on the preserve; install walk-through gates, if necessary.
- F. Maintain a “carry in-carry out” litter policy for both beach and inland visitors.
- G. Monitor impact of passive recreational use on the preserve annually and manage accordingly; utilize traffic counters during the off-season as needed.
- H. Protect the significant archaeological nature of the preserve.
 - a. Utilize surface coverings on trails to minimize exposure of artifacts.
 - b. Prohibit digging or disturbance of the surface, removal of any artifacts from the preserve, and metal detecting.

Objective 2: Manage Vineyard Sound beach recreation.

Strategies:

- A. Provide one access point via the James Pond Preserve trailhead to the beach for all visitors including beachgoers.
 - a. Lambert’s Cove Town Beach visitors that are planning to utilize James Pond Preserve public beach must also access through the James Pond Preserve trailhead.
 - b. Prohibit crossing beach property boundaries between the preserve and abutting properties.
 - c. Install fencing and signage as necessary to discourage unauthorized trails to the preserve from the town beach access trail.
- B. Post adequate rangers on the preserve to manage visitors and ensure property rules are followed.
- C. Post signage stating a lifeguard is not present on the beach, and swimmers are swimming at their own risk.
- D. Prohibit alcohol, nudity and amplified music on the preserve.
- E. Install conspicuous emergency life ring on beach.
- F. Provide gate access to West Tisbury emergency personnel.
- G. Honor colonial bylaws of the intertidal “wet sand” zone that allow fishing (i.e., angling, shellfishing), fowling (i.e., hunting) and navigation (i.e., swimming, non-motorized boating).
- H. Enforce Code of Massachusetts Regulations 323-2.07 regarding use of vessels, that states: “*Motorboats shall not be operated: 1. Within 150 feet of shoreline which is being used as a swimming area, whether public or private, or 2. Within 75 feet of the seaward boundary of a public or private swimming beach, if designated by markers, floats or otherwise.*”
 - a. Motorboats are defined as “*Any vessel propelled by machinery whether or not such machinery is the principal source of propulsion.*”
 - b. Swimming area is defined as area where boating is prohibited.
- I. Prohibit use of personal watercraft in swimming area.
 - a. Personal watercraft are defined as “*Personal watercraft shall mean*

a vessel propelled by a water jet pump or other machinery as its primary source of motor propulsion which is designed to be operated by a person sitting, standing or kneeling on the vessel rather than being operated in the conventional manner by a person sitting or standing inside the vessel.”

- J. Coordinate installation of swimming buoys with abutters.
- K. Prohibit swim-on access to the preserve via the sound.

Objective 3: Manage existing roads and trails.

Strategies:

- A. Maintain approximately 215 linear feet of existing roads for caretaker and seasonal staff access.
- B. Repurpose 324 feet of existing road into universal access trail.
- C. Convert 300 feet of existing road into the trailhead loop.
- D. Decommission remaining roadways, approximating 900 linear feet.
- E. Maintain approximately 1000 feet of existing beach easement footpath (Dukes County Registry of Deeds [DCRD], book 634, page 60), hereafter referred to as “footpath” as opposed to “trail.” All proposed alteration of the footpath must be agreed upon by parties listed in the easement agreement (Book 634, page 60).

Objective 4: Create twelve-vehicle trailhead along existing driveways off Lambert’s Cove Road (See Map 13, Appendix A).

Strategies:

- A. Maintain locking gate at entrance of trailhead, to be opened and closed by ranger staff between June 1 and September 15.
 - a. Provide gate access to West Tisbury emergency personnel.
- B. Place trailhead near Lambert’s Cove Road to cluster impact with town beach parking and reduce noise disturbances to residential abutters.
- C. Create a one-way, 12-vehicle trailhead loop to minimize traffic issues.
 - a. Incorporate existing driveways and cut new roadways as necessary (See Map 13, Appendix A).
- D. Designate pull-off area along access loop for pick-up and drop-off use only, including kayakers.
- E. Install portable lavatory in central location of trailhead.
- F. Create a space for one universal access vehicle located closest to the UA trail.
 - a. Add substrate hardeners such as dense mix as needed to create a UA compatible surface.
 - b. Post a sign designating space as UA.
- G. Install a bicycle rack at the trailhead.
- H. Install a sign station that is universally accessible.
- I. Devise notification system on-site to advise prospective visitors of preserve capacity status.

Objective 5: Create new trails as shown on Maps 12-14 (Appendix A).

Strategies:

- A. Create approximately 900 linear feet of new trail and connect it with 470

linear feet of existing trail and footpath (Map 12, Appendix A).

- a. Make trail corridors eight feet wide with a maintained tread of 6 feet, with the exception of the 3'-wide footpath.
 - b. Site trails so that they are as unobtrusive as possible to nearby homes and sensitive wildlife habitat.
 - c. Minimize the cutting of trees in the creation of trails.
 - d. Allow staff discretion to close and relocate existing trails or add new trails, such as spur trails for off-property trail connections.
 - e. Designate approximately 100 feet of new trail for staff use only to connect the staff dwelling with the caretaker's dwelling.
- B.** Close approximately 1130 feet of existing trails on the preserve.
- C.** Repurpose existing driveway into a 325 linear feet universal access trail ending with a viewing platform overlooking James Pond and the Vineyard Sound.
- a. Use surface materials as needed to ensure proper tread.
 - b. Create UA compliant viewing platform that maximizes views of the pond and sound.
- D.** Install approximately 50 feet of light-penetrable boardwalk at boat slide.
- E.** Install approximately 300 feet of dune mats for beach access trail, to be removed, as needed, during intense storm events.
- F.** Install adjustable, modular aluminum stairs (100 ft) over dune face for beach access.
- G.** Request approval from easement holders to relocate 233' of footpath to a location on a higher contour outside of sensitive wetland area that is in need of a boardwalk. If approval is not granted, construct 233' of raised boardwalk over the footpath.
- H.** Mark trails with directional signs.
- I.** Close unauthorized trails upon detection.
- J.** Check and maintain trails monthly.
- K.** Screen houses visible from trail using native plants.

Objective 6: Highlight and maintain existing views; expand as fitting.

Strategies:

- A.** Create viewing platform at terminal of UA trail.
- B.** Install rustic benches where appropriate.
- C.** Maintain existing open space through mowing and grazing.
- D.** Remove debris from beach, minimally once per week.
- E.** Manage understory vegetation and remove select saplings in savanna-like open-growth woodland to improve view of pond from trail.
- F.** Remove well-house.
- G.** Highlight stonewalls millstones, clear by hand and grazing.

Objective 7: Entertain possibilities for other trail links.

Strategies:

- A.** Create new trails as necessary to connect the preserve to future conservation land and trail easements.

Objective 8: Due to nesting birds and bathing beach activities on the

preserve utilize a two-fold approach to dog use of the preserve, excluding easement-holders provided that endangered species protection objectives are met (see III.A.1).

Strategies:

- A. Prohibit all dogs from the preserve from April–September,
- B. Permit leashed dogs on the preserve from October – March.
- C. Post rules and educational signage regarding dogs and wildlife in appropriate locations.
- D. Encourage visitors to clean up after their pets; carry-out policy applies.
- E. Report all dogs roaming at large to the Animal Control Officer.

Objective 9: Create opportunities for non-motorized boat recreation.

Strategies:

- A. Maintain current boat slide site for non-motorized boats and install light-penetrable boardwalk and floating ramp to protect vegetation and prevent erosion.
 - a. Boats must be portaged from trailhead (~975ft).
 - b. Install a low-profile boat storage rack to accommodate 4 boats for boaters on the pond who intend to land on the preserve and utilize the trail system; prohibit overnight storage.
- B. Permit landing of non-motorized boats at designated areas:
 - a. Boat slide site on James Pond.
 - b. James Pond Preserve beach on the Vineyard Sound.
- C. Post signage informing visitors that the inlet of James Pond is privately owned and all landings must occur at the designated landing site on the barrier beach of the preserve.
- D. Post boat rules at trailhead and boat slide site.
- E. Monitor pondshore for indication of impact from boats.
- F. Prohibit all overnight storage of boats and outhaul anchors on the preserve.

Objective 10: Prohibit camping, unless special permission is granted by the Martha’s Vineyard Land Bank Commission.

Strategies:

- A. Prohibit camping on the preserve unless special permission is granted for scouting and like groups, and if in compliance with appropriate town bylaws.
- B. Monitor the preserve for squatters and remove unauthorized campers promptly.

C. Natural Products

Objective 1: Allow access to James Pond and Vineyard Sound for fishing and shellfishing (III.D.5).

Strategies:

- A. Permit pond and coastal fishing (including shellfishing).
 - a. Create pond access point at boat slide area.
 - b. Limit fishing to standing water and non-vegetated stretches of pond

shoreline.

- B. Permit night-fishing; consider further regulations if this activity directly conflicts other management goals over time.
 - a. Walk-on only access to the preserve for night-fishing between June 1 – September 15.
 - b. Trailhead may be used for night-fishing access September 16 – May 31.

Objective 2: Prohibit hunting on the preserve.

Strategies:

- A. Notify the public of the hunting policy on the preserve through the land bank website.
- B. Post the property closed to hunting.
- C. Prohibit access to the pond for waterfowl hunting.

Objective 3: Allow gathering of natural products.

Strategies:

- A. Prohibit collecting of rare plants and wildlife on the preserve.
- B. Suggest that gathering of non-rare materials occur within the immediate environs of the trail system, to avoid social trails and trampling of vegetation.

D. Land Administration

Oversee James Pond Preserve on a regular basis; develop and maintain good relationships with residential neighbors, members of the community, visitors, and the town of West Tisbury.

Objective 1: Help people find the property and avoid trespassing.

Strategies:

- A. Mark the property boundary on the land bank website and TrailsMV app.
- B. Staff preserve with 1-3 rangers from June 1 to September 15.
 - a. Place rangers at trailhead and beach to confirm reservations, help visitors, and monitor conflicts.
- C. Install “end of public property” signs where appropriate.
- D. Install logo markers on property.
- E. Install gates or fencing as needed.
- F. Post map of property and trails on sign station and websites as they are updated.
- G. Clearly post staff residences as restricted public use areas.

Objective 2: Recognize and honor beach lot and view easement agreements (DCRD:Book 634, pages 60, 66; Book 59, page 121).

Strategies:

- A. Maintain designated footpath for beach access (DCRD: Book 634, page 60).
- B. Any proposed alteration of the footpath must be agreed upon by all parties listed in the easement agreement (DCRD: Book 634, page 60).

- C. Maintain view easement of pond and sound over preserve held by neighbors through mowing and cutting of vegetation with necessary prior approval from state and local authorities.

Objective 3: Maintain good relations with abutters and neighbors.

Strategies:

- A. Establish contact and working relations with neighbors, the town of West Tisbury, and its conservation commission and parks and recreation departments.
- B. Attempt to rectify conflicts between preserve visitors and neighbors that might arise, in a way that satisfies all parties.
- C. Limit noise disturbance to neighbors.
 - a. Place trailhead on north end of property, away from boundary with residential neighbors.
 - b. Limit in-season access from 10am to 6pm (III.D.5).
 - c. Monitor noise levels travelling across James Pond through public complaints and ranger records.
- D. Fence boundary in grassland with split-rail or similar rural style fence.
- E. Coordinate management of the grassland on and off-premises with neighbors.

Objective 4: Avoid conflicts with Lambert's Cove Town Beach.

Strategies:

- A. Use sufficient signage at trailhead to streamline entrance and exit of property, as well as pick-up and drop-off locations.
- B. Use reservation system for vehicles to limit traffic on Lambert's Cove Road.
 - a. Highlight this system on the land bank website and TrailsMV app to avoid increased traffic from ineligible drive-up visitors.
 - b. Consider signage at trailhead entrance to limit unwanted congestion at trailhead.
- C. Install clear signage along property boundary.
- D. Place rangers on beach to enforce boundaries.

Objective 5: Keep Preserve well-maintained.

Strategies:

- A. Inspect property daily.
- B. Clean up any litter which may occur.
- C. Conduct regular beach cleanups and remove debris as necessary.
- D. Promptly respond to problems reported by visitors or neighbors.
- E. Employ adequate staff to effectively implement land management goals.

Objective 6: House on-premises caretaker/rangers.

Strategies:

- A. Maintain Building A (See Map 13, Appendix A) for full-time year-round caretaker.
- B. Utilize Building B (See Map 13, Appendix A) for ranger staff so long as it is functional for this purpose and then decommission.
- C. Designate an area for 5-vehicles in the existing driveway layout of caretaker's house for staff use.

- D. Create vegetative buffer of native plant species to screen buildings from trail system.

Objective 7: Maintain set hours for use.

Strategies:

- A. Open locked property gate every day during in-season (June 1 – September 15) between 10am and 6pm, with the ability to alter the hours as circumstances indicate.
 - a. Nighttime stargazing and fishing access by walk-on only.
- B. In the remainder of the year keep gate open and post hours as between dawn and dusk except for stargazing, fishing and MVLBC-approved special permission.

Objective 8: Keep well-maintained boundaries.

Strategies:

- A. Locate, GPS, and mark corners of property.
- B. Install split-rail fence along southern boundary of preserve.
- C. Walk boundaries annually.
- D. Post boundary flags where appropriate.
- E. Correct encroachments as they occur.

Objective 9: Keep good records of all land management activities and natural events.

Strategies:

- A. Record all significant events, natural or otherwise.
- B. Continue to update plant and wildlife inventories.
- C. Maintain photographic record of landscape appearance.

Objective 10: Comply with all applicable regulations and agreements.

Strategies:

- A. Comply with Massachusetts endangered species act.
- B. File activities proposed within resource areas and buffer zones of wetlands and districts of special planning concern zones with the Town of West Tisbury conservation commission.
- C. Comply with wetlands protection act and town of West Tisbury wetland by-laws.
- D. Request recommendations from the Massachusetts historical commission regarding the proposed activities in the plan.

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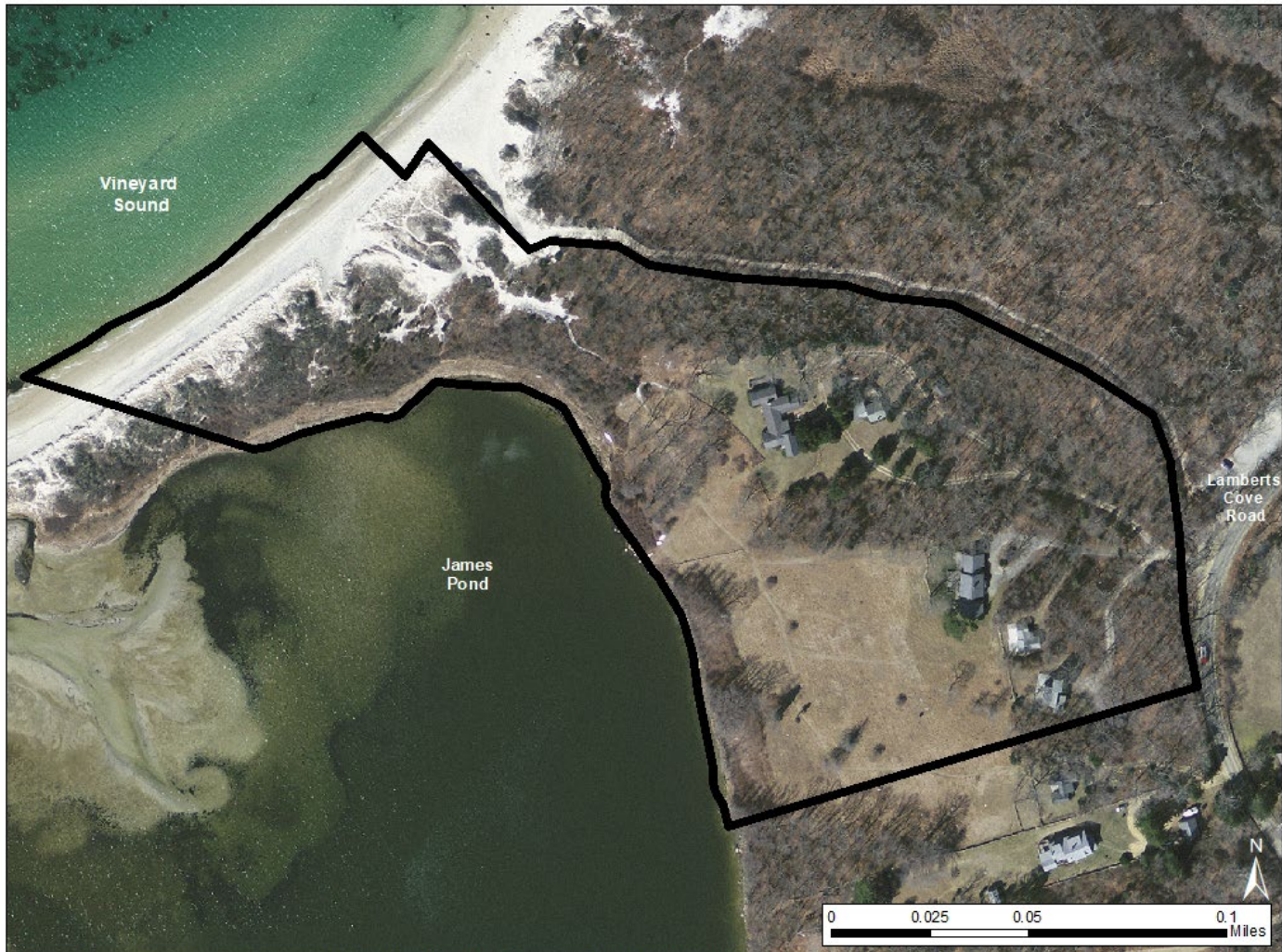
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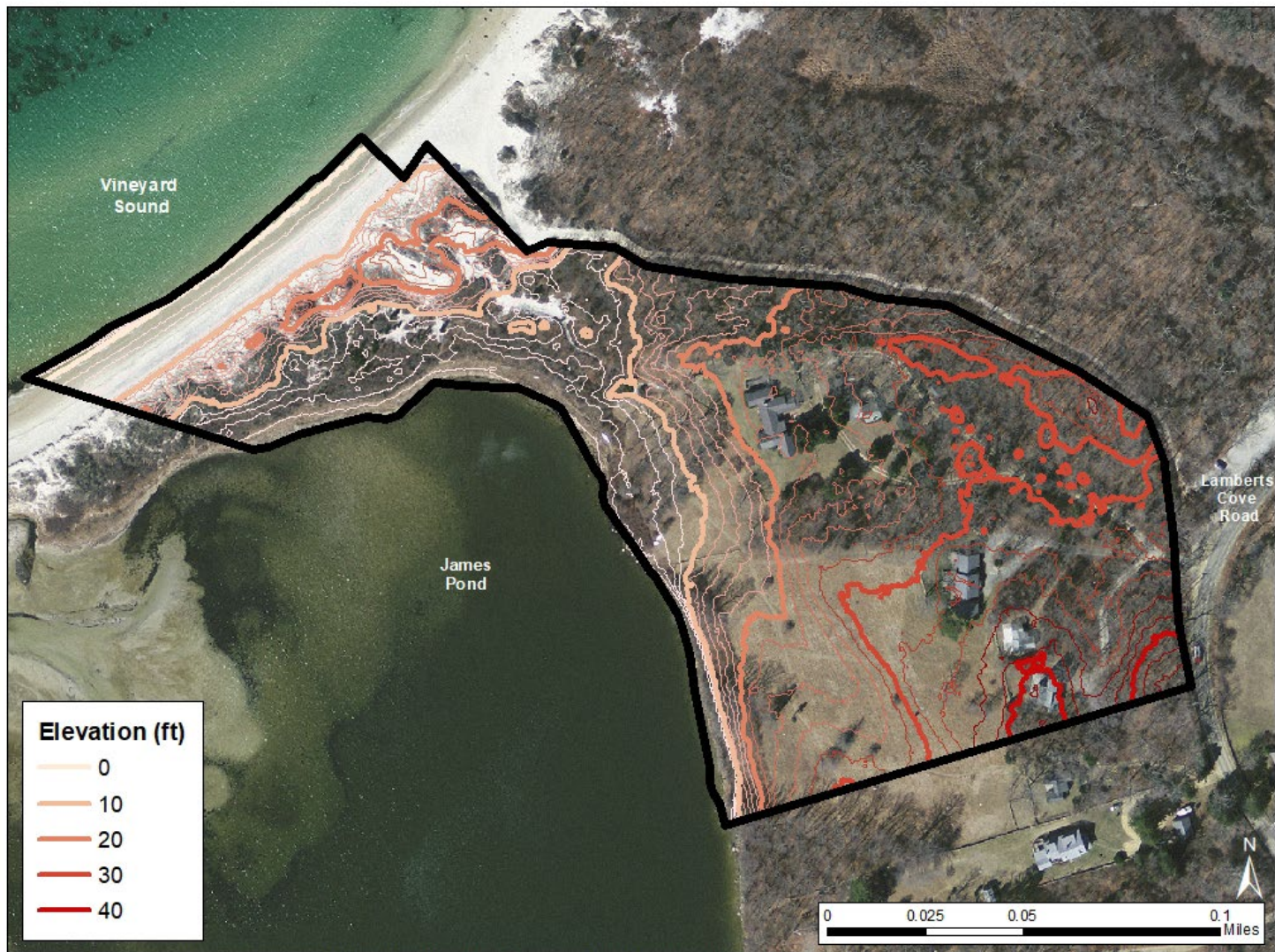
Appendix A: Aerial, Topography and Site Management Maps

Map 6: Aerial image of James Pond Preserve.



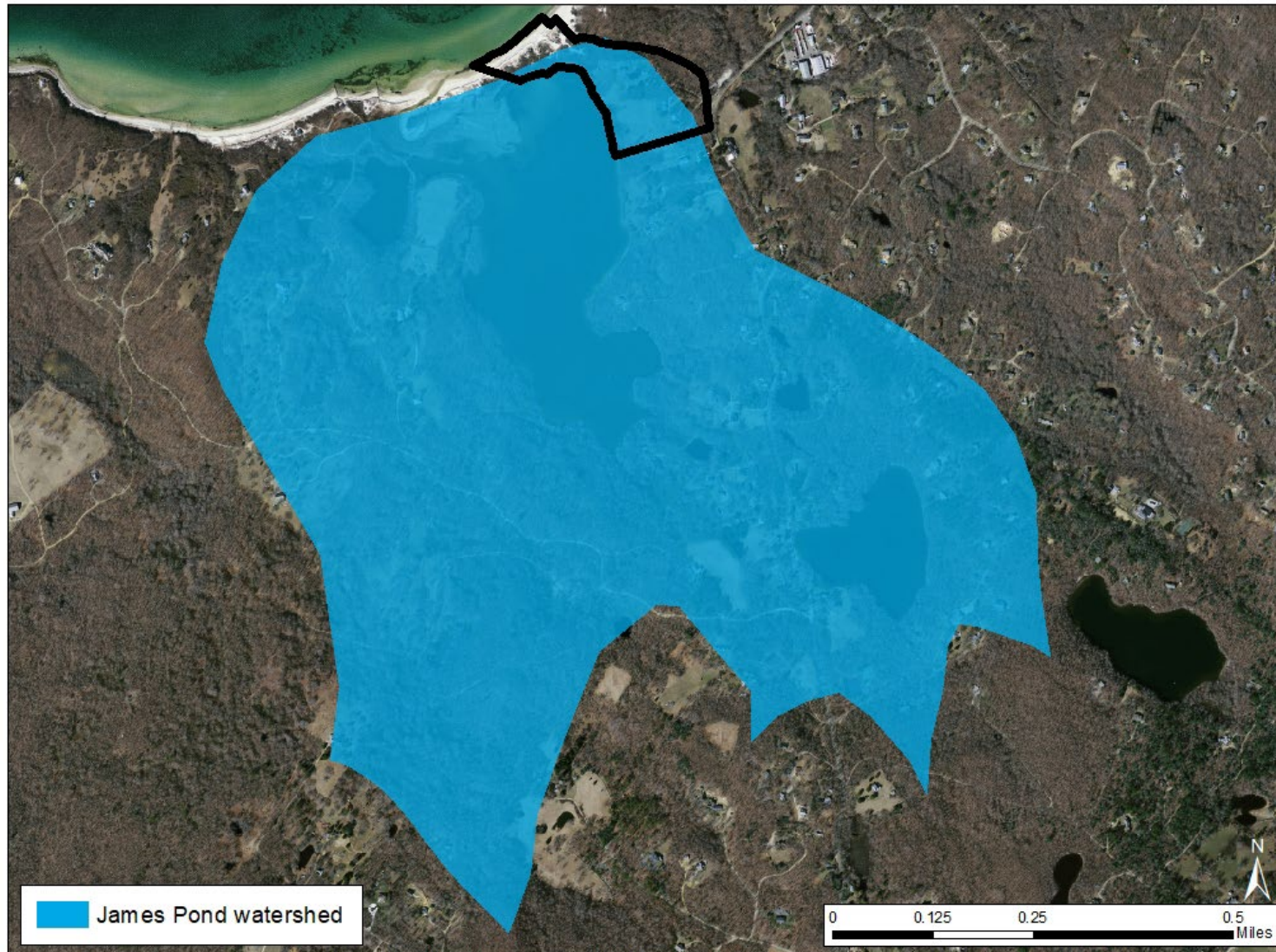
Sources: Office of Geographic and Environmental Information (MassGIS) Commonwealth of Massachusetts Executive Office of Environmental Affairs; Aerial USGS Ortho Imagery 2019; Zoning districts from Town of West Tisbury, MV Commission 2017; Coordinate Reference: State Plane, Mass Mainland, Meters, NAD83
Note: Map prepared by the Martha's Vineyard land bank for planning purposes only. The land bank is not responsible for end-users' interpretation of the map.

Map 7: Topographic map of James Pond Preserve, isolines are in 2 ft intervals, bold lines are 10 ft intervals.



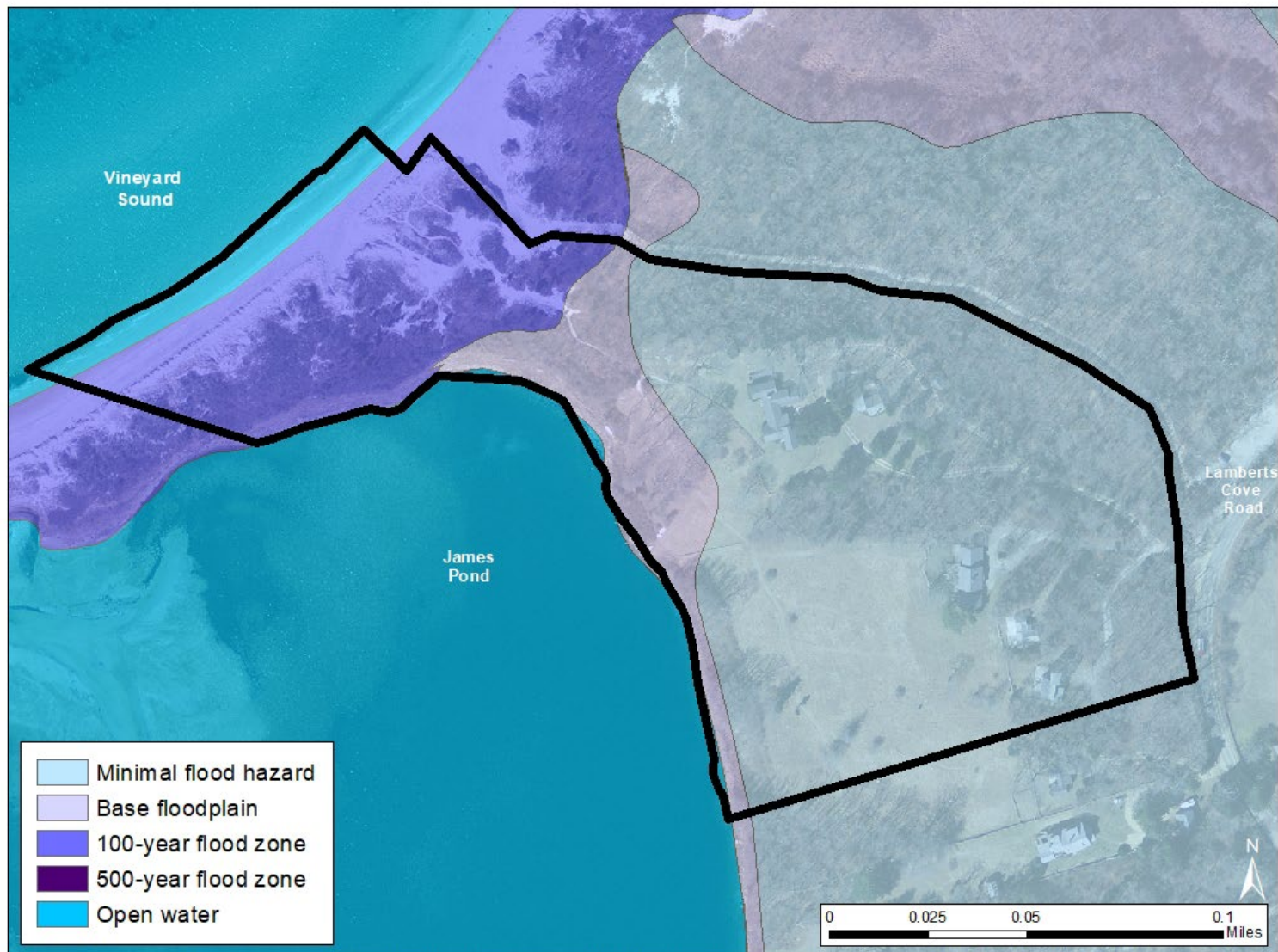
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Map 8: Watershed boundary of James Pond Preserve.



Sources: Office of Geographic and Environmental Information (MassGIS) Commonwealth of Massachusetts Executive Office of Environmental Affairs; Aerial USGS Ortho Imagery 2019; Flooding hazard zones: FEMA and MV Commission 2018; Coordinate Reference: State Plane, Mass Mainland, Meters, NAD83
Note: Map prepared by the Martha's Vineyard land bank for planning purposes only. The land bank is not responsible for end-users' interpretation of the map.

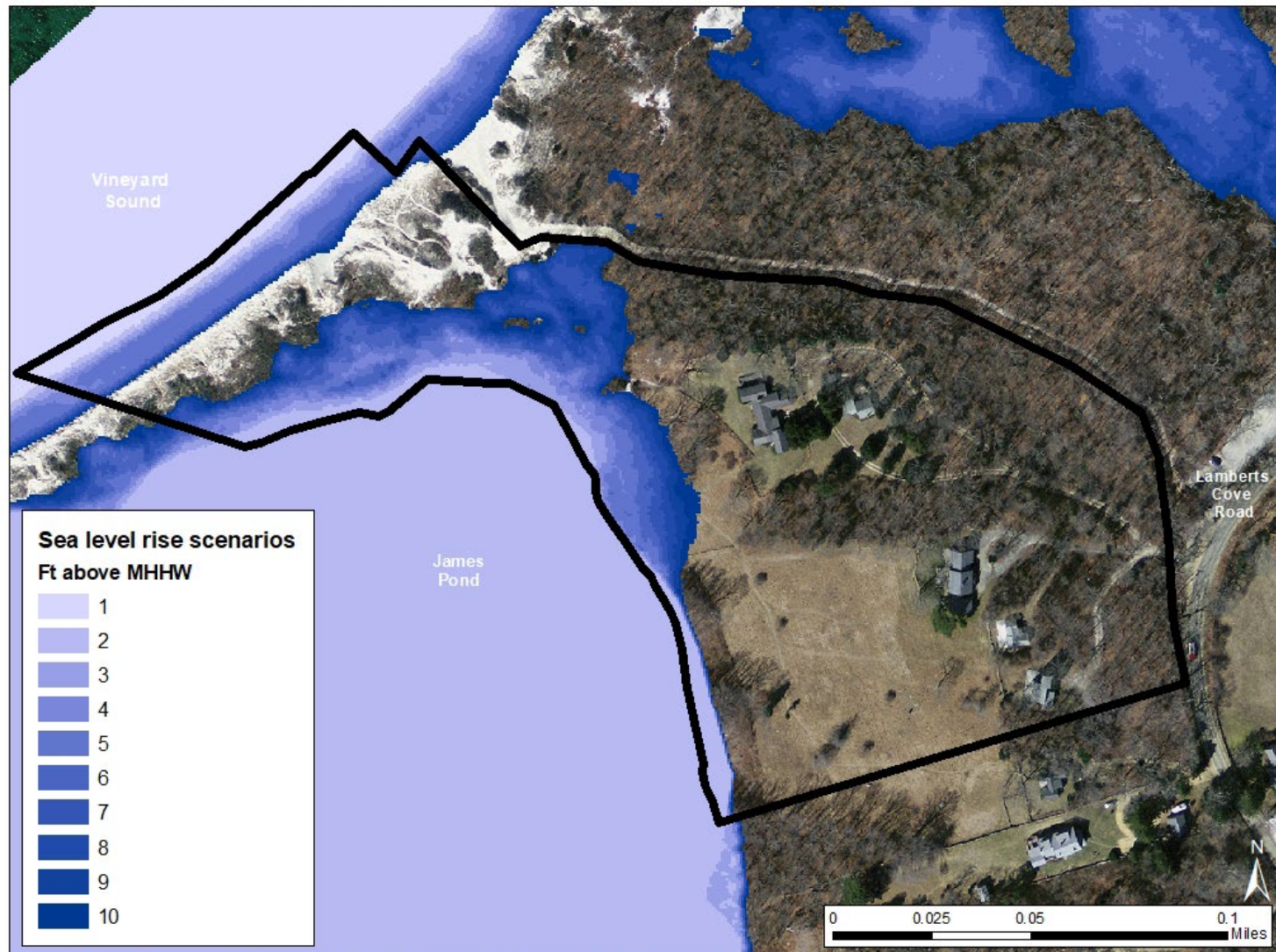
Map 9: Flood zones (FEMA 2016) of James Pond Preserve.



Sources: Office of Geographic and Environmental Information (MassGIS) Commonwealth of Massachusetts Executive Office of Environmental Affairs; Aerial USGS Ortho Imagery 2019; Flooding hazard zones: FEMA and MV Commission 2018; Coordinate Reference: State Plane, Mass Mainland, Meters, NAD83

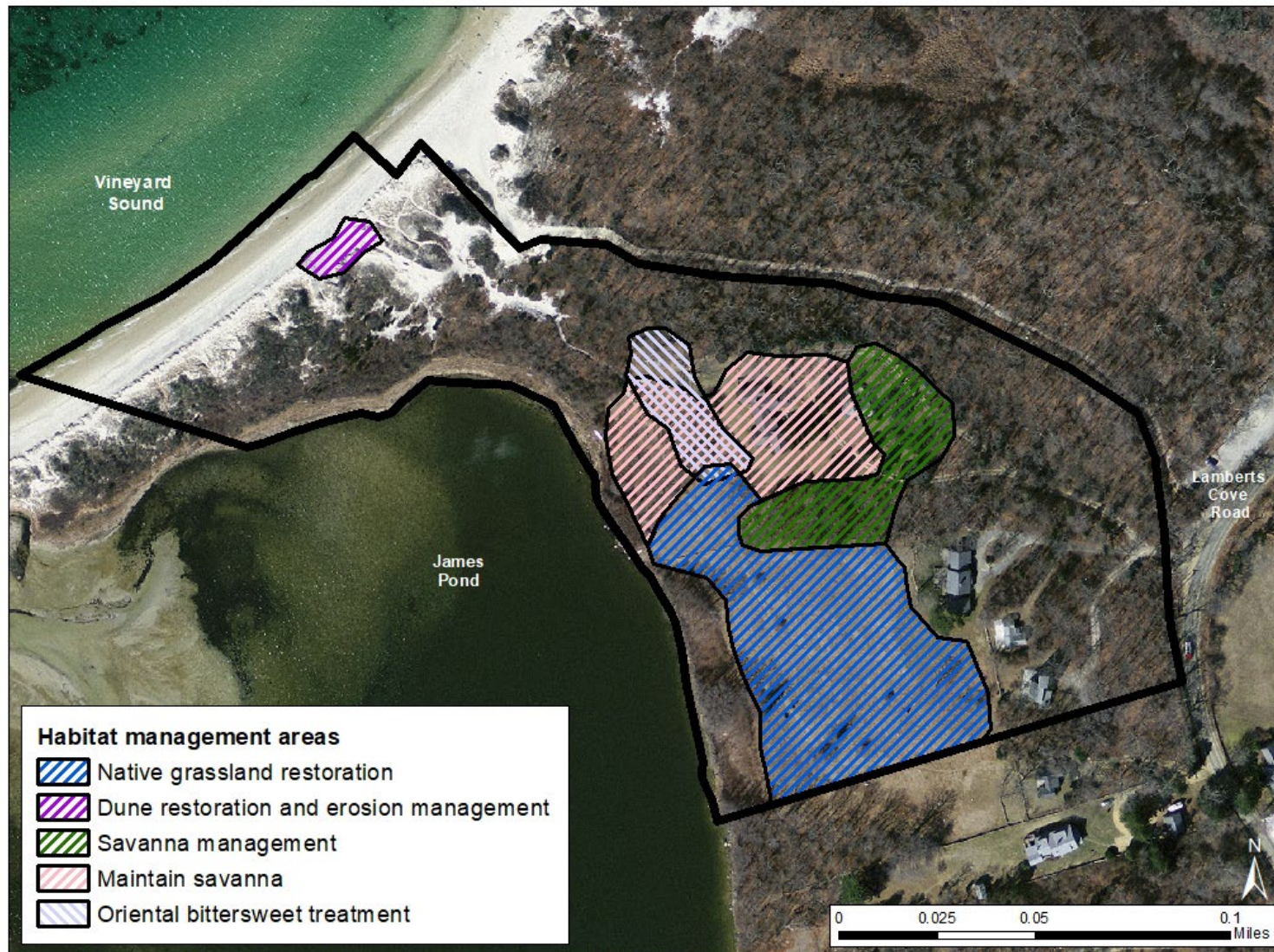
Note: Map prepared by the Martha's Vineyard land bank for planning purposes only. The land bank is not responsible for end-users' interpretation of the map.

Map 10: Sea level rise scenarios and the resulting impact zones of James Pond Preserve.



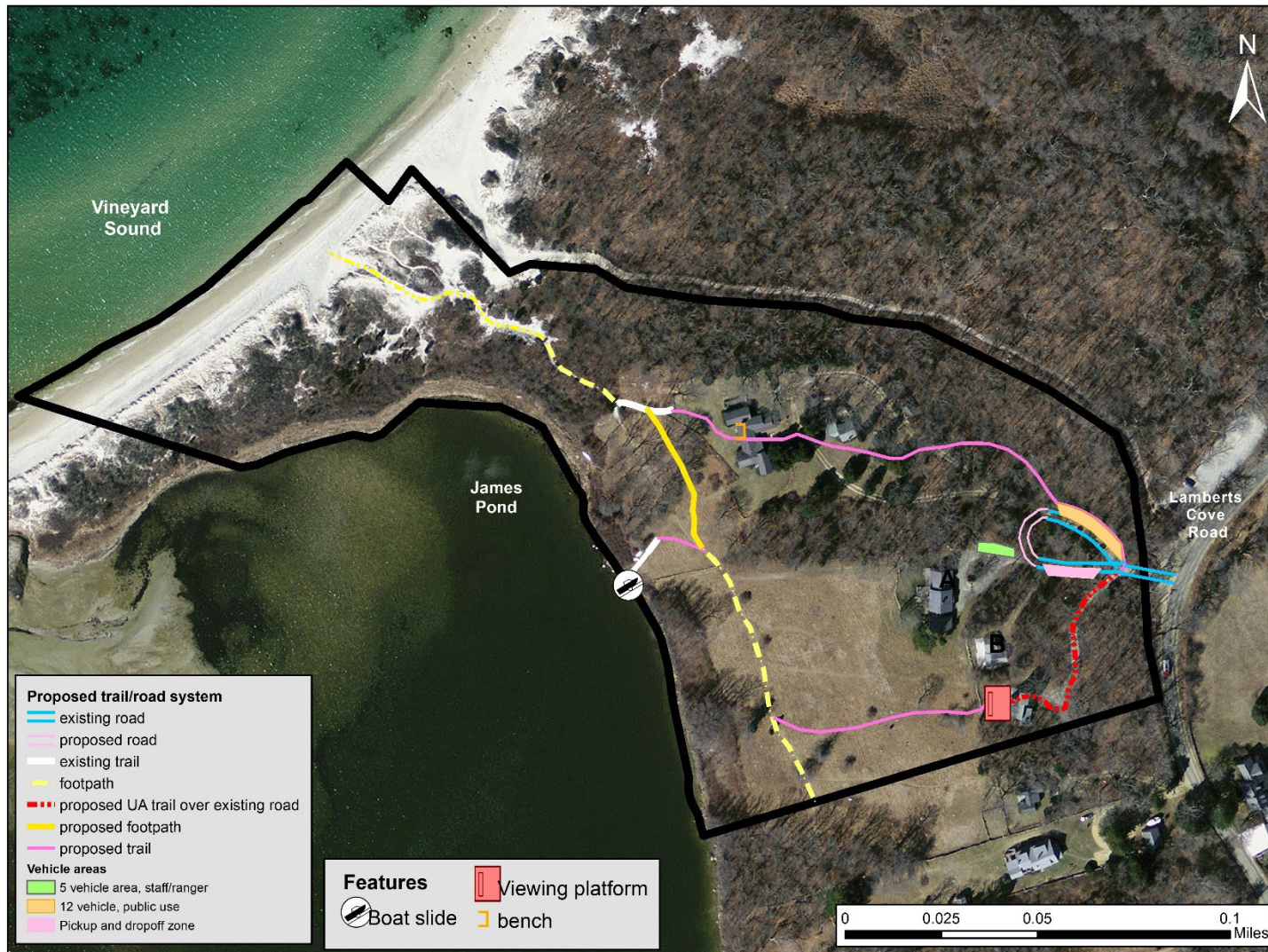
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Note: Map prepared by the Martha's Vineyard land bank for planning purposes only. The land bank is not responsible for end-users' interpretation of the map.

Map 11: Project Planning Map A: habitat management areas



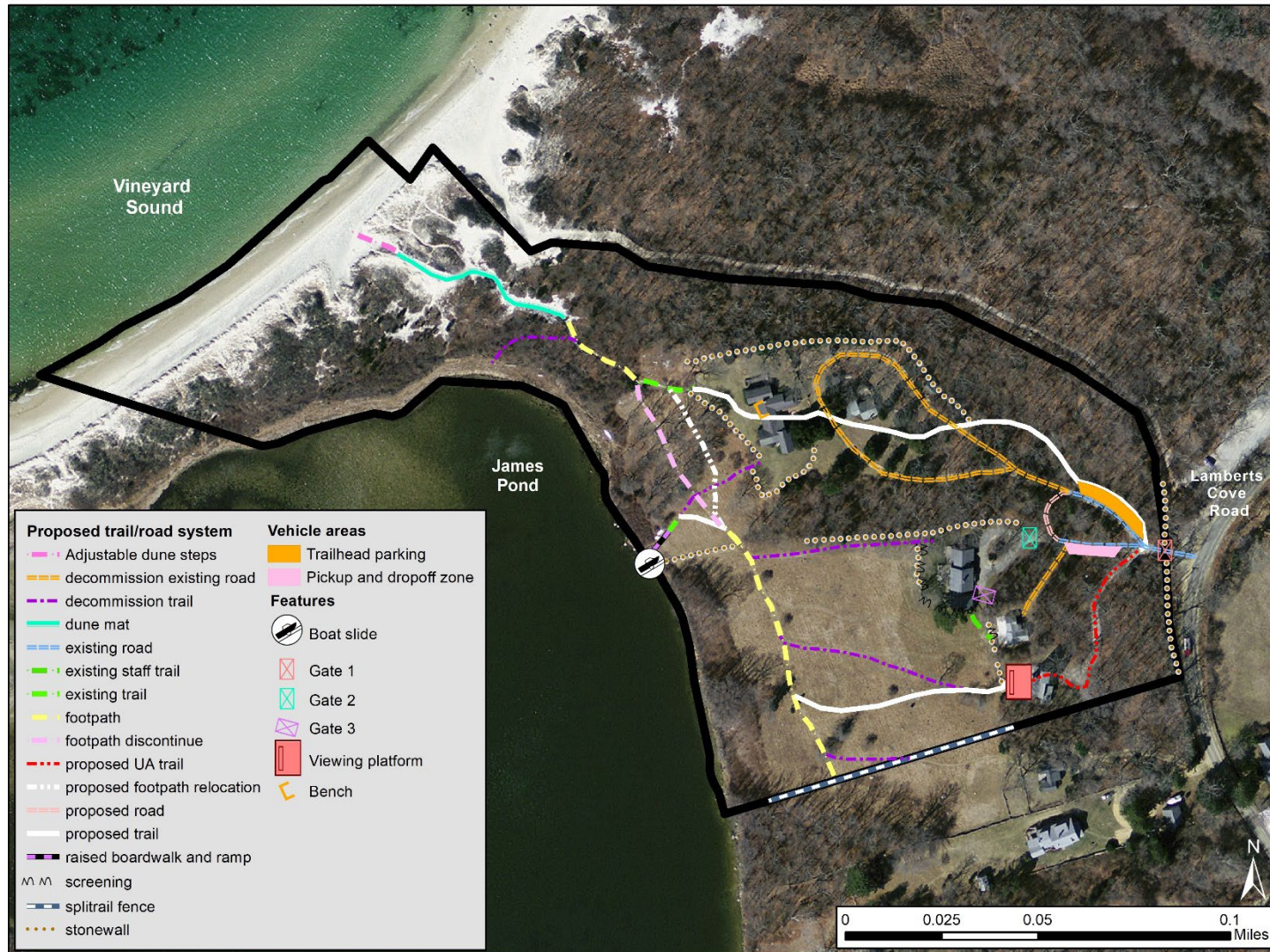
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Note: Map prepared by the Martha's Vineyard land bank for planning purposes only. The land bank is not responsible for end-users' interpretation of the map.

Map 12: Project Planning Map B: simplified public use map



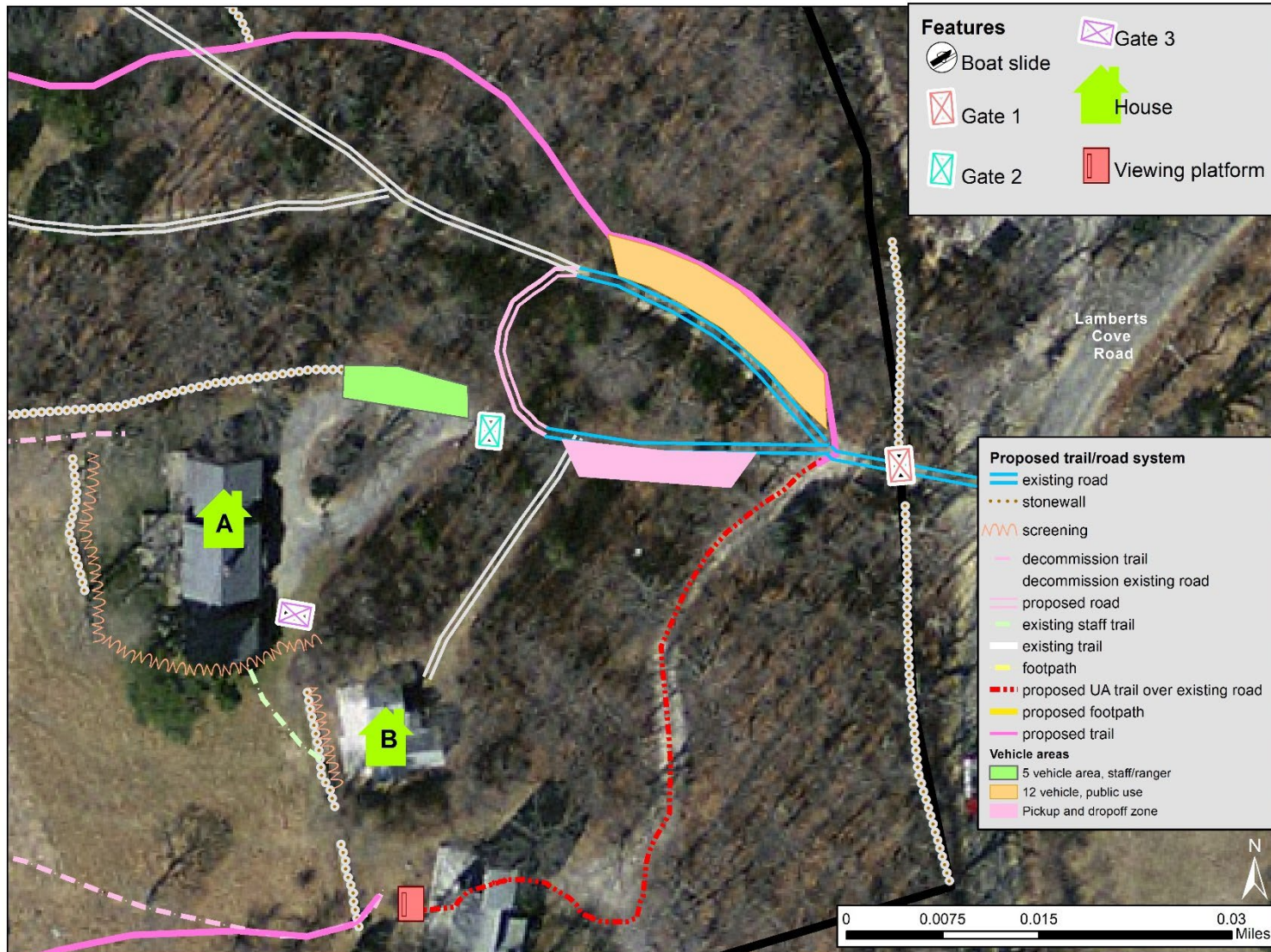
Sources: Office of Geographic and Environmental Information (MassGIS) Commonwealth of Massachusetts Executive Office of Environmental Affairs; Aerial USGS Ortho Imagery 2019; Zoning districts from Town of West Tisbury, MV Commission 2017; Coordinate Reference: State Plane, Mass Mainland, Meters, NAD83
 Note: Map prepared by the Martha's Vineyard land bank for planning purposes only. The land bank is not responsible for end-users' interpretation of the map.

Map 13: Project Planning Map C: detailed trail planning system—public and staff use.



Sources: Office of Geographic and Environmental Information (MassGIS) Commonwealth of Massachusetts Executive Office of Environmental Affairs; Aerial USGS Ortho Imagery 2019; Zoning districts from Town of West Tisbury, MV Commission 2017; Coordinate Reference: State Plane, Mass Mainland, Meters, NAD83
 Note: Map prepared by the Martha's Vineyard land bank for planning purposes only. The land bank is not responsible for end-users' interpretation of the map.

Map 14: Project Planning Map D: details of trailhead

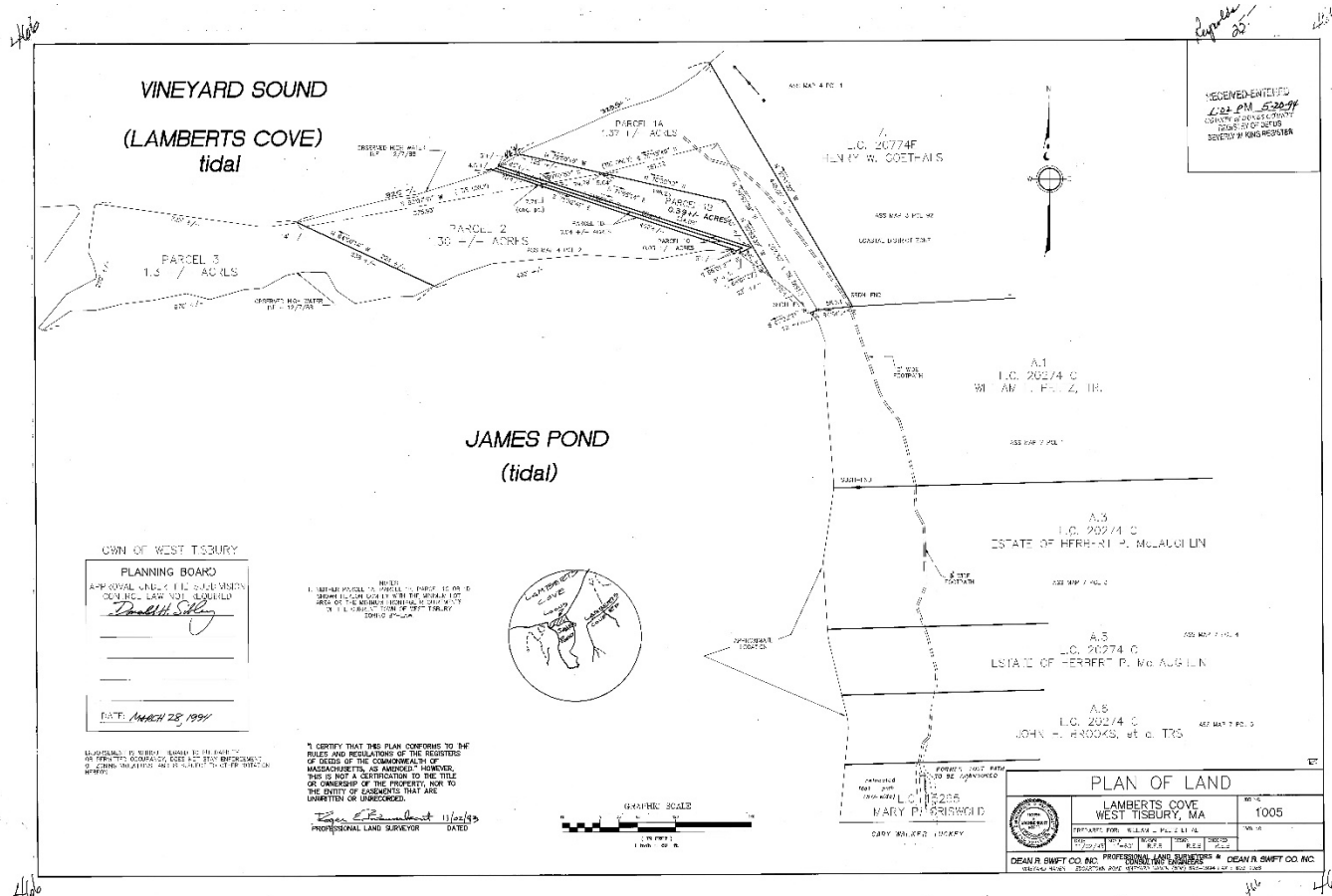


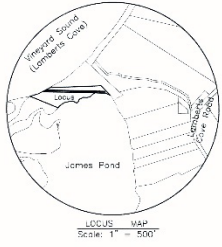
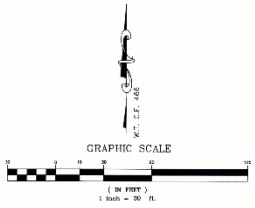
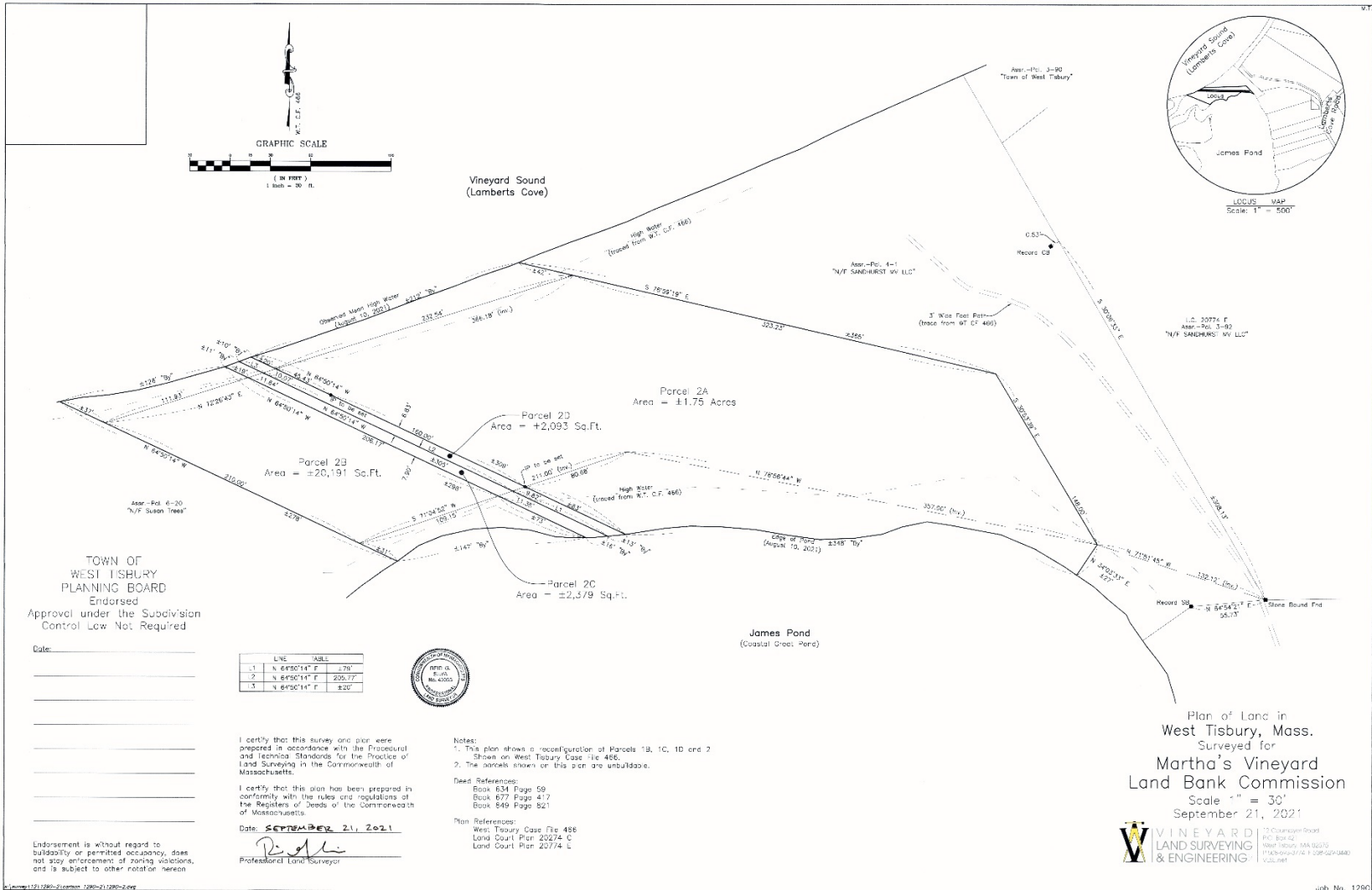
Sources: Office of Geographic and Environmental Information (MassGIS) Commonwealth of Massachusetts Executive Office of Environmental Affairs; Aerial USGS Ortho Imagery 2019; Zoning districts from Town of West Tisbury, MV Commission 2017; Coordinate Reference: State Plane, Mass Mainland, Meters, NAD83
 Note: Map prepared by the Martha's Vineyard land bank for planning purposes only. The land bank is not responsible for end-users' interpretation of the map.

Appendix B. Surveys, Deeds and Preliminary Management Plan Goals

Surveys:

For the purposes of this management plan document, a survey map of the entire property be found below. Larger versions, as well as detailed insets of parcels can be requested at the Martha's Vineyard land bank office in Edgartown, MA. The following survey is for a reconfiguration of parcel 2.





TOWN OF WEST TISBURY PLANNING BOARD
 Endorsed
 Approval under the Subdivision Control Law Not Required

Date: _____

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| 1 | N 64°50'14" E | 1.70 |
| 2 | N 64°50'14" E | 235.77 |
| 3 | N 64°50'14" E | 8.27 |



I certify that this survey and plan were prepared in accordance with the Procedural and Technical Standards for the Practice of Land Surveying in the Commonwealth of Massachusetts.

I certify that this plan has been prepared in conformity with the rules and regulations of the Registers of Deeds of the Commonwealth of Massachusetts.

Date: **SEPTEMBER 21, 2021**
[Signature]
 Professional Land Surveyor

Notes:
 1. This plan shows a reconfiguration of Parcels 1B, 1C, 1D and 2
 - Shown on West Tisbury Case File 466.
 2. The parcels shown on this plan are unbuildable.

Deed References:
 Book 634 Page 59
 Book 677 Page 472
 Book 648 Page 821

Plan References:
 West Tisbury Case File 466
 Land Court Plan 20374 C
 Land Court Plan 20374 L

Plan of Land in West Tisbury, Mass. Surveyed for Martha's Vineyard Land Bank Commission
 Scale 1" = 30'
 September 21, 2021



12 Countywide Board
 P.O. Box 92
 West Tisbury, MA 02575
 (115) 639-3744 F 1156-527-3880
 vls.com

Deeds

The complete deeds to James Pond Preserve are found below. The property was acquired through two separate transactions filed on November 11th, 2021, and December 2nd, 2020. These deeds can also be found in the Dukes County office of Recorded and Registered Lands (<https://www.masslandrecords.com/Dukes/>).

| | | | |
|----------------------------------|---------------|---|--|
| MARTHAS VINEYARD LAND BANK FEE | | Bk: 01554 Pg: 16 | |
| <input type="checkbox"/> PAID \$ | <u>A</u> |  |  |
| <input type="checkbox"/> EXEMPTS | | 2020 00089296 | 2020 0008011 |
| 67473 | 12/2/20 | Bk: 81 Pg: 313 Cert: 14959 | Bk: 1554 Pg: 16 Doc: DEED |
| NO. | DATE | Doc: DEED 12/02/2020 12:13 PM | Page: 1 of 4 12/02/2020 12:21 PM |
| | CERTIFICATION | Registered and Unregistered Land | |

Quitclaim Deed

Sandhurst MV, LLC, a limited liability company duly established under the laws of North Dakota and registered to do business in the Commonwealth of Massachusetts, having its principal place of business at 832 Georgia Avenue, Suite 400, Chattanooga, Tennessee 37402,

in consideration of **Three Million Eight Hundred Eighty-Five Thousand Dollars (\$3,885,000.00)**

grants to **Martha's Vineyard Land Bank Commission**, a corporate body politic with a principal place of business at 167 Main Street, P.O. Box 2057, Edgartown, Massachusetts 02539,

with **quitclaim covenants**,

the land, with any buildings thereon situated in West Tisbury, Dukes County, Commonwealth of Massachusetts, bounded and described as follows:

Parcel One (Registered Land):

Being Lot A-1 on Land Court Plan No. 20274-B, filed with Certificate of Title No. 1360, Book 8, Page 165 in the Dukes County Registry District of the Land Court.
For Title, see Certificate of Title No. 13787.

Parcel Two (Registered Land):

Being Lot 1 on Land Court Plan No. 20274-D, filed with Certificate of Title No. 9014, Book 47, Page 205 in the Dukes County Registry District of the Land Court.
For Title, see Certificate of Title No. 13788.

Parcel Three (Registered Land):

Being Lot 7 on Land Court Plan No. 20774-E, filed with Certificate of Title No. 4357, Book 23 Page 135 in the Dukes County Registry District of the Land Court.
For Title, see Certificate of Title No. 13789.

Parcel Four (Unregistered Land):

Being Parcel 1A on a plan entitled: "Plan of Land Lambert's Cove, West Tisbury, MA , Prepared for: William L. Peltz et alii, Date: 11/02/93, Scale: 1" = 60', Dean R. Swift Co., Inc., Professional Land Surveyors & Consulting Engineers," which plan is recorded with Dukes County Registry of Deeds as West Tisbury Case File No. 466; said Parcel 1A containing 1.37 acres ±, according to said plan.
For Title, see deed dated October 16, 2014, recorded in the Dukes County Registry of Deeds, in Book 1360, Page 299.

The premises are conveyed subject to the rights and easements benefitting the parties to that certain Beach Easement dated April 6, 1994 recorded with said Registry in Book 634, Page 60 and as Land Court Document No. 34760.

Grantor hereby relinquishes and terminates all of Grantor's rights and easements contained in that certain Beach Agreement dated April 6, 1994 recorded with said Registry in Book 634, Page 66, and as Land Court Document No. 34761 (the "Beach Agreement"). By acceptance of this deed, Grantee accepts the premises without benefit of such rights and easements.

Property Address: 279, 281, 283 and 285A Lambert' s Cove Road
West Tisbury, MA 02575

Grantee agrees to monitor the premises to assure that there is no entry onto the Beach Lots owned by the other parties to the Beach Agreement from the premises conveyed hereby.

(ii) the Grantee is prohibited from permitting vehicular access by members of the public over the existing shared curb cut located on Lot A3 shown on Land Court Plan #20274B beyond the first twenty five feet from the public way. The area to which such vehicular access is confined is the hatch-marked area shown on the sketch plan attached hereto as **EXHIBIT A**.

The premises are conveyed subject to and with the benefit of all other easements, restrictions, covenants and conditions of record insofar as the same are in force and applicable.

Sandhurst MV, LLC is not classified during its current taxable year as a corporation for federal income tax purposes.

In Witness Whereof, the said Sandhurst MV, LLC has caused its seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by BRETT W. ROUSCH, its ^{AUTHORIZED} AGENT, hereto duly authorized, this 30th day of November, 2020.

Executed in the presence of

Sandhurst MV, LLC

Kimberly S. Tatum
Witness

By: Brett W. Rousch
Manager
Brett W. Rousch, authorized signatory

Witness

By: _____
Manager

Hamilton County, ss. STATE OF TENNESSEE

On this 30th day of November, 2020, before me, the undersigned Notary Public, personally appeared Brett W. Rousch, on behalf of Sandhurst MV, LLC, proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by a federal or state governmental agency, oath or affirmation of a credible witness, personal knowledge of the undersigned, to be the person(s) whose name(s) is/are signed above, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose; and acknowledged the foregoing instrument to be the free act and deed of said Sandhurst MV, LLC, before me.



Terri A. Weathers
Notary Public

My Commission Expires: September 14, 2021

MY COMMISSION EXPIRES:
SEPTEMBER 14, 2021

Filed with
Cert. 9014
Bk 47 pg 205

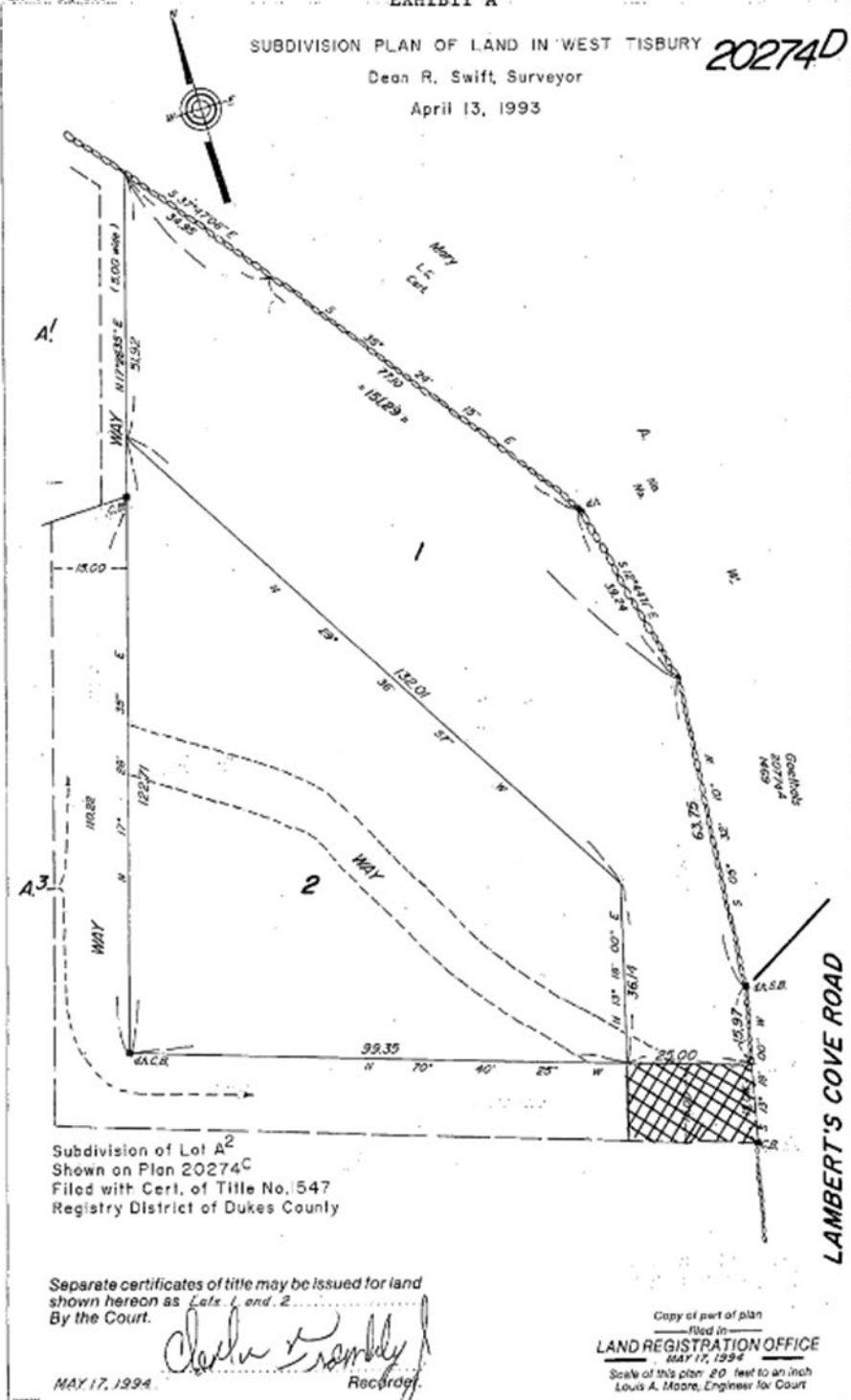
EXHIBIT A

SUBDIVISION PLAN OF LAND IN WEST TISBURY

20274D

Dean R. Swift, Surveyor

April 13, 1993



Subdivision of Lot A²
Shown on Plan 20274C
Filed with Cert. of Title No. 547
Registry District of Dukes County

Separate certificates of title may be issued for land shown hereon as Lots 1 and 2 by the Court.

Charles Crowley
Recd.

MAY 17, 1994

Copy of part of plan
filed in
LAND REGISTRATION OFFICE
MAY 17, 1994
Scale of this plan 20 feet to an inch
Louis A. Moore, Engineer for Court

Form LCS-53, 3e-6-83

ATTEST: Paulo C. DeOliveira, Register
Dukes County Registry of Deeds



2021 00091374
Bk: 83 Pg: 125 Cert: 15213
Doc: DEED 11/10/2021 03:50 PM



2021 0009100
Bk: 1603 Pg: 44 Doc: DEED
Page: 1 of 6 11/10/2021 03:50 PM

MARTHA'S VINEYARD LAND BANK FEE

PAID \$ _____
 EXEMPTS A

64025 11/10/21 MT
NO. DATE CERTIFICATION

QUITCLAIM DEED

Property Address: 0, 285, 287, and 289 Lambert's Cove Road, West Tisbury, Massachusetts

I, CORINNE BREWER MULLINS SCHOELLER, TRUSTEE OF THE MULLINS REALTY TRUST, u/d/t dated May 10, 1996, registered with the Dukes County Registry District of the Land Court as Document No. 38082, and recorded with the Dukes County Registry of Deeds in Book 677, Page 411, a Certificate for which is registered herewith, of West Tisbury, Massachusetts,

in consideration of EIGHT MILLION THREE HUNDRED FIFTY THOUSAND DOLLARS (\$8,350,000.00)

grant to MARTHA'S VINEYARD LAND BANK COMMISSION, a corporate body politic with a principal place of business at 167 Main Street, P.O. Box 2057, Edgartown, Massachusetts 02539,

with *quitclaim covenants*

The land with all buildings and improvements thereon situated in West Tisbury, County of Dukes County and Commonwealth of Massachusetts and being more particularly bounded and described as follows:

PARCEL ONE (Registered Land):

- NORTHEASTERLY by Lot 1 on the hereinafter described plan, one hundred thirty-two and 01/100 (132.01) feet;
- EASTERLY by the said Lot 1 thirty-six and 14/100 (36.14)feet;
- SOUTHERLY by land now or formerly of the Estate of Herbert P. McLaughlin ninety-nine and 38/100 (99.38) feet; and
- WESTERLY by land now or formerly of the Estate of Herbert P. McLaughlin one hundred twenty-two and 71/100 (122.71) feet.

Being Lot 2 on Land Court Plan No. 20274-D, filed with Certificate of Title No. 9014, Book 47, page 205 in Dukes County Registry District of the Land Court.

Subject to the Benefit of Restrictions, Rights of Way and Easements as contained in Document No. 34756.

For title to Parcel One, see Certificate of Title No. 9738 registered with the Dukes County Registry District of the Land Court.

PARCEL TWO (Registered Land):

NORTHERLY by Lot A1 as shown on a plan hereinafter referred to about six hundred and 78/100 (600.78) feet;

SOUTHEASTERLY by Lot A2 as shown on said plan one hundred ten and 22/100 (110.22) feet;

NORTHEASTERLY by said Lot A2 one hundred twenty-four and 35/100 (124.35) feet;

EASTERLY by Lamberts Cove Road about seventy-eight and 08/100 (78.08) feet;

SOUTHERLY by Lot A4 as shown on said plan about six hundred sixty-four and 32/100 (664.32) feet; and

WESTERLY by James Pond.

Being Lot A3 as shown on Plan No. 20274-B, filed with Certificate of Title No. 1360, Book 8, Page 165.

Subject to a right of way for the benefit of the owners of said Lot A1 over the following described parcel of land bounded:

NORTHERLY by said Lot A1 about fifteen (15) feet;

SOUTHEASTERLY by Lot A2 one hundred ten and 22/100 (110.22) feet;

NORTHEASTERLY by said Lot A2 one hundred twenty-four and 35/100 (124.35) feet;

EASTERLY by Lambert's Cove Road fifteen and 08/100 (15.08) feet;

SOUTHWESTERLY by a line fifteen (15) feet Southwesterly from, measured at right angles, and parallel to the said one hundred twenty-four and 35/100 (124.35) foot Northeasterly line;

WESTERLY by a line fifteen (15) feet northwesterly from, measured at right angles, and parallel to the one hundred ten and 22/100 (110.22) foot southeasterly line.

For title to Parcel Two, see Certificate of Title No. 9553 registered with the Dukes County Registry District of the Land Court.

PARCEL THREE (Registered Land):

NORTHERLY by Lot A3 about six hundred sixty-four (664) feet;

EASTERLY by Lambert's Cove Road one hundred ten and 59/100 (110.59) feet;

SOUTHERLY by Lot A6 about six hundred fifty-five (655) feet; and

WESTERLY by James Pond.

Being Lot A5 as shown on subdivision Plan No. 20274-C, filed with Transfer Certificate No. 1547, Book 9, Page 225.

For title to Parcel Three, see Certificate of Title No. 9553 registered with the Dukes County Registry District of the Land Court.

PARCEL FOUR (Unregistered Land):

Being shown as "Parcel 2 Area = ±1.75 Acres" on a certain plan of land entitled "Plan of Land in West Tisbury, Mass. Surveyed for Martha's Vineyard Land Bank Commission Scale 1" = 30' September 3, 2021, prepared by Vineyard Land Surveying & Engineering, and recorded in Dukes County Registry of Deeds in Plan Book 19, Page 102.

PARCEL FIVE (Unregistered Land):

Being shown as "Parcel 2D Area = ±2,093 Sq. Ft." on a certain plan of land entitled "Plan of Land in West Tisbury, Mass. Surveyed for Martha's Vineyard Land Bank Commission Scale 1" = 30' September 3, 2021, prepared by Vineyard Land Surveying & Engineering, and recorded in Dukes County Registry of Deeds in Plan Book 19, Page 102.

For title to Parcels Four and Five, see deed dated May 15, 1996, and recorded in the Dukes County Registry of Deeds in Book 677, Page 417, deed dated November 9, 2021 and recorded in the Dukes County Registry of Deeds in Book 1603, Page 26, and deed dated November 9, 2021 and recorded in the Dukes County Registry of Deeds in Book 1603, Page 33.

Said Parcels One through Five are conveyed subject to and with the benefit of, as the case may be, all rights, easements and restrictions of record insofar as the same are in force and applicable, and subject to the rights and easements set forth in (i) the Easement dated April 6, 1994 recorded with the Dukes County Registry of Deeds in Book 634, Page 60 and as Land Court Document Nos. 34760 and 34900 (the "Easement"), and (ii) the Agreement dated April 6, 1994 recorded with said Registry in Book 634, Page 66, and as Land Court Document Nos. 34761 and 34901 (the "Agreement").

Reference is made to certain deeds which have been recorded at the Dukes County Registry of Deeds:

1. Deed of A. WHITNEY GRISWOLD, JR. and LAURA L. WAINWRIGHT ("Griswold") to this Grantor dated November 9, 2021 and recorded in Dukes County Registry of Deeds in Book 1603, Page 26;
2. Deed of this Grantor to A. WHITNEY GRISWOLD, JR. and LAURA L. WAINWRIGHT dated October 29, 2021 and recorded in Dukes County Registry of Deeds in Book 1603, Page 38;
3. Deed of JOHN O. FLENDER and WILLIAM E. FLENDER, TRUSTEES of the JAMES POND REALTY TRUST ("Flender") to this Grantor dated November 9, 2021 and recorded in Dukes County Registry of Deeds in Book 1603, Page 33;

4. Deed of this Grantor to JOHN O. FLENDER and WILLIAM E. FLENDER, TRUSTEES of the JAMES POND REALTY TRUST dated October 29, 2021 and recorded in Dukes County Registry of Deeds in Book 1603, Page 41.
5. Grant of View Easement, Release and Restriction from this Grantor to JOHN O. FLENDER and WILLIAM E. FLENDER, TRUSTEES of the JAMES POND REALTY TRUST, and A. WHITNEY GRISWOLD, JR. and LAURA L. WAINWRIGHT dated October 29, 2021 and filed with the Dukes County Registry District of the Land Court as Document No. 91373.

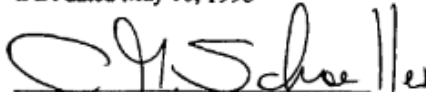
By accepting and recording this deed, Grantee hereby ratifies and confirms jointly and severally to Griswold and Flender and their respective heirs, successors and assigns, the continuing rights and easements held by Griswold and Flender under the Easement and Agreement, which are unaffected by the reconfiguration of lot lines effectuated by the above-referenced deeds; welcomes such reconfiguration, and acknowledges and agrees that such reconfiguration does not constitute a violation of the terms of the Easement or the Agreement. Further, by accepting and recording this deed, Grantee acknowledges and agrees that any right and easement by virtue of the Easement or the Agreement to travel over any property held by any other party to the Easement or the Agreement held by Grantor and appurtenant to the property conveyed to Grantee herein has been and hereby is terminated and of no further force or effect.

By signing below, the Trustee of the grantor Trust hereby certifies under the pains and penalties of perjury that the premises conveyed herein are not a principal residence of the said Trustee, of any beneficiary of the Trust, or of any spouses, former spouses, partners or former partners in a civil union of such Trustee or beneficiaries, or of any other persons, and are therefore not homestead property pursuant to M.G.L. c. 188.

The remainder of this page is intentionally left blank.
Signature page follows.

Executed as a sealed instrument under pains and penalties of perjury on this 29th day of October, 2021.

THE MULLINS REALTY TRUST,
w/d/t dated May 10, 1996



By: Corinne Brewer Mullins Schoeller, Trustee

STATE / COMMONWEALTH OF Florida

Palm Beach County, ss

On this 29th day of October, 2021, before me, the undersigned notary public, personally appeared **Corinne Brewer Mullins Schoeller**, proved to me through satisfactory evidence of identification which was personal knowledge driver's license / passport / other: exp 9/27/22 (circle one), to be the person whose name is signed on the preceding or attached document, and as **Trustee as aforesaid**, acknowledged to me that she signed it voluntarily as her free act and deed for its stated purpose and, with regard to homestead provisions, who swore or affirmed to me that the contents of the document are truthful and accurate to the best of her knowledge and belief.



Vincenza DeVito
State of Florida
My Commission Expires 07/25/2023
Commission No. GG 341691


Notary Public:
My Commission Expires:

ATTEST: Paulo C. DeOliveira, Register
Dukes County Registry of Deeds

Preliminary Management Plan goals:

This document was approved by the Martha's Vineyard land bank commission and West Tisbury land bank advisory board in the autumn of 2020 as an initial plan of management goals and strategies. It has served as a foundation for this final management plan but has been subject to change.



September 21, 2020

Martha's Vineyard Land Bank Commission

*James Pond Preserve
preliminary management plan*

| | |
|----------------------------------|---|
| <i>acreage</i> | ±6.8 acres |
| <i>tax parcel nos.</i> | 3-92, 4-1, 7-1 and 7-2 |
| <i>nature conservation goals</i> | <ol style="list-style-type: none">(1) conduct biological survey to serve as base for formulation of management objectives(2) identify rare and endangered species, if any, and create plan to protect their habitat and populations; manage any exotic and/or invasive species |
| <i>natural products goals</i> | <ol style="list-style-type: none">(1) make preserve available for fishing(2) seek recommendation of land bank hunting committee as to appropriate policy, with predisposition to allow waterfowl hunting only |
| <i>scenic goals</i> | <ol style="list-style-type: none">(1) evaluate whether any of the buildings, or portion thereof, is worth retaining as staff housing; remove all those deemed unworthy and renaturalize site thereafter(2) seek to convert areas of lawn to native grasses; study suitability of preserve to savanna habitat(3) maintain view channel into James Pond; study feasibility of expanding same and/or supplying views of the Vineyard Sound |

P.O. Box 2057 • Edgartown, Massachusetts 02539 • 508 627-7141 • Fax 508 627-7415

printed on recycled paper

- recreational goals*
- (1) site loop trail system that capitalizes on preserve's various attractive natural features and culminates at the sound beach
 - (2) permit all conventional littoral uses (e.g., swimming, fishing, beachcombing, etc.) on beach
 - (3) mirror dog policy in effect on abutting town beach, as it may be amended from time to time, subject to pre-existing private easements
 - (4) install kayak launch along pond shoreline
- access*
- (1) create trailhead accommodating 12-15 spaces, staffed as needed and, in addition, managed via an advance reservation system if deemed necessary during the bathing season; allow unrestricted pedestrian and bicycle access to trailhead; cite, on land bank map and elsewhere, ease of access to preserve via public bus
 - (2) explore desirability of capping the number of visitors to be allowed on the preserve at any one time
 - (3) site beach-access path in such a manner as to accommodate high dune
- administrative goals*
- (1) install boundary markers to delineate clearly the distinction between private and public land, especially on the beach, and take all due precautions to ensure that use of existing private beach-access easements is honored
 - (2) allow dawn-to-dusk public use, except for nighttime fishing
 - (3) post summer ranger to oversee public use while also performing field labor

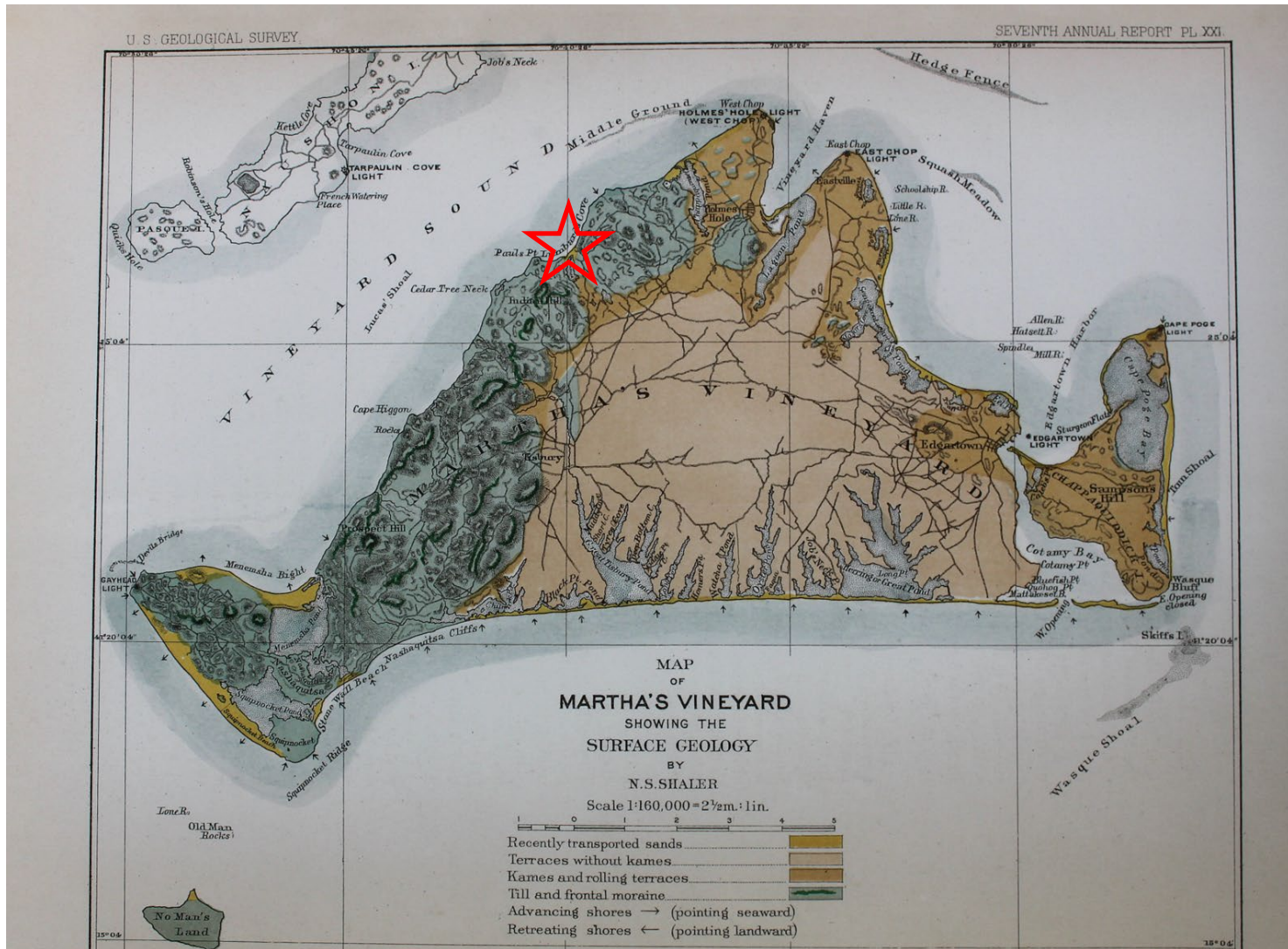
- (4) consult, in the interest of avoiding conflicting management protocols, with town as to its management of its abutting beach
- (5) integrate property, as feasible, with nearby conservation properties and trails
- (6) oversee and police land on regular basis in order to maintain property as an attractive conservation area

approved by vote of the West Tisbury town advisory board: September 21, 2020

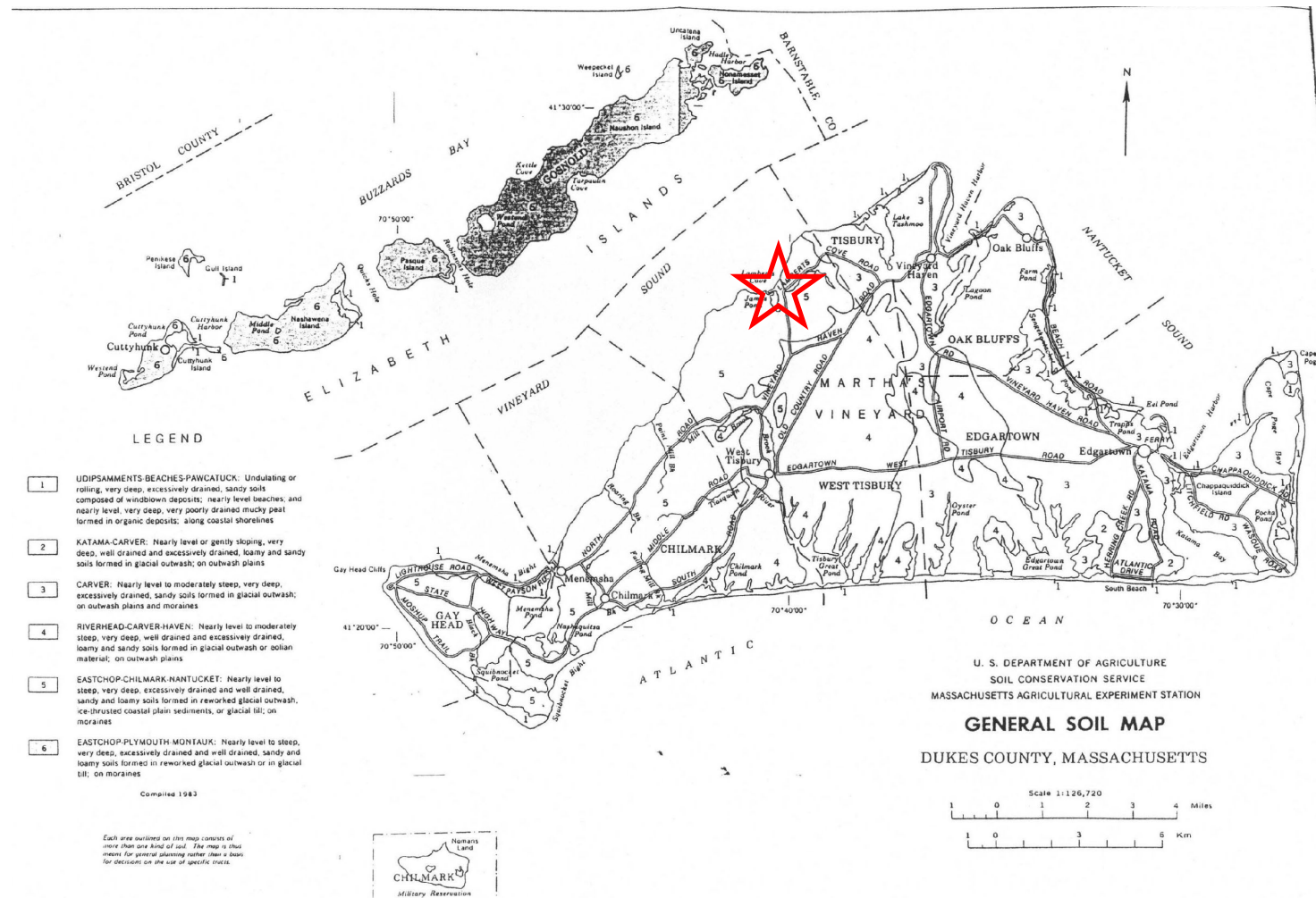
approved by vote of the land bank commission: September 21, 2020

Appendix C. Soils Maps and Descriptions

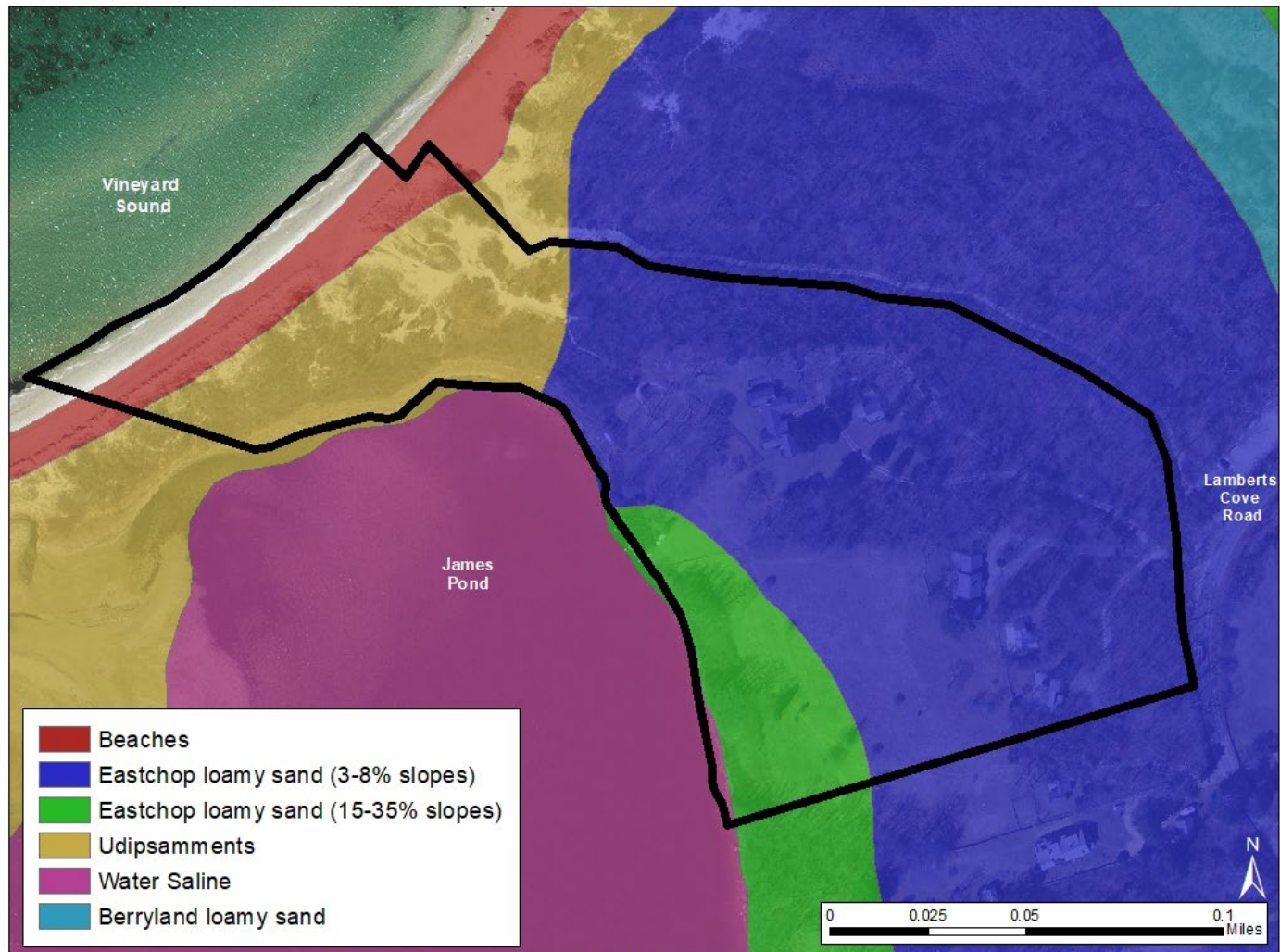
Map 15: Surface geology of Martha's Vineyard.



Map 16: General soil map of Martha's Vineyard.



Map 17: Soil types of James Pond Preserve.



Sources: Office of Geographic and Environmental Information (MassGIS) Commonwealth of Massachusetts Executive Office of Environmental Affairs; Aerial USGS Ortho Imagery 2019; Zoning districts from Town of West Tisbury, MV Commission 2017; Coordinate Reference: State Plane, Mass Mainland, Meters, NAD83
Note: Map prepared by the Martha's Vineyard land bank for planning purposes only. The land bank is not responsible for end-users' interpretation of the map.

Soil Type Descriptions

The soils found in the James Pond Preserve include beaches, Eastchop loamy sands, and Udipsamments. The following summaries of each soil type are derived from Fletcher & Roffinoli (1986) Dukes County Soil Surveys.

Beaches (Ba)

Ba – This soil is characterized by a lack of plant cover, sediments in constant movement from ocean waves, and nearly level slopes with some gentle sloping in areas adjacent to water. These areas consist of deep mainly fine sand. Beaches are generally used for recreation and cover an estimated 1.7% of Dukes county.

Udipsamments (UaC)

UaC – Udipsamments are very deep, excessively drained soils on sand dunes along the coast, with a 3-15% slope. This soil is not suitable for farming, woodland productivity, and building.

Eastchop loamy sands (EcB, EcD)

EcB- This soil dominates the preserve and is often observed in the western part of Martha's Vineyard and is deep, gently sloping (3-8% slopes), very stony, and well-drained. Woodlands often cover this soil type with low productivity due to the soils very low water capacity. While not especially good for crops, amendments can be made to this soil to increase yield. This soil is suitable for low density housing.

EcD—Also found in western Martha's Vineyard, this soil is characteristically very deep, steep (15-35% slopes) and excessively drained with maximum permeability and low water capacity. It is predominantly located along the shore if James Pond on the preserve. Areas with this soil are often wooded with relatively low productivity. Erosion management is a particular concern of this soil due its steep slope.

Appendix D: Vegetation

Survey Methods

During the spring and summer of 2021, formal vegetation surveys were conducted in grassland, pondshore, dune, and woodland habitats of James Pond Preserve. Random point locations were generated using ArcGIS Map 10.8 for the woodland and grassland surveys. Pondshore and dune habitats were inventoried across various site visits for presence of species throughout the growing season.

In the woodlands, 5 points were inventoried using a point sampling method as described by Avery and Burkhart (2002). This method captures tree species composition, canopy density, and diameter at breast height (DBH) of trees within the plot. In addition to canopy measurements, 3m² circular plots were

used to inventory the understory at each woodland point. Density and percent cover of understory vegetation was recorded for all plots.

The grassland was inventoried following methods described by Dunwiddie (1986) which capture species diversity and stem density within plots. A total of 20 plots were randomly generated and surveyed within 1 m² circular plots.

Species diversity

A total of 137 plant species was observed within James Pond Preserve. A full account of flora on the preserve is listed in Table 1 with proper nomenclature according to Haines (2011).

Table 1: Flora of James Pond Preserve.

| Scientific name | Common name | Morph |
|-----------------------------------|-----------------------------|--------------|
| <i>Acer rubrum</i> | Red maple | Tree |
| <i>Achillea millefolium</i> | Common Yarrow | Herb |
| <i>Agrostis gigantea</i> | Redtop bentgrass | Graminoid |
| <i>Allium vineale</i> | Crow garlic | Herb |
| <i>Amelanchier nantucketensis</i> | Nantucket shadbush | Tree |
| <i>Ammophila breviligulata</i> | American beach grass | Graminoid |
| <i>Anaphalis margaritacea</i> | Pearly everlasting | Herb |
| <i>Andropogon glomeratus</i> | Bushy bluestem | Graminoid |
| <i>Antennaria neglecta</i> | Field pussytoes | Shrub |
| <i>Anthoxanthum odoratum</i> | Sweet vernalgrass | Graminoid |
| <i>Aronia arbutifolia</i> | Red chokeberry | Shrub |
| <i>Aronia melanocarpa</i> | Black chokeberry | Shrub |
| <i>Artemisia stelleriana</i> | Beach wormwood | Herb |
| <i>Atriplex cristata</i> | Seabeach orache | Herb |
| <i>Baccharis halimifolia</i> | Eastern false willow | Shrub |
| <i>Berberis thunbergii</i> | Japenese barberry | Shrub |
| <i>Berberis vulgaris</i> | Common barberry | Shrub |
| <i>Bethamidia florida</i> | Flowering dogwood | Tree |
| <i>Betula populifolia</i> | Gray birch | Tree |
| <i>Bidens connata</i> | Purple-stemmed beggar-ticks | Herb |
| <i>Cakile edentula</i> | American searocket | Herb |
| <i>Calystegia sepium</i> | Hedge false bindweed | Vine |
| <i>Carex sp.</i> | Sedge sp. | Graminoid |
| <i>Celastrus orbiculatus</i> | Asiatic bittersweet | Vine |
| <i>Clethra alnifolia</i> | Coastal sweet pepperbush | Shrub |
| <i>Convallaria majalis</i> | European lily-of-the-valley | Herb |
| <i>Cyperus echinatus</i> | Globe flatsedge | Graminoid |
| <i>Cyperus polystachyos</i> | Many-spiked flatsedge | Graminoid |
| <i>Diervilla lonicera</i> | Bush honeysuckle | Shrub |
| <i>Distichlis spicata</i> | Salt grass | Graminoid |
| <i>Elaeagnus umbellata</i> | Autumn olive | Shrub |
| <i>Erechtites hieraciifolius</i> | American burnweed | Herb |
| <i>Euonymus alatus</i> | Burning bush | Shrub |
| <i>Eupatorium perfoliatum</i> | Boneset thoroughwort | Herb |

| Scientific name | Common name | Morph |
|------------------------------------|-------------------------------|--------------|
| <i>Euphorbia maculata</i> | Spotted sandmat | Herb |
| <i>Euphorbia polygonifolia</i> | Seaside sandmat | Herb |
| <i>Euthamia graminifolia</i> | Common grass-leaved goldenrod | Herb |
| <i>Fagus grandifolia</i> | American beech | Tree |
| <i>Fescue spp.</i> | Fescue | Graminoid |
| <i>Festuca ovina</i> | Sheep fescue | Graminoid |
| <i>Galium obtusum</i> | Blunt-leaved bedstraw | Herb |
| <i>Gaylussacia baccata</i> | Black huckleberry | Shrub |
| <i>Hedera helix</i> | English ivy | Vine |
| <i>Hibiscus moscheutos</i> | Swamp rose-mallow | Herb |
| <i>Hieracium scabrum</i> | Rough hawkweed | Herb |
| <i>Holcus lanatus</i> | Common velvet grass | Graminoid |
| <i>Hydrangea sp.</i> | Hydrangea | Shrub |
| <i>Hypericum spp.</i> | St John's wort | Shrub |
| <i>Hypochaeris radicata</i> | Hairy cat's-ear | Herb |
| <i>Ilex glabra</i> | Inkberry | Shrub |
| <i>Ilex opaca</i> | American holly | Shrub |
| <i>Ilex verticillata</i> | Common winterberry | Shrub |
| <i>Impatiens capensis</i> | Jewelweed | Herb |
| <i>Iris versicolor</i> | Blue iris | Herb |
| <i>Iva frutescens</i> | Maritime marsh-elder | Shrub |
| <i>Juncus effusus</i> | Common soft rush | Graminoid |
| <i>Juniperus virginiana</i> | Eastern red cedar | Shrub |
| <i>Lactuca serriola</i> | Prickly lettuce | Herb |
| <i>Lathyrus japonicus</i> | Beach pea | Herb |
| <i>Ligustrum sinense</i> | Chinese privet | Shrub |
| <i>Lonicera japonica</i> | Japanese honeysuckle | Vine |
| <i>Lycopus americanus</i> | American water-horehound | Herb |
| <i>Lycopus virginicus</i> | Virginia water-horehound | Herb |
| <i>Lysimachia borealis</i> | Starflower | Herb |
| <i>Lysimachia quadrifolia</i> | Whorled yellow-loosestrife | Herb |
| <i>Lysimachia terrestris</i> | Swamp yellow-loosestrife | Herb |
| <i>Mikania scandens</i> | Climbing hempvine | Vine |
| <i>Morella caroliniensis</i> | Small bayberry | Shrub |
| <i>Nabalus trifoliolatus</i> | Three-leaved rattlesnake root | Herb |
| <i>Nyssa sylvatica</i> | "Beetlebung" | Tree |
| <i>Onoclea sensibilis</i> | Sensitive fern | Fern |
| <i>Osmunda regalis</i> | Royal fern | Fern |
| <i>Osmundastrum cinnamomeum</i> | Cinnamon fern | Fern |
| <i>Oxalis dillenii</i> | Slender yellow wood sorrel | Herb |
| <i>Panicum spp.</i> | Panic grass | Graminoid |
| <i>Panicum virgatum</i> | Switch panicgrass | Graminoid |
| <i>Parthenocissus quinquefolia</i> | Virginia creeper | Vine |
| <i>Paspalum spp.</i> | Beadgrass | Graminoid |
| <i>Persicaria hydropiperoides</i> | False water-pepper smartweed | Herb |
| <i>Persicaria pensylvanica</i> | Pennsylvania smartweed | Herb |
| <i>Phragmites australis</i> | Common reed | Graminoid |

| Scientific name | Common name | Morph |
|---------------------------------|---------------------------------|--------------|
| <i>Pinus strobus</i> | Eastern white pine | Tree |
| <i>Plantago lanceolata</i> | English plantain | Herb |
| <i>Pluchea odorata</i> | Sweet-scented camphorweed | Herb |
| <i>Potentilla canadensis</i> | Dwarf cinquefoil | Herb |
| <i>Prunus maritima</i> | Beach plum | Shrub |
| <i>Prunus serotina</i> | Black cherry | Tree |
| <i>Pteridium aquilinum</i> | Bracken fern | Fern |
| <i>Quercus alba</i> | Eastern white oak | Tree |
| <i>Quercus ilicifolia</i> | Scrub oak | Tree |
| <i>Quercus velutina</i> | Black oak | Tree |
| <i>Rhododendron</i> | Rhododendron sp. | Shrub |
| <i>Rhododendron viscosum</i> | Clammy azalea | Shrub |
| <i>Rhus copallinum</i> | Winged sumac | Shrub |
| <i>Rhynchospora capitellata</i> | Brownish beaksedge | Graminoid |
| <i>Robinia pseudoacacia</i> | Black locust | Tree |
| <i>Rosa carolina</i> | Carolina rose | Shrub |
| <i>Rosa virginiana</i> | Virginia rose | Shrub |
| <i>Rubus allegheniensis</i> | Common blackberry | Shrub |
| <i>Rubus flagellaris</i> | Northern dewberry | Shrub |
| <i>Rubus hispidus</i> | Swamp dewberry | Shrub |
| <i>Rumex acetosella</i> | Common sheep sorrel | Herb |
| <i>Rumex britannica</i> | Greater water dock | Herb |
| <i>Salicornia bigelovii</i> | Dwarf glasswort | Succulent |
| <i>Sassafras albidum</i> | Sassafras | Tree |
| <i>Schizachyrium scoparium</i> | Little bluestem | Graminoid |
| <i>Schoenoplectus pungens</i> | Three-square club-bulrush | Graminoid |
| <i>Smilax glauca</i> | Glaucous-leaved greenbrier | Vine |
| <i>Solidago juncea</i> | Early goldenrod | Herb |
| <i>Solidago latissimifolia</i> | Elliott's goldenrod | Herb |
| <i>Solidago odora</i> | Licorice goldenrod | Herb |
| <i>Solidago rugosa</i> | Common wrinkle-leaved goldenrod | Herb |
| <i>Solidago sempervirens</i> | Seaside goldenrod | Herb |
| <i>Spartina alterniflora</i> | Smooth cordgrass | Graminoid |
| <i>Spartina patens</i> | Saltmarsh hay | Graminoid |
| <i>Spartina pectinata</i> | Prairie cordgrass | Graminoid |
| <i>Strophostyles helvola</i> | Annual woolly bean | Vine |
| <i>Suaeda maritima</i> | Herbaceous sea-blite | Herb |
| <i>Symphyotrichum laeve</i> | Smooth American-aster | Herb |
| <i>Symphyotrichum patens</i> | Late purple American-aster | Herb |
| <i>Symphyotrichum subulatum</i> | Annual saltmarsh American-aster | Herb |
| <i>Taraxacum officinale</i> | Common dandelion | Herb |
| <i>Thelypteris palustris</i> | Marsh fern | Fern |
| <i>Thelypteris simulata</i> | Massachusetts fern | Fern |
| <i>Toxicodendron radicans</i> | Poison ivy | Vine |
| <i>Typha angustifolia</i> | Narrow-leaved Cat-tail | Graminoid |
| <i>Typha latifolia</i> | Broad-leaved cat-tail | Graminoid |

| Scientific name | Common name | Morph |
|--------------------------------|--------------------------|--------------|
| <i>Vaccinium angustifolium</i> | Common lowbush blueberry | Shrub |
| <i>Vaccinium corymbosum</i> | Highbush blueberry | Shrub |
| <i>Viburnum dentatum</i> | Smooth arrowwood | Shrub |
| <i>Vitis aestivalis</i> | Summer grape | Vine |
| <i>Vitis labrusca</i> | Fox grape | Vine |
| <i>Xanthium strumarium</i> | Rough cocklebur | Herb |

Natural Community Descriptions

There are seven different natural communities within James Pond Preserve. Classification of habitat types was determined following the Classification of the Natural Communities of Massachusetts by Swain (2020), in parallel with standardized vegetation surveying methods. A map of the designated habitats is included in Appendix D, Map 18.

A. Coastal Woodland (5 acres):

The coastal woodland is the dominant ecological community on the preserve, totaling 5 acres. This woodland has a closed canopy (80% cover), a dense shrub and vine layer, and a sparse understory (30% cover). While the vegetation can vary across sites, the James Pond Preserve coastal woodland is dominated by black oak and black locust trees in the overstory. The open-growth trees have a large DBH up to 27, although the overall average is closer to 10. The next generation of trees comprise mainly of sassafras amidst a dense tangle of greenbrier. Sapling oaks and locusts were not observed in the survey.

Figure 7: Coastal woodland at James Pond Preserve.



B. Savanna-like open-growth woodland (1.5 acres):



Figure 8: Open-growth woodland at James Pond Preserve.

While “savanna-like open-growth woodland” is not a recognized natural community at the commonwealth Natural Heritage & Endangered Species Program, the area classified as such in the James Pond Preserve is different enough from the coastal woodland to warrant distinction. This area of the preserve has a sprawling black oak canopy shading a sparse understory of goldenrods and sedge species. This type of ecotype hints at prior consistent understory mowing and management and lends itself to unhindered sightlines to James Pond from the trails.

C. Maritime shrubland (1.3 acres):

Figure 9: Maritime shrubland at James Pond Preserve.



and grape.

Maritime shrublands are characterized by vegetation under direct coastal influences, such as high wind velocities and salt spray. This ecotype occurs on well drained, low water capacity soils with excessive sand content. These factors select for low-lying, stress-tolerant species such as bayberry, red cedar, black cherry, and beach plum shrubs with hardy vines such as poison ivy

D. Maritime Dune Community (1.7 acres):

There are approximately 1.7 acres of maritime dune vegetation that borders the beach of Vineyard Sound. American beach grass, beach plum, poison ivy, groundsel tree, and stunted black oaks and junipers make up the largest portion of the vegetation community.



Figure 10: Maritime Dune Community at James Pond Preserve.

E. Cultural Grassland (2.8 acres):

There are approximately 2.8 acres of grassland on the preserve that



Figure 11: Cultural grassland at James Pond Preserve.

historically experienced lawn-like mowing cycles. Sedges, fescue grasses, little bluestem and sweet vernal grass benefited from the mowing regime and dominate the community. However small thickets of common blackberry and Japanese honeysuckle are scattered throughout the grassland area. Importance values were calculated for each species surveyed in the grassland and are the summation of relative dominance, density and frequency of occurrence of a particular species. The following table (Table 2.) lists the top 10 ranked plant species in the grassland based on importance values.

Table 2. Grassland importance values of top 10 ranked plant species for James Pond Preserve.

| Species Common Name | Species Scientific Name | Importance value |
|------------------------|--------------------------------|------------------|
| Sedge sp. | <i>Carex sp.</i> | 58.0 |
| Fescue sp. | <i>Fescue sp.</i> | 35.1 |
| Little bluestem | <i>Schizachyrium scoparium</i> | 20.0 |
| Paspalum sp. | <i>Paspalum sp.</i> | 11.3 |
| Japanese honeysuckle | <i>Lonicera japonica</i> | 8.2 |

| | | |
|------------------------|------------------------------|-----|
| Grass-leaved goldenrod | <i>Euthamia graminifolia</i> | 8.1 |
| Sweet vernal | <i>Anthoxanthum odoratum</i> | 8.1 |
| Spotted spurge | <i>Euphorbia maculata</i> | 7.9 |
| Redtop | <i>Agrostis gigantea</i> | 7.3 |
| Hairy cat's ear | <i>Hypochaeris radicata</i> | 7.0 |
| Switchgrass | <i>Panicum virgatum</i> | 6.8 |

F. Pondshore (0.4 acres):

There are approximately 1000 feet of shoreline along James Pond, parts of which are very steep and consist of a woodland community. In areas that are more gradually sloped (northern area), small stretches of sandy beach mixed with salt marsh habitat boasts typical coastal pond shore vegetation including species such as saltmarsh hay, smooth cordgrass, prairie cordgrass, beach wormwood, soft rush, and three-square club-bulrush. These species are adapted to the tidal fluctuations experienced along the shoreline of this salt pond.



Figure 12: Pondshore at James Pond Preserve.

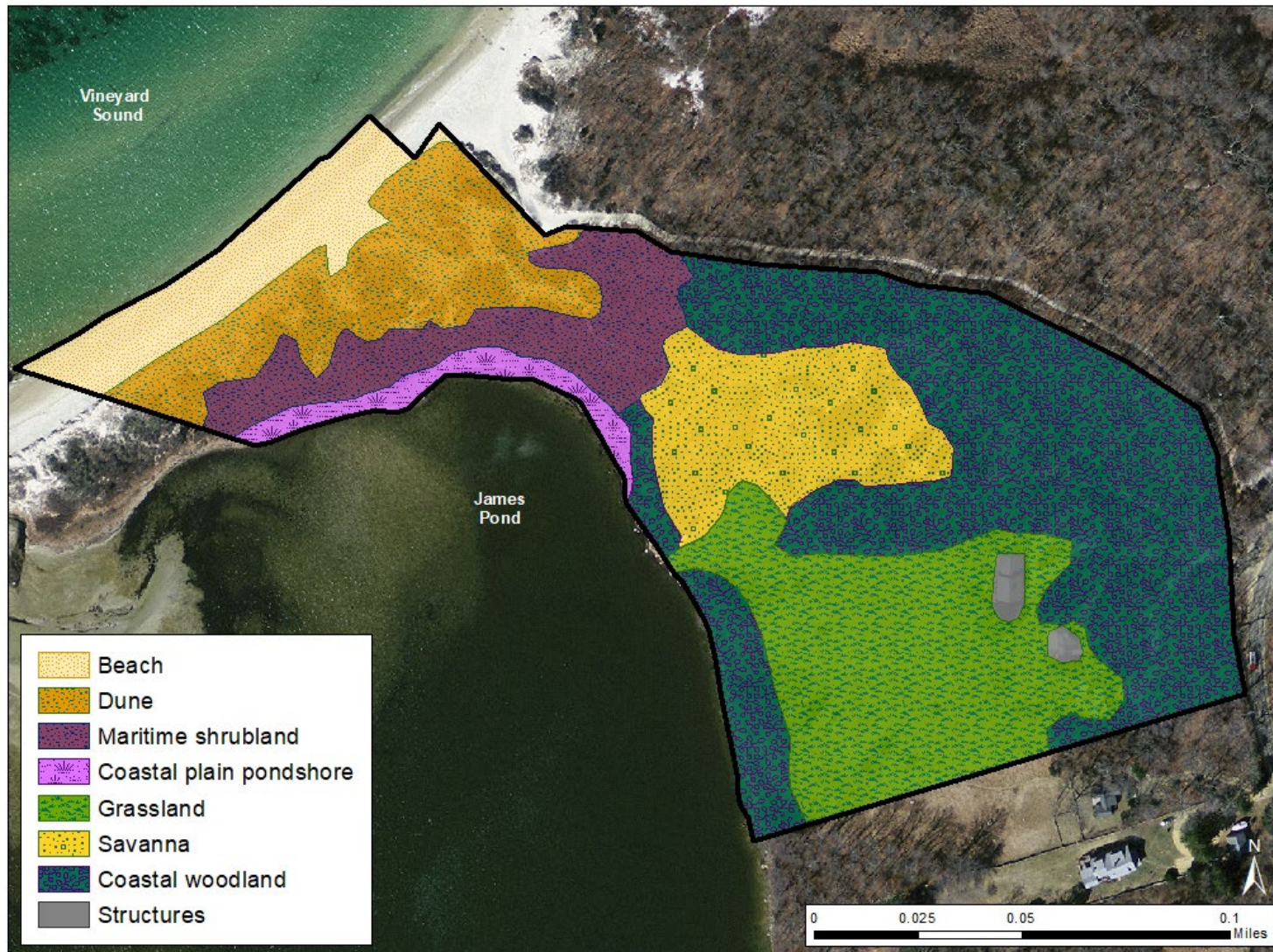
G. Beach (1.0 acres):

There is sparse vegetation on the beach resulting from high tides and narrow habitat width. Species such as dusty miller and American beach grass occur in few numbers at the toe of the dune. This habitat is greatly affected by the popularity of the beach for recreation opportunities.

Figure 13: Beach at James Pond Preserve.



Map 18: Ecological communities of James Pond Preserve, West Tisbury, MA.



Sources: Office of Geographic and Environmental Information (MassGIS) Commonwealth of Massachusetts Executive Office of Environmental Affairs; Aerial USGS Ortho Imagery 2019; Coordinate System: NAD 1983 StatePlane Massachusetts (Mainland)
Note: Map prepared by the Martha's Vineyard Land Bank for planning purposes only. The land bank is not responsible for end-users interpretation of the map.

Appendix E. Wildlife

James Pond Preserve provides a variety of habitats for invertebrates, birds, reptiles and mammals to forage, nest, and roost. Lists of species observed in the preserve in different habitats is included in Appendix E, Tables 2 and 3 and Appendix F, Table 4.

Wildlife Habitat Descriptions

James Pond itself is excellent habitat for a variety of bird and mammal species. The salt pond and its protective waters supports a variety of juvenile fish, shellfish, bivalves, and invertebrates. The diversity of prey species attracts wildlife higher in the food chain. Great blue herons, lesser yellowlegs, and several types of gulls and terns are observed foraging in the tidal flats. Evidence of coastal river otter scat and tracks indicates this mammal also utilizes the salt pond and preserve.

Woodlands and maritime shrublands provide shelter and protection from predation for nesting songbirds and small mammals. On the preserve this habitat supports a variety of fruit bearing shrubs and vines (e.g., beach plum and grape) that support wildlife. Squirrel and chipmunk species were observed foraging for acorns in the inland woodlands. Deer tracks were observed in the loose sand of the footpath, beach and pond shore. Adult deer and their fawns utilize the dense vegetation of the shrubland for shelter. Additionally, two listed invertebrate species that utilize evergreens and scrub oak for breeding were observed on the preserve.

Grasslands are important habitats for pollinators and other wildlife groups. The mixture of grasses and flowering plants in grasslands creates diverse options for shelter, forage, and pollen/nectar sources. The insects as well as the seeds of the plants in turn support birds and small mammals including various bat species. Furthermore, the open structure is conducive to hunting for raptor species. Edge habitats, between grasslands and woodlands support species that prefer this transition zone such as the eastern towhee.

Shorebirds and waterfowl, as well as coastal invertebrates can be found in the dune and beach habitats. Some rare moth species have host plants restricted to dune and maritime shrubland vegetation (e.g., beach plum); due to the narrow range of these habitat types, these moths are under pressure from habitat loss via coastal development and sea level rise. Rare coastal shorebirds also rely on beach and dune habitats for breeding and foraging.

Table 2: Wildlife observations in James Pond Preserve.

| Scientific Name | Common Name | Habitat |
|-----------------------------------|---------------------------|------------------------------|
| Class Amphibia | | |
| Order Anura | | |
| Family Ranidae | | |
| <i>Lithobates catesbeianus</i> | American Bullfrog | Pondshore |
| <i>Pseudacris crucifer</i> | Spring peeper | Woodland |
| Class Insecta | | |
| Order Lepidoptera | | |
| Family Nymphalidae | | |
| <i>Danaus plexippus</i> | Monarch butterfly | Grassland |
| Family Papilionidae | | |
| <i>Papilio glaucus</i> | Eastern tiger swallowtail | Grassland |
| <i>Papilio polyxenes asterius</i> | Eastern black swallowtail | Grassland |
| Family Lycaenidae | | |
| <i>Lycaena phlaeas</i> | American copper | Grassland |
| <i>Celastrina ladon</i> | Summer azure | Grassland |
| Order Coleoptera | | |
| Family Carabidae | | |
| <i>Cicindela repanda</i> | Common shore tiger beetle | beach |
| Class Arachnida | | |
| Order Araneae | | |
| Family Ixodidae | | |
| <i>Amblyomma americanum</i> | Lone star tick | Woodland/shrubland/grassland |
| <i>Ixodes scapularis</i> | Deer tick | Shrubland |
| Class Mammalia | | |
| Order Artiodactyla | | |
| Family Cervidae | | |
| <i>Odocoileus virginianus</i> | White-tailed deer | Woodland/shrubland/grassland |
| Order Carnivora | | |
| Family Mephitidae | | |
| <i>Mephitis mephitis</i> | Striped skunk | Woodland |
| Family Mustelidae | | |
| <i>Lontra canadensis</i> | Coastal river otter | |
| Family Procyonidae | | |
| <i>Procyon lotor</i> | Raccoon | Woodland |
| Order Rodentia | | |
| <i>Sciurus carolinensis</i> | Gray squirrel | woodland |
| <i>Tamias striatus</i> | Eastern chipmunk | woodland |
| Family Chiroptera | | |
| <i>Lasionycteris noctivagans</i> | Silver-haired bat | woodland |

| | | |
|-----------------------------|--------------------|----------|
| <i>Myotis sp.</i> | brown bat | woodland |
| <i>Eptesicus fuscus</i> | Big brown bat | Woodland |
| <i>Lasiurus borealis</i> | Eastern red bat | Woodland |
| Class Actinopterygii | | |
| Order Clupeiformes | | |
| Family Clupeidae | | |
| <i>Alosa pseudoharengus</i> | Alewife | pond |
| Order Decapoda | | |
| Family Portunidae | | |
| <i>Callinectes sapidus</i> | Atlantic blue crab | pond |

Lepidoptera

Although not often recognized, moths play a vital role in the environment as pollinators and as a food source for nocturnal birds and bats. In addition, caterpillars are an important source of food for diurnal birds.

Nocturnal moth species were surveyed using a stainless-steel rigid vein 18-24 in “letrap” with a 32-40 Watt quantum black light. Traps were set using a photoelectric switch from dusk to dawn on 7 trap nights from June 23rd, 2021, to September 7th, 2021. Species were collected, processed, and sent to Mark Mello, an entomologist with the Lloyd Center for the Environment, in New Bedford, MA for positive identification. A total of 226 species was observed across all trap sites (Table 3) including five species that have not yet been recording on Martha’s Vineyard. Four species are MESA-listed as either threatened or of special concern—these species were found in both the grassland and dune survey locations and rely on larval host plant species in the woodland and dune. For the purpose of this management plan, MESA-listed species have been omitted from the table.

Table 3: Summary of macrolepidoptera species recorded from James Pond Preserve, West Tisbury, MA.

| Old Zookey catalogue # | New Zookey catalogue # | Species Name | Grassland | Dune |
|------------------------|------------------------|---------------------------------|-----------|------|
| | | | N=7 | N=7 |
| GEOMETRIDAE | | | | |
| Ennominae | | | | |
| 6261 | | <i>Heliomata cycladata</i> | 1 | |
| 6272 | | <i>Eumacaria madopata</i> | | 4 |
| 6273 | | <i>Macaria pustularia</i> | 2 | |
| 6299 | | <i>Macaria coortaria</i> | | 6 |
| 6326 | | <i>Macaria aemulitaria</i> | 1 | 2 |
| 6342 | | <i>Macaria bisignata</i> | | 1 |
| 6362 | | <i>Digrammia continuata</i> | 1 | 1 |
| 6386 | | <i>Digrammia ocellinata</i> | 3 | 3 |
| 6443 | | <i>Glenoides texanaria</i> | 2 | 3 |
| 6590 | | <i>Anavitrinella pampinaria</i> | | 1 |

| Old Zookey catalogue # | New Zookey catalogue # | Species Name | Grassland | Dune |
|------------------------|------------------------|-------------------------------------|-----------|------|
| 6597 | | <i>Ectropis crepuscularia</i> | 1 | |
| 6598 | | <i>Protoboarmia porcelaria</i> | 2 | |
| 6599 | | <i>Epimecis hortaria</i> | 2 | |
| 6620 | | <i>Melanolophia canadaria</i> | 2 | 1 |
| 6654 | | <i>Hypagyrtis unipunctata</i> | | 1 |
| 6711 | | <i>Ilexia intractata</i> | 1 | |
| 6720 | | <i>Lytrosis unitaria</i> | 1 | |
| 6724 | | <i>Euchlaena serrata</i> | 1 | |
| 6725 | | <i>Euchlaena muzaria</i> | 1 | 1 |
| 6754 | | <i>Pero ancetaria</i> | 1 | 1 |
| 6755 | | <i>Pero morrisonaria</i> | | 1 |
| 6826 | | <i>Metarranthis hypochraria</i> | | 1 |
| 6843 | | <i>Plagodis fervidaria</i> | | 1 |
| 6885 | | <i>Besma quercivoraria</i> | 3 | 3 |
| 6941 | | <i>Eusarca confusaria</i> | 2 | 1 |
| 6963 | | <i>Tetracis crocallata</i> | 2 | 1 |
| 6964 | | <i>Tetracis cachexiata</i> | | |
| 6966 | | <i>Eutrapela clemataria</i> | | |
| 6974 | | <i>Patalene olyzonaria puber</i> | 1 | |
| 6982 | | <i>Prochoerodes lineola</i> | 4 | 3 |
| 6987 | | <i>Antepione thiosaria</i> | 2 | 3 |
| 7009 | | <i>Nematocampa resistaria</i> | 2 | 1 |
| Geometrinae | | | | |
| 7046 | | <i>Nemoria bistraria</i> | 4 | 3 |
| 7053 | | <i>Dichorda iridaria</i> | | 1 |
| Sterrhinae | | | | |
| 7132 | | <i>Pleuroprucha insulsaria</i> | 1 | |
| 7136 | | <i>Cyclophora packardi</i> | 1 | |
| 7139 | | <i>Cyclophora pendulinaria</i> | | 1 |
| 7159 | | <i>Scopula limboundata</i> | | 1 |
| Larentiinae | | | | |
| 7196 | | <i>Eulithis diversilineata</i> | 3 | 3 |
| 7399 | | <i>Euphya unangulata</i> | | 1 |
| 7414 | | <i>Orthonama obstipata</i> | | 1 |
| 7416 | | <i>Costaconvexa centrostrigaria</i> | 2 | |
| | | <i>Eupithecia spp.*</i> | 1 | |
| 7648 | | <i>Dyspteris abortivaria</i> | 1 | |
| LASIOCAMPIDAE | | | | |
| Macromphalinae | | | | |
| 7663 | | <i>Apatelodes torrefacta</i> | 2 | 2 |
| 7673 | | <i>Tolyte laricis</i> | | 1 |
| Lasiocampinae | | | | |
| 7701 | | <i>Malacosoma americanum</i> | 1 | 1 |
| SATURNIIDAE | | | | |
| Ceratocampinae | | | | |
| 7715 | | <i>Dryocampa rubicunda</i> | | 1 |
| 7716 | | <i>Anisota stigma</i> | 35 | |

| Old Zookey catalogue # | New Zookey catalogue # | Species Name | Grassland | Dune |
|------------------------|------------------------|--|-----------|------|
| 7719 | | <i>Anisota senatoria</i> | 4 | |
| Hemileucinae | | | | |
| 7746 | | <i>Automeris io</i> | 5 | 1 |
| Saturniinae | | | | |
| 7757 | | <i>Antheraea polyphemus</i> | | 2 |
| 7758 | | <i>Actias luna</i> | 2 | 2 |
| 7764 | | <i>Callosamia promethea</i> | | 1 |
| SPHINGIDAE | | | | |
| Sphinginae | | | | |
| 7784 | | <i>Dolba hyloeus</i> | | 1 |
| 7786 | | <i>Ceratonia amyntor</i> | 1 | |
| 7810 | | <i>Sphinx gordius</i> | 1 | |
| 7824 | | <i>Paonias excaecata</i> | 3 | 3 |
| 7825 | | <i>Paonias myops</i> | 2 | 2 |
| 7826 | | <i>Paonias astylus</i> | 1 | 1 |
| Macroglossinae | | | | |
| 7859 | | <i>Eumorpha pandorus</i> | 1 | |
| 7884 | | <i>Darapsa versicolor</i> | | 4 |
| 7885 | | <i>Darapsa myron</i> | 3 | 2 |
| 7886 | | <i>Darapsa choerilus</i> | 2 | 3 |
| NOTODONTIDAE | | | | |
| Notodontinae | | | | |
| 7917 | 930010 | <i>Paraeschra</i> (= " <i>Hyperaeschra</i> ") <i>georgica</i> | | 1 |
| 7931 | 930019 | <i>Gluphisia septentrionis</i> | 1 | |
| 7936 | 930024 | <i>Furcula borealis</i> | | 1 |
| 7937 | 930025 | <i>Furcula cinerea</i> | | 1 |
| Phalerinae | | | | |
| 7902 | 930033 | <i>Datana ministra</i> | 1 | |
| 7904 | 930035 | <i>Datana drexelii</i> | 2 | 4 |
| 7906 | 930037 | <i>Datana contracta</i> | 1 | 1 |
| | | <i>Datana sp.</i> | 1 | 2 |
| 7915 | 930046 | <i>Nadata gibbosa</i> | 2 | 3 |
| 7920 | 930049 | <i>Peridea angulosa</i> | 2 | 2 |
| 7921 | 930050 | <i>Peridea ferruginea</i> | | 1 |
| Heterocampinae | | | | |
| 7975 | 930067 | <i>Macruocampa marthesia</i> | 3 | 1 |
| 7983 | 930075 | <i>Heterocampa obliqua</i> | 3 | 3 |
| 7990 | 930082 | <i>Heterocampa umbrata</i> | 2 | 2 |
| 7994 | 930086 | <i>Heterocampa guttivitta</i> | | 2 |
| 7995 | 930087 | <i>Heterocampa biundata</i> | | 1 |
| 8007 | 930100 | <i>Schizura unicornis</i> | 1 | 1 |
| 8017 | 930110 | <i>Oligocentria lignicolor</i> | 2 | |
| Nystaleinae | | | | |
| 7951 | 930127 | <i>Symmerista albifrons</i> | 1 | 2 |
| 7957 | 930133 | <i>Dasylophia anguina</i> | 1 | 1 |
| 7958 | 930134 | <i>Dasylophia thyatiroides</i> | 1 | |

| Old Zookey catalogue # | New Zookey catalogue # | Species Name | Grassland | Dune |
|------------------------|------------------------|-----------------------------------|-----------|------|
| EREBIDAE | | | | |
| Lymantriinae | | | | |
| 8318 | 930141 | <i>Lymantria dispar</i> | 1 | 1 |
| 8302 | 930154 | <i>Dasychira obliquata</i> | 1 | 1 |
| 8316 | 930168 | <i>Orgyia leucostigma</i> | 1 | 1 |
| Arctiinae | | | | |
| 8089 | 930204 | <i>Hypoprepia miniata</i> | | 1 |
| 8045.1 | 930219 | <i>Crambidia pallida</i> | 2 | 2 |
| 8196 | 930246 | <i>Apantesis parthenice</i> | | 1 |
| 8169 | 930278 | <i>Apantesis phalerata</i> | 2 | 4 |
| 8171 | 930280 | <i>Apantesis nais</i> | | 1 |
| 8171.1 | 930281 | <i>Apantesis carlotta</i> | 2 | |
| 8118 | 930297 | <i>Virbia opella</i> | 3 | 3 |
| 8121 | 930299 | <i>Virbia aurantiaca</i> | 3 | 4 |
| 8134 | 930309 | <i>Spilosoma congrua</i> | 2 | 2 |
| 8137 | 930316 | <i>Spilosoma virginica</i> | 1 | |
| 8140 | 930319 | <i>Hyphantria cunea</i> | 1 | |
| 8203 | 930360 | <i>Halysidota tessellaris</i> | 3 | 2 |
| 8211 | 930370 | <i>Lophocampa caryae</i> | 1 | |
| 8230 | 930404 | <i>Cycnia tenera</i> | | 1 |
| 8267 | 930440 | <i>Cisseps fulvicollis</i> | 1 | |
| Herminiinae | | | | |
| 8322 | 930469 | <i>Idia americalis</i> | 1 | 3 |
| 8323 | 930471 | <i>Idia aemula</i> | 2 | 3 |
| 8329 | 930477 | <i>Idia diminuendis</i> | 1 | 3 |
| 8334 | 930482 | <i>Idia lubricalis</i> | 1 | 1 |
| 8340 | 930489 | <i>Zanclognatha literalis</i> | | 1 |
| 8341 | 930490 | <i>Zanclognatha theralis</i> | 2 | 3 |
| 8352 | 930499 | <i>Zanclognatha marcidilinea</i> | 1 | 2 |
| 8353 | 930500 | <i>Zanclognatha jacchusalis</i> | 2 | 5 |
| 8355 | 930502 | <i>Chytolita morbidalis</i> | | 1 |
| 8356 | 930503 | <i>Chytolita petrealis</i> | 1 | |
| 8364 | 930514 | <i>Phalaenostola larentioides</i> | 1 | |
| 8370 | 930520 | <i>Bleptina caradrinalis</i> | 5 | 5 |
| 8378 | 930529 | <i>Renia salusalis</i> | 2 | |
| 8379 | 930530 | <i>Renia factiosalis</i> | | 1 |
| 8381 | 930532 | <i>Renia discoloralis</i> | 2 | 2 |
| 8384.1 | 930536 | <i>Renia flavipunctalis</i> | 5 | 3 |
| 8386 | 930538 | <i>Renia adspersgillus</i> | 1 | |
| 8387 | 930539 | <i>Renia sobrialis</i> | 3 | 2 |
| 8393 | 930547 | <i>Lascoria ambigualis</i> | | 1 |
| 8397 | 930551 | <i>Palthis angualis</i> | | 1 |
| Pangraptinae | | | | |
| 8490 | 930559 | <i>Pangrapta decoralis</i> | | 1 |
| Hypeninae | | | | |
| 8442 | 930562 | <i>Hypena baltimoralis</i> | | 2 |
| 8444 | 930565 | <i>Hypena palparia</i> | | 2 |

| Old Zookey catalogue # | New Zookey catalogue # | Species Name | Grassland | Dune |
|------------------------|------------------------|----------------------------------|-----------|------|
| 8465 | 930588 | <i>Hypena scabra</i> | 1 | 2 |
| Scolecocampinae | | | | |
| 8514 | 930637 | <i>Scolecocampa liburna</i> | 1 | |
| 8522 | 930643 | <i>Gabara subnivosella</i> | 4 | 1 |
| Phytometrinae | | | | |
| 9039 | 930731 | <i>Hyperstrotia flaviguttata</i> | | 1 |
| Erebinae | | | | |
| 8774 | 930765 | <i>Catocala muliercula</i> | | 1 |
| 8777 | 930767 | <i>Catocala badia</i> | 1 | 1 |
| 8801 | 930792 | <i>Catocala ilia</i> | 1 | 1 |
| 8847 | 930833 | <i>Catocala gracilis</i> | 1 | 2 |
| 8851 | 930837 | <i>Catocala coccinata</i> | 1 | |
| 8857 | 930841 | <i>Catocala ultronia</i> | | 4 |
| 8864 | 930845 | <i>Catocala grynea</i> | | 1 |
| 8865 | 930847 | <i>Catocala praeclara</i> | | 2 |
| 8873 | 930855 | <i>Catocala similis</i> | | 1 |
| 8876 | 930857 | <i>Catocala micronympha</i> | 1 | 1 |
| 8878 | 930859 | <i>Catocala amica</i> | | 1 |
| 8739 | 930924 | <i>Caenurgina erechtea</i> | 1 | |
| 8767 | 930927 | <i>Doryodes spadaria</i> | 1 | 1 |
| 8745 | 930944 | <i>Mocis texana</i> | 1 | |
| 8764 | 930956 | <i>Argyrostrotis anilis</i> | | 8 |
| 8721 | 930962 | <i>Allotria elonympha</i> | | 3 |
| 8717 | 931053 | <i>Zale horrida</i> | 2 | |
| 8719 | 931055 | <i>Euparthenos nubilis</i> | 1 | |
| 9818 | 931060 | <i>Amolita fessa</i> | 1 | |
| Eulepidotinae | | | | |
| 8587 | 931089 | <i>Panopoda rufimargo</i> | 4 | 2 |
| EUTELIIDAE | | | | |
| 8955 | 931103 | <i>Marathyssa inficita</i> | 1 | |
| 8957 | 931106 | <i>Paectes oculatrix</i> | | 1 |
| NOLIDAE | | | | |
| Nolinae | | | | |
| 8983.2 | 931123 | <i>Meganola spodia</i> | 1 | 1 |
| 8996 | 931136 | <i>Nola clethrae</i> | 2 | 1 |
| NOCTUIDAE | | | | |
| Plusiinae | | | | |
| 8908 | 931191 | <i>Autographa precatationis</i> | 1 | 1 |
| Bagisarinae | | | | |
| 9169 | 931241 | <i>Bagisara rectifascia</i> | 12 | |
| Eustrotiinae | | | | |
| 9049 | 931295 | <i>Maliattha synochitis</i> | 1 | |
| Pantheinae | | | | |
| 9189 | 931406 | <i>Charadra deridens</i> | 1 | |
| Balsinae | | | | |
| 9664 | 931419 | <i>Balsa labecula</i> | | 1 |
| Acronictinae | | | | |

| Old Zookey catalogue # | New Zookey catalogue # | Species Name | Grassland | Dune |
|------------------------|------------------------|--|-----------|------|
| 9200 | 931421 | <i>Acronicta americana</i> | 2 | |
| 9281 | 931442.1 | <i>Acronicta fallax</i> | 1 | |
| 9228 | 931445 | <i>Acronicta hasta</i> | | 2 |
| 9249 | 931467 | <i>Acronicta increta</i> (+ " <i>inclara</i> ") | | 1 |
| 9254 | 931471 | <i>Acronicta afflicta</i> | 1 | 2 |
| 9266 | 931480 | <i>Acronicta lithospila</i> | | 2 |
| 9272 | 931485 | <i>Acronicta obliterata</i> | | 1 |
| | | <i>Acronicta sp.</i> | 1 | |
| 9285 | 931497 | <i>Polygrammate hebraeicum</i> | 3 | 3 |
| 9286 | 931498 | <i>Harrisimemna trisignata</i> | 1 | 1 |
| Cucullinae | | | | |
| 10202 | 931513 | <i>Cucullia convexipennis</i> | 1 | |
| Agaristinae | | | | |
| 9299 | 931964 | <i>Eudryas unio</i> | 1 | 1 |
| 9301 | 931966 | <i>Eudryas grata</i> | 1 | |
| Condicinae | | | | |
| 9690 | 931989 | <i>Condica videns</i> | | 1 |
| 9057 | 932025 | <i>Homophoberia apicosa</i> | | 1 |
| Heliiothinae | | | | |
| 11068 | 932045 | <i>Helicoverpa zea</i> | | 1 |
| 11128 | 932134 | <i>Schinia arcigera</i> | 1 | |
| 11135 | 932091 | <i>Schinia rivulosa</i> | | 1 |
| Eriopinae | | | | |
| 9631 | 932192 | <i>Callopietria mollissima</i> | 1 | 1 |
| Noctuinae | | | | |
| 9618 | 932208 | <i>Phosphila turbulenta</i> | 3 | 4 |
| 9619 | 932209 | <i>Phosphila miseloides</i> | 3 | 5 |
| 9666 | 932216 | <i>Spodoptera frugiperda</i> | 1 | 1 |
| 9669 | 932219 | <i>Spodoptera ornithogalli</i> | 1 | 1 |
| 9681.1 | 932233 | <i>Elaphria alapallida</i> | | 2 |
| 9684 | 932238 | <i>Elaphria grata</i> | | 1 |
| 9647 | 932266 | <i>Proxenus miranda</i> | 1 | 1 |
| 9650 | 932269 | <i>Athetis tarda</i> | 1 | 2 |
| 9545 | 932290 | <i>Euplexia benesimilis</i> | | 1 |
| 9395 | 932356 | <i>Apamea lintneri</i> | | 2 |
| 9441 | 932424 | <i>Photodes enervata</i> | 1 | |
| 9456 | 932446 | <i>Amphipoea interoceanica</i> | 2 | 3 |
| 9815 | 932672 | <i>Cosmia calami</i> | 2 | 1 |
| 9556 | 932713 | <i>Chytonix palliatricula</i> | 3 | 1 |
| 9629 | 932749 | <i>Fagitana littera</i> | | 1 |
| 10524 | 932810 | <i>Nephelodes minians</i> | | 1 |
| 10431 | 932928 | <i>Dargida diffusa</i> | 2 | |
| 10438 | 932935 | <i>Mythimna unipuncta</i> | 2 | 2 |
| 10439 | 932937 | <i>Leucania extincta</i> | | 6 |
| 10440.1 | 932938.1 | <i>Leucania amygdalina</i> (prev. " <i>linita</i> ") | | 1 |
| 10444 | 932943 | <i>Leucania phragmatidicola</i> | 1 | 3 |
| 10456 | 932960 | <i>Leucania adjuta</i> | | 2 |

| Old Zookey catalogue # | New Zookey catalogue # | Species Name | Grassland | Dune |
|------------------------|------------------------|----------------------------------|-----------|------|
| 10461 | 932965 | <i>Leucania ursula</i> | 1 | |
| | | <i>Leucania sp.</i> | | 1 |
| 10368 | 933016 | <i>Lacinipolia meditata</i> | | 1 |
| 10393 | 933039 | <i>Lacinipolia vicina</i> * | | 1 |
| 10397 | 933044 | <i>Lacinipolia renigera</i> | 1 | 1 |
| 10414 | 933068 | <i>Lacinipolia implicata</i> | | 1 |
| 10532.1 | 933089 | <i>Homorthodes lindseyi</i> | | 1 |
| 10585 | 933136 | <i>Orthodes majuscula</i> | 1 | 3 |
| 10587 | 933138 | <i>Orthodes cynica</i> | 2 | |
| 10288 | 933146 | <i>Orthodes detracta</i> | | 1 |
| 10903 | 933216 | <i>Anicla illapsa</i> | 2 | 3 |
| 10870 | 933232 | <i>Dichagyris acclivis</i> | 1 | 1 |
| 10715 | 933329 | <i>Euxoa scandens</i> | | 2 |
| 10838 | 933461 | <i>Euxoa detersa</i> | | 1 |
| 10680 | 933495 | <i>Feltia geniculata</i> | | 1 |
| 10641 | 933506 | <i>Agrotis vetusta</i> | | 1 |
| 10891 | 933529 | <i>Ochropleura implecta</i> | 1 | 3 |
| 11010 | 933547 | <i>Lycophotia phyllophora</i> | 1 | |
| 11012.2 | 933551 | <i>Noctua pronuba</i> | 4 | 4 |
| 10942 | 933588 | <i>Xestia c-nigrum</i> | 1 | |
| 10942.1 | 933589 | <i>Xestia dolosa</i> | 1 | 1 |
| 10950 | 933629 | <i>Pseudohermonassa bicarnea</i> | | 1 |
| 11006 | 933649 | <i>Protolampra brunneicollis</i> | | 1 |
| 11029 | 933680 | <i>Abagrotis alternata</i> | | 2 |

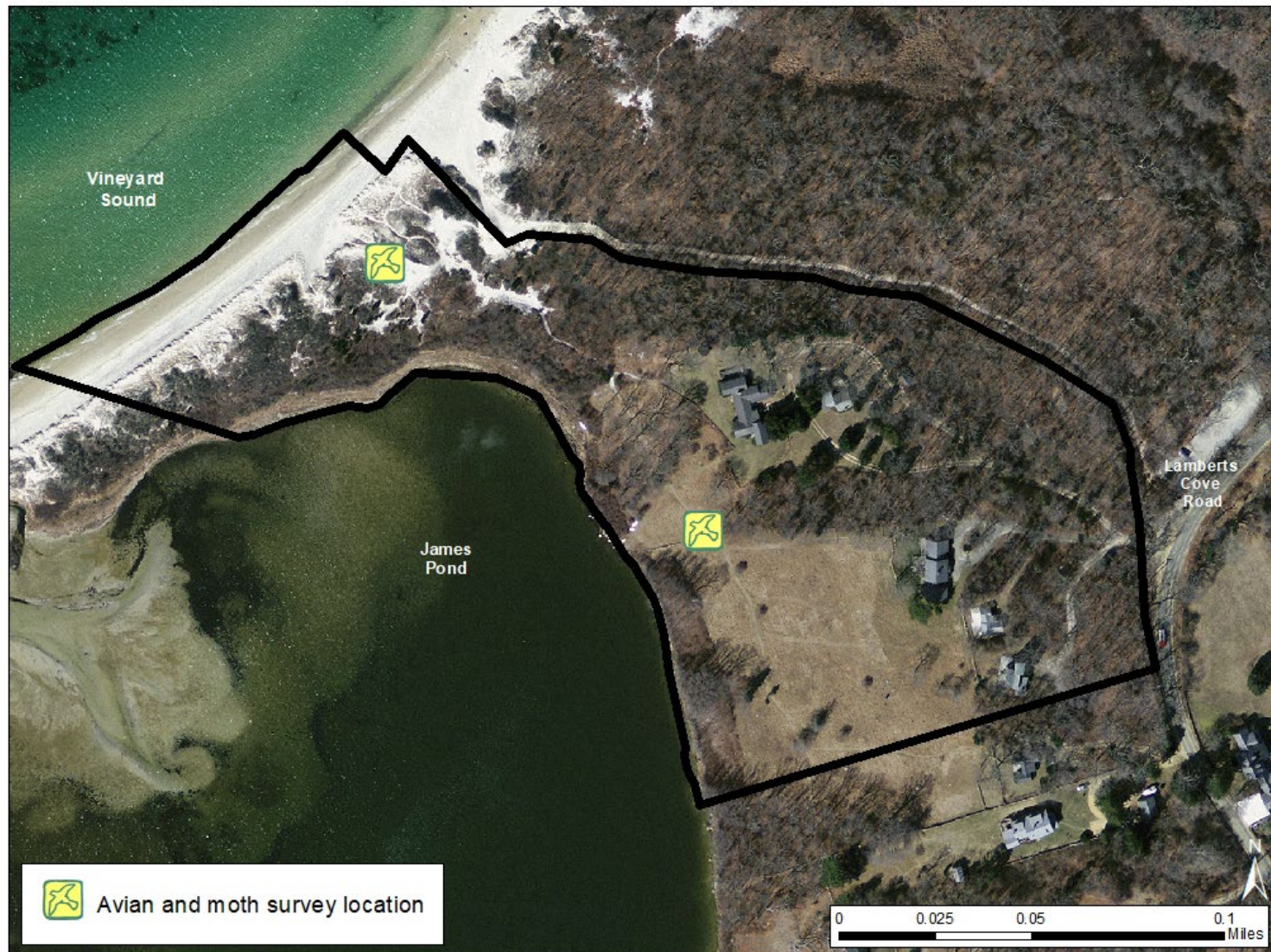
Appendix F. Avian Checklist and Seasonal Tables

Land bank staff conducted 5-minute point count surveys of birds at James Pond from June 2021 to September 2021 following methods described by Ralph and Scott (1981). There were two sample locations: grassland and dune. All birds seen or heard during the five-minute period including birds flying overhead were recorded. Birds seen or heard outside of the count period were noted, but not incorporated into quantitative analysis.

Breeding status of species was assessed as “confirmed”, “probable”, and “possible”. Species where a juvenile was detected during surveying are designated as “confirmed” breeding status. Instances of indirect observations of breeding behaviors (e.g., carrying nesting material or food to a nest), or repeated male vocal/territorial at least a week apart are indications of “probable” breeding status. These behaviors indicate occupation of the species in the area with intent to breed. “Possible” status is reserved for species with breeding ranges that overlap with this region or that are permanent residents, but do not meet any of the other criteria listed above. Of the 36 bird species observed on the preserve during the summer breeding season 10 are probable breeders and 25 are possible breeders (Table 4).

Nesting in trees is the most common strategy displayed by birds associated with the preserve followed by ground, shrub, cavity, and burrow locations (Table 8-Summer 2021). The dominance of woodlands on the preserve parallels the commonality of tree-reliant species observed. Blue jays for example, build nests in the crotch or branches of large trees in woodlands 10-25 feet from the ground and American crows utilize similar structures in trees, often near the trunk and towards the top of trees. Both utilize conifer and deciduous trees (Cornell 2022).

Map 19: Avian survey point locations



Sources: Office of Geographic and Environmental Information (MassGIS) Commonwealth of Massachusetts Executive Office of Environmental Affairs; Aerial USGS Ortho Imagery 2019; Zoning districts from Town of West Tisbury, MV Commission 2017; Coordinate Reference: State Plane, Mass Mainland, Meters, NAD83
Note: Map prepared by the Martha's Vineyard Land Bank for planning purposes only. The land bank is not responsible for end-users interpretation of the map.

Table 4: Bird species observed in James Pond Preserve during summer and fall 2021

| Summer 2021 | Grassland (n=7) ^a | Dune (n=7) | Nest Placement ^b | Breeding ^c |
|-----------------------------|------------------------------|------------|-----------------------------|-----------------------|
| Species | | | | |
| Year-round residents | | | | |
| American crow | C | O | tree | PR |
| American goldfinch | U | U | shrub | PO |
| American robin | U | | tree | PO |
| Belted kingfisher | O | U | burrow | PO |
| Black-capped chickadee | C | C | cavity | PR |
| Blue jay | C | U | tree | PO |
| Canada goose | O | U | ground | PO |
| Carolina wren | C | O | cavity | PR |
| Cedar waxwing | O | | tree | PO |
| Double-crested cormorant | C | C | ground | NB |
| Downy woodpecker | U | | cavity | PO |
| Great black-backed gull | U | U | ground | PO |
| Great blue heron | U | O | tree | PR |
| Great egret | O | C | tree | PR |
| Grey catbird | C | O | shrub | PR |
| Herring gull | O | O | ground | PO |
| Killdeer | | U | ground | PO |
| Mourning dove | U | U | tree | PO |
| Mute swan | U | U | ground | PO |
| Northern cardinal | O | | shrub | PP |
| Ring-billed gull | | U | ground | PO |
| Song sparrow | | O | shrub | PO |
| Tufted titmouse | U | | cavity | PO |
| White-breasted nuthatch | U | | cavity | PO |
| Summer breeders | | | | |
| American oystercatcher | | U | ground | PO |
| Bank swallow | | U | burrow | PO |
| Barn swallow | O | | building | PO |
| Common tern | O | C | ground | PR |

| | | | | |
|---------------------|---|---|--------|----|
| Common yellowthroat | O | | shrub | PO |
| Eastern kingbird | U | | tree | PO |
| Eastern towhee | O | O | ground | PR |
| Eastern wood-pewee | U | | tree | PR |
| Green heron | | U | tree | PO |
| Osprey | O | O | tree | PR |
| Prairie warbler | | U | shrub | PO |
| Red-eyed vireo | U | | tree | PO |

^aO=Occasional; U= Uncommon; C=Common; P=Present.

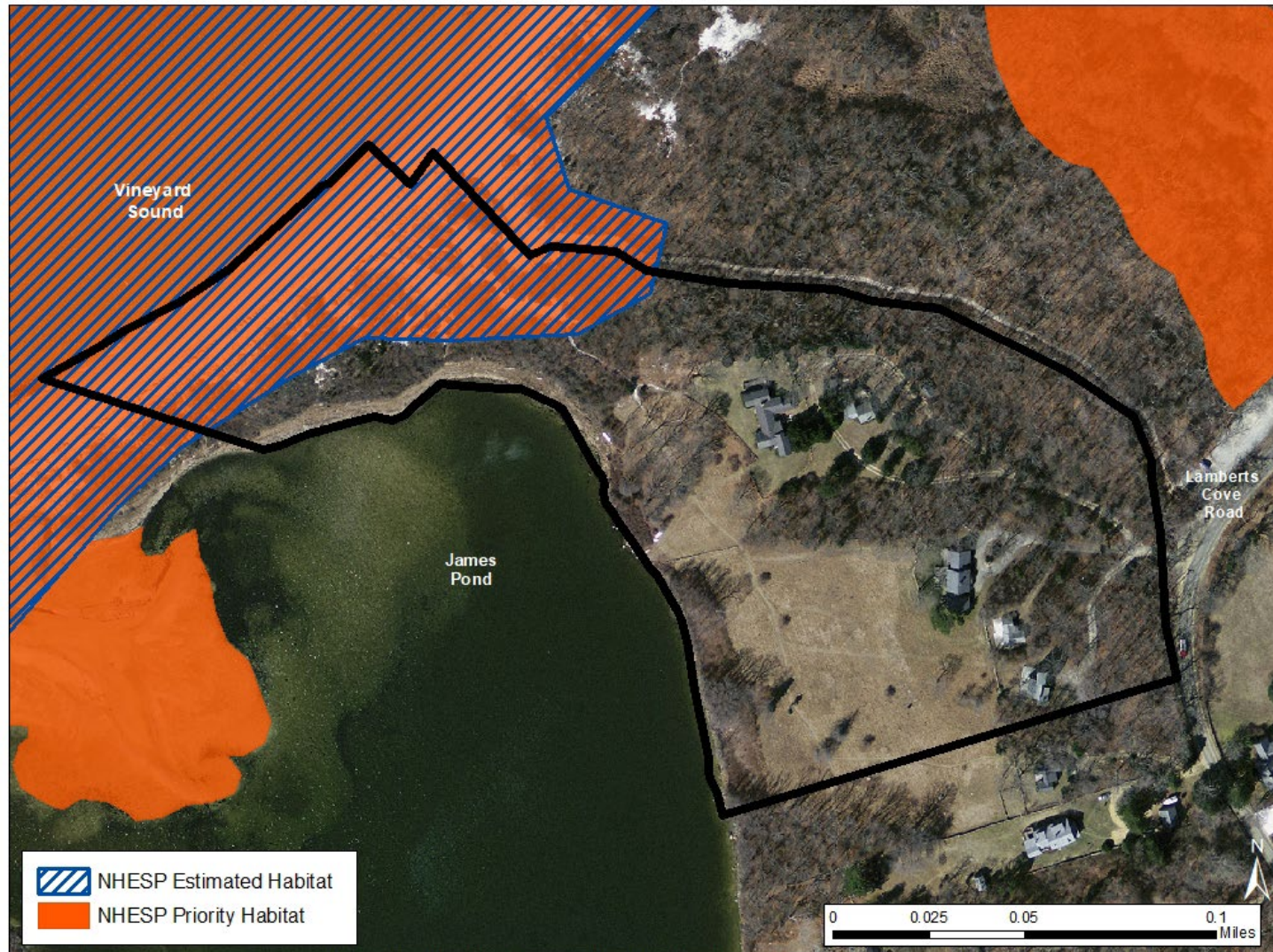
^bCornell 2022 (<https://www.allaboutbirds.org>)

^cPO=Possible breeding; CO=Confirmed breeding; PR=Probably breeding.

Appendix G. Endangered Species

Portions of James Pond Preserve fall within both Estimated habitat for Rare Wildlife and Priority Habitat of Rare species. This plan includes management goals that balance the needs of rare species and ensures protection of one bat species and four listed invertebrate species, and their habitats known to occur on the preserve. In the event that future significant management changes are proposed, repeat lepidoptera surveys will be conducted to understand possible effects on these species and mitigate any harm. Any future management changes that impact listed species habitat would be reviewed by NHESP and possibly the West Tisbury Conservation Commission.

Map 20: NHESP priority habitat and estimated habitat in James Pond Preserve.



Sources: Office of Geographic and Environmental Information (MassGIS) Commonwealth of Massachusetts Executive Office of Environmental Affairs; Aerial USGS Ortho Imagery 2019; Zoning districts from Town of West Tisbury, MV Commission 2017; Coordinate Reference: State Plane, Mass Mainland, Meters, NAD83
Note: Map prepared by the Martha's Vineyard land bank for planning purposes only. The land bank is not responsible for end-users' interpretation of the map.

Appendix H. Land Use History in Detail

James Pond Preserve comprises the eastern shore of Great James Pond, aka Royal Pond, Onkokemmy, Echpooquasit in the area of Chickemmoo in West Tisbury, formerly Chilmark and Tisbury (Banks vol II, 1911, DCRD 1:281). The preserve is located in what was the Takemmy sachemship governed by one of the four major sachems. The numerous Wampanoag names for landmarks in the area of the preserve that survived to be included in Banks History of Martha's Vineyard volume II (1911) pages 19-25, 130-131, 135-136 indicate a significant Wampanoag presence in the area prior to European contact in 1600's. One such name, for the creek through which water flows from James Pond into Vineyard Sound is Erashog that carries the meaning for herring. The maritime assets of the preserve such as the cove, James Pond and nearby herring creek as well as the surrounding woodlands and bogs provided food and shelter for temporary villages of Wampanoags (MHC *Massachusetts Historical Commission* 1984).

Edgartown was the first area of European settlement beginning around 1644. As Edgartown became more thickly inhabited, settlers began to move up-island in 1670 into Middletown, known to the Wampanoags as Takemmy. Thomas Mayhew granted four proprietors the right to purchase land from the up-island sachems in 1668 (Banks 1911). Prior to the purchase of Middletown, the sachem Josias and Wanamanhut designated one-mile square to the "Christianized natives" and named it Christiantown, located west of James Pond Preserve (Banks 1911).

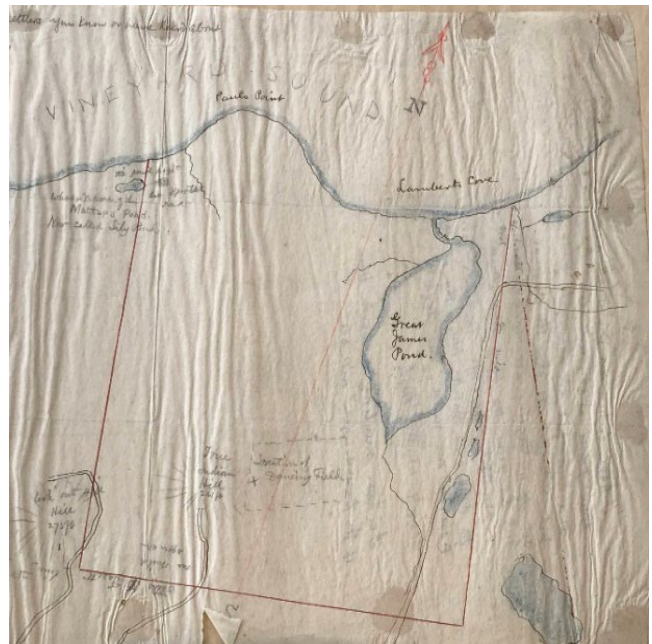


Figure 14: Map of Christiantown by Banks circa 1900.
Source: Dukes County Historical Society 2012.035.013

Christiantown was originally planned in 1659 to include both the western and eastern sides of James Pond and depicted in a map annotated by Joseph Quannowill Mingo (oldest Indian in Christiantown circa 1900) and drawn by Banks circa 1900 (Fig 14: 2012.035.013 Dukes County Historical Society). Christiantown was redrawn in 1709 with

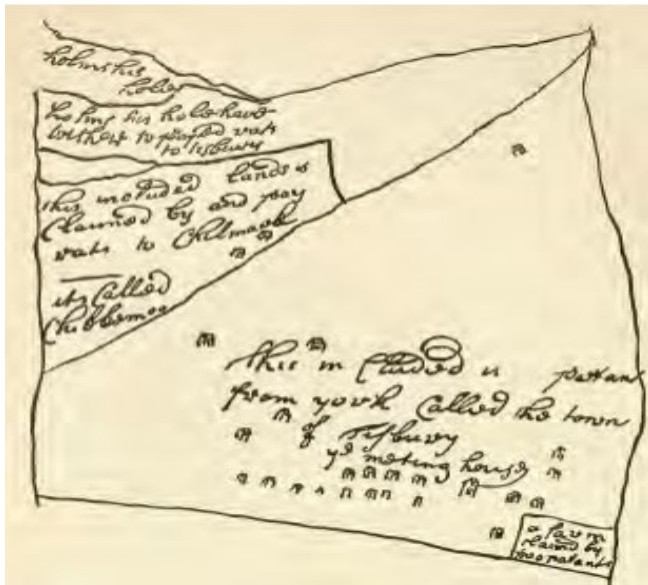


Figure 15: Redrawn map of Christiantown by John H. Mullin circa 1900.
 Source: Dukes County Historical Society 2012.035.014

the boundary lines firmly to the west of James Pond (Fig 15: Dukes County Historical Society John H. Mullin map circa 1900, 2012.035.014). A sketch by Joseph Quannowill Mingo, circa 1900, indicates a location for Christiantown also to the west of James Pond (Fig. 16: 2012.035.014 Dukes County Historical Society).



Figure 16: Sketch of Christiantown by Joseph Quannowill Mingo circa 1900.
 Source: Dukes County Historical Society 2012.035.014



Elizabeth Islands and Chickemoo (meaning *place of fish weir* in Wampanoag) (Banks 1911). The boundaries of Chickemoo were vague lending to confusion and opportunity for settlers to purchase land directly from the sachem Josias instead of the proprietors (Swift and Celveland 1903). Upon Governor Mayhew's death in 1681, Issac Chase made his first purchase of a large tract of land from Sachem Josias that stretched from Echpooquasit pond to Mekonnichashquat (Old House Pond) (DCRD 1:281). On the heels of Chase, the cove's namesake, Jonathan Lumbert (Lambert), purchased land in the area

in 1694 also from Sachen Josias (DCRD 1:248). Jonathan Lumbert, who moved to the island and settled in Tisbury in 1657, was deaf along with two of his seven children (Groce 1885). In his will, the Governor bequeathed Chickemmoo in equal parts to his daughters, Hannah Daggett and Martha Tupper. Mrs. Daggett's sons built her a house on the western half of Chikemmoo, one of two houses in all of Chikemmoo at the time (MHC 1984 and Banks 1911). Isaac Chase enlarged his land holdings by purchasing the eastern half of Chikemmoo, approximately 1,200 acres, from Mrs. Tupper in 1691 (DCRD 1:187). In 1693, Chase, who was a blacksmith, inn-keeper and ferry-man in Holmes Hole, expanded his land holdings into the eastern half of Chikemmoo with a purchase from Cap. Thomas Daggett (Banks 1911). The Simon Athearn 1694 map indicates 22 houses, most situated near present day West Tisbury center, and two houses in the Chickemmoo area with neither depicted close to shore in the vicinity of the preserve (Fig.4). Most of the Wampanoags in the area lived in Christiantown, with a meeting house as early as 1680 and a school in 1714 (MHC 1984).

Other settlers began to purchase land in the vicinity of James Pond which some claimed was the western boundary of Chikemmoo rather than the little Black Water brook to the east of the pond (Banks 1911). Thomas Butler of Edgartown purchased several tracts of land in the Chikemmoo area from Daggett and Chase, including the area that is the preserve (DCRD 1:237, 156). Not only were the boundaries of Chikemmoo poorly understood at this time but it was an island of Chilmark in a sea of Tisbury. Butler's homestead was located not far from Old House Pond and it is an understatement to say it was inconvenient to have to attend the Chilmark meeting house from the depths of Tisbury. Butler forced the issue of determining the boundary line of Chikemmoo and argued that his land should be in Tisbury and not Chilmark. He won and in 1736, Chikemmoo was included in the township of Tisbury. Later in 1892 Tisbury was divided into West Tisbury and Tisbury (Banks 1911). The preserve in its entirety was presumably part of three different towns between 1671 and 1892.

In 1711, James Cottle purchased land next to Black Water brook and the Vineyard Sound and established the Cottle homestead circa 1750 (Fig. 17: Bank sketch circa 1900 DCHS 2012.035.015 and Fig. 18: A Centenary Guide to West Tisbury, 1892-1992 MVHS 2012.035.016).

Figure 18: Bank sketch circa 1900. Source: DCHS 2012.035.015

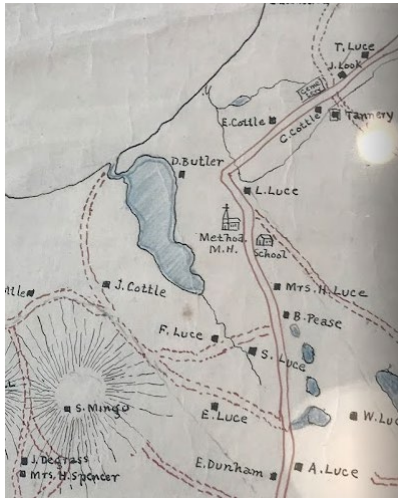
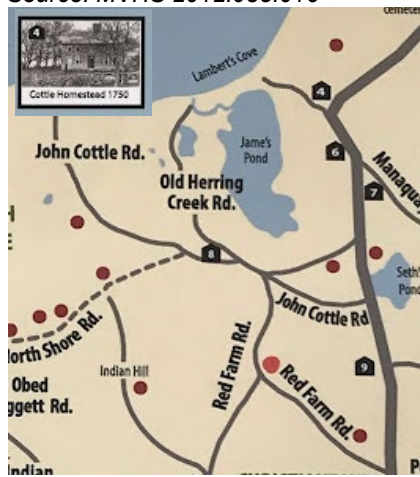


Figure 17: A Cenetary Guide to West Tisbury, 1892-1992. Source: MVHS 2012.035.016



By the late 17th and early 18th centuries, Mill Path, (1699), School House Path (1699), Scotchman's bridge Road (1671) Holmes Hole Path and Meeting House Way (circ. 1700) were the only established transportation routes in West Tisbury. Lambert's Cove Road was not created until 1751 (MHC 1984).

Land in the vicinity of the preserve exchanged ownership amongst the various landowners in the Chikemmoo area (Dukes Book of Grantors 1641-1895). William Peltz recounted a story (Fig. 19) in an article in the Gazette archives that he heard about the Butler house during the Revolutionary War (1765-1791) (Peltz n.d.). The dunes and vegetation were presumably much lower at this time for a light from the Butler house to be visible from the beach. Much of the vegetation around James Pond, including the preserve is depicted as open land on the 1850 Whiting map (Fig 7.)

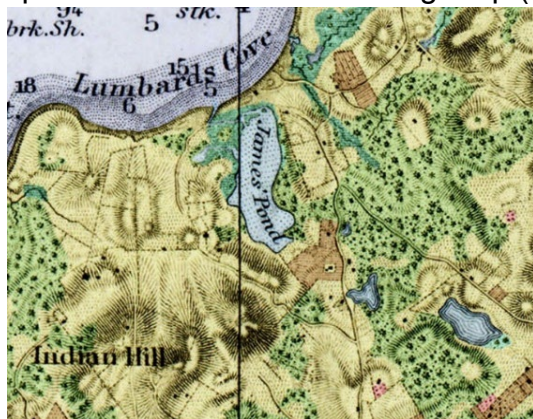


Figure 20: Whiting map 1850.

In 1877, David and George Butler granted to their sister Martha A. Baker, wife of Lorenzo Baker of New

Bedford the "homestead farm of the said David Butler situated near Lamberts Cove, in said Tisbury, containing about twelve acres, more or less. And also a lot of woodland, about a half of a mile, more or less, from said homestead, containing twelve acres more or less" (DCRD 62:537, 539). The homestead

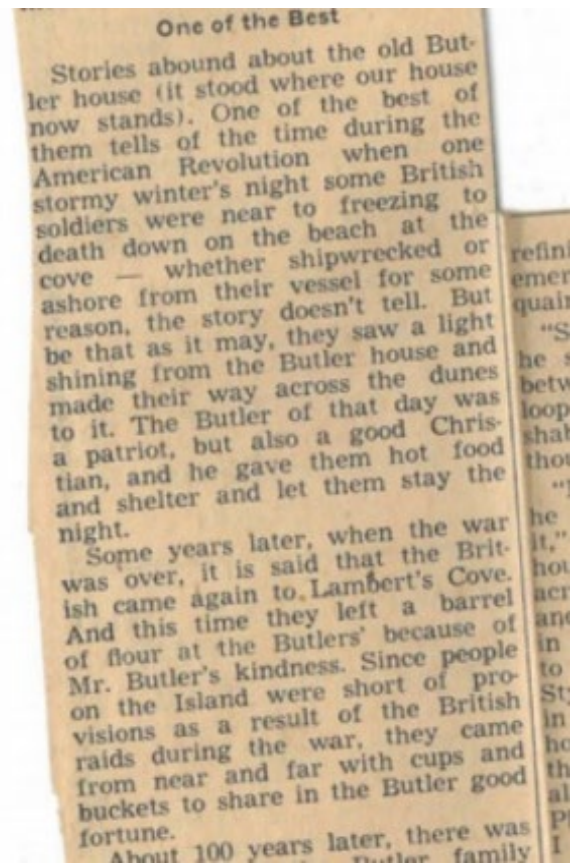


Figure 19: Vineyard Gazette excerpt of William Peltz story.

of their father, D. Butler, was located in the area of the preserve (on Fig. 5) and was a portion of the former Peltz house. The original cistern for the house was visible in the basement (Peltz interview 2021). Martha A. Baker (b1826, d1903) was the daughter of David and Celia Cottle (m 1824). David Butler was the great grandson of Thomas Butler (McCourt and Luce 1994 and Banks 1911).

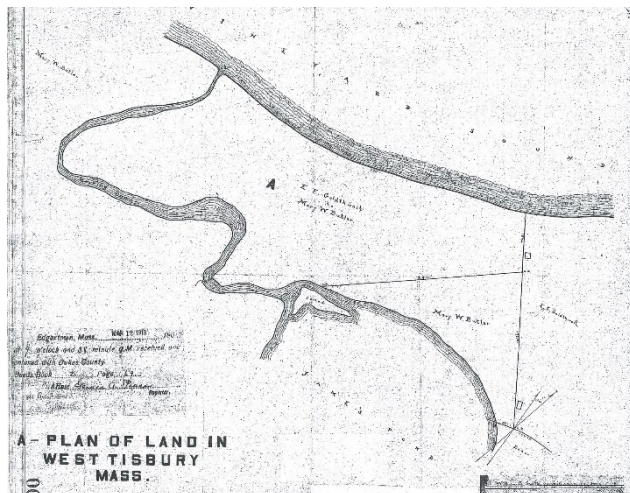
Although Martha Baker inherited the homestead she did not live there. Statira Look, (b 1810) wife of David P Butler (Martha's brother), lived in the house as a widow (Foster 1910). William Peltz recounts another interesting story surrounding the death of Statira in his Vineyard Gazette article (Peltz n.d.). Harry Horton, the house-mover, who grew up near the Butler homestead on the Cottle homestead with his mother Jane Cottle and grandmother Martha Allen Cottle, was the last person to see Statira alive one stormy winter night in December of 1887. Statira, who was called Styrie, lived alone in the Butler house and would visit Mrs. Cottle almost every day for charitable handouts from her garden and milk and butter from her cows. It was Mr. Horton's job as a young boy to walk Styrie back to her house carrying the basket of goods. He would only walk as far as the beach bars at the entrance to the Butler place. Styrie always had a lamp lit in the window so as to guide her over the field to the house. On this winter night, Mr. Horton left her at the beach bars as he always did, Styria being confident she could find her way by the lantern light. She did not however, find her way to the house that night but ended up on the frozen pond and fell through. She was found frozen on top of an eel pot, her basket later found nearby in the pond (Peltz n.d.). She is buried at the Lambert's Cove Cemetary (gravestone, Fig. 21).



Figure 22: Statira Look gravestone at Lambert's Cove Cemetary.

Figure 21: Map of land ownership surrounding James Pond 1918.

Source: DCRD 10:100



When Styria died, James Baker, her brother-in law, inherited the homestead. He lived there with his wife, her sister and their dog for many years. The house fell into significant disrepair. The roof had collapsed, there was no furniture inside and the only heat and means for cooking was the fire place. The house was dying and so were they. First Jim's wife and then the dog, Jake, died. According to Captain Norman Benson, Fannie Dean, Jim's sister in-law, wore long skirts, was once handsome and would pull a bucket of saltwater from the ocean to sooth her

eyes. He recalled Jim and Fanny choosing to live in such a deplorable state. According to Benson, Fanny used to fall asleep next to the fire and once in a while her head would jerk forward and she would flip her glasses off her face into the fire. On yet another winter night in the Butler house tragedy struck. Fannie was asleep by the fire and woke with a head jerk but this time it was not her glasses that fell in the fire but her entire self. She died from her injuries on the spot. Mr. Baker left the island and never returned (Peltz n.d.).

Many of the stories surrounding James Pond and the preserve land during the 20th century are recounted by Captain Norman Benson in William Peltz's book "Saltwater in my Veins" (Peltz 1972). Captain Benson was born around 1886 and lived on the pond south of the preserve. The captain followed in the footsteps of his ancestors and pursued a life on the water. He and his son were one of several trap fisherman on the island and ultimately the last. One of their traps was set off Lambert's Cove. They also caught eel

Figure 23: Ice fishing on James Pond 1914.
Source: MV Museum, Sigelman 2021



and porgies (scup) in the pond as bait fish for their traps. Eels were caught in eel traps or were speared through holes in the ice as the eels hibernated in the mud during the winter. The fish traps in the sound were of a maze-like design to catch large quantities of market fish that were sold in Boston and New York. However, the unsuspecting whale or two also found themselves unable to escape the traps without the assistance of the captain and his son. The Benson fish traps were quite successful. In 1958, they caught 2,689

pounds of fish in June. However, the industry collapsed shortly after and in 1964 they only caught 295 pounds of fish in June. During the winter months the nets and spiles would need repairs and replacements. Captain Benson recounts needing to purchase tall straight oak trees (45-50 ft) from off-island due to the treeless nature of the vineyard during the early 1900's. They used to spread the nets out over the fields of the James Pond Preserve once they had been tarred. In 1943 during military practice landings at Lambert's Cove, Captain Benson described being able to see down to the beach from the entrance to the preserve driveway because "it was all open field back then in those days" (pg. 48).

While the eastern shoreline of James Pond was in the Benson and Baker ownership, the beach was purchased by Mary Butler, second wife to Senator William Butler who, with her husband, was amassing a large tract of land on the western shore of James Pond during the early 1900's (Fig. 22 DCRD 10:100, 1918; Fig. 24, DCRD 7:55, 1914; Fig 11. MVHS 1996.060.006). Senator Butler helped West Tisbury gain independence from Tisbury in 1892 (Vineyard Gazette 1892).

Figure 24: The Cottle Homestead, 1914. Source: DCRD 7:55

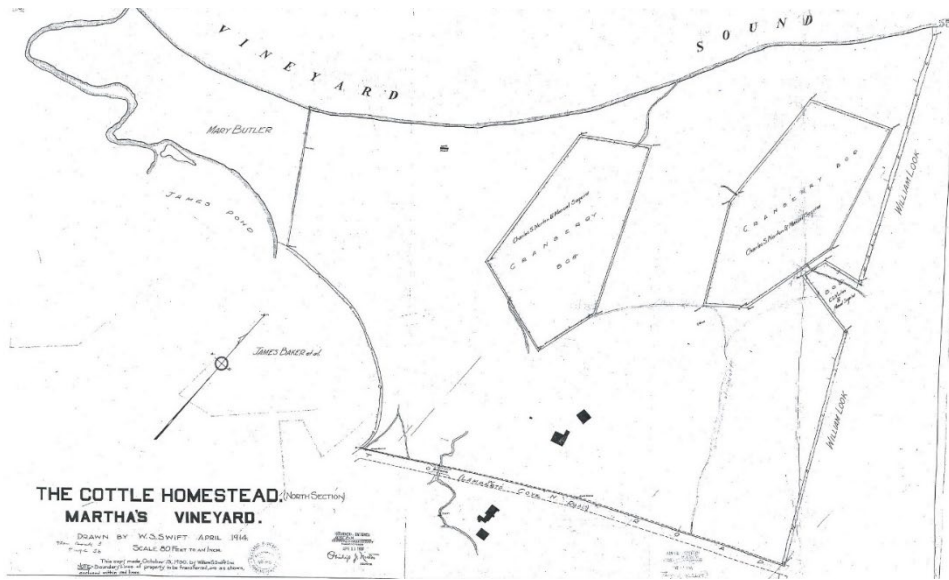


Figure 25: Plan of Land of Mary Butler 1940. Source MVHS 1996.060.006



The preserve was purchased in the 1940's by a group of college friends, William and Margaret Peltz, Corinne Brewer McLaughlin, Mary Goethals and Carey Luckey, who with their neighbors, Carlos Stoddard, Susan Brown and Mary Griswold, formed the Lambert's Cove Beach Association (DCRD 215:352). Margaret, Carey and Corinne went to school together in Pennsylvania and William went to Harvard with Peter and Henry Goethals. Peter and Henry were the grandsons of George Washington Goethals, who was the primary engineer and builder for the Panama Canal (Lee 2005).

The Peltz family summered and later moved to the Butler homestead year-round in 1984. They added on to the house, one such addition being a quonset hut moved from Peaked Hill after WWII. The chicken coop and later the pump house by the pond were converted into art studios for Mr. Peltz to paint with oils. According to Peltz, arrowheads were found near the pumphouse and shoreline, indicating there could have been seasonal village used for hunting and gathering. William and Margaret Peltz had three sons, Tom, William and Toby (Vineyard Gazette 2003). Tom Peltz recalls the pond being opened with shovels and the dunes being 3 feet lower. The vegetation in front of the house was cut down to the pond (Peltz interview 2021). Tom and his brother sold the house in 2014 to Sandhurst MV, LLC after the repairs and upkeep to the house were too substantial (Peltz interview 2021). Various stages of the house are depicted in Figure 26.



Figure 26: Peltz property, photographs provided by William and Thomas Peltz, 2021.

The land bank purchased the butler homestead from Sandhurst MV, LLC and the Mullins Trust land (the McLaughlin family) in 2020 and 2021, respectively.

The Butler homestead, as it stood in 2021 (Fig. 27), was in significant disrepair and is no longer standing on the preserve.



Figure 27: Butler Homestead photographs.

Appendix I. Easements

Lambert's Cove Beach Association members have a beach access easement along the footpath leading to the beach. See agreement below and related map.

Bk: 00634 Pg: 60


06340060

118 275

EASEMENT

**REGISTERED LAND
DOCUMENT NO. 3476**

We, WILLIAM L. PELTZ, Trustee of Lambert's Cove Realty Trust u/d/t dated July 12, 1985, and recorded in the Dukes County Registry of Deeds in Book 432, Page 237, and registered in the Dukes County Registry District Office of the Land Court as Document No. 18744, of West Tisbury, Massachusetts, THOMAS D. MULLINS and CORINNE McLAUGHLIN MULLINS of Cambridge, Massachusetts, MARY B. GRISWOLD of Westwood, Massachusetts, and SARAH G. LEAHY, Trustee of James Pond Realty Trust u/d/t dated January 23, 1976 and registered with the Dukes County Registry District Office of the Land Court as Document No. 9067, as amended and restated by Certificate of Amendment and Restatement of Declaration of Trust, dated March 4, 1991, and registered with the Dukes County Registry District Office of the Land Court as Document No. 29191, of Chestnut Hill, Massachusetts, jointly and severally (jointly and severally, the "Grantors") for no monetary consideration, grant to MARY B. GRISWOLD of Westwood, Massachusetts, SARAH G. LEAHY, Trustee of James Pond Realty Trust u/d/t dated January 23, 1976 and registered with the Dukes County Registry District Office of the Land Court as Document No. 9067, as amended and restated by Certificate of Amendment and Restatement of Declaration of Trust, dated March 4, 1991, and registered with the Dukes County Registry District Office of the Land Court as Document No. 29191, of Chestnut Hill, Massachusetts, CARY W. SCHELLER a/k/a CAREY W. SCHELLER, of West Tisbury, Massachusetts, THOMAS D. MULLINS and CORINNE McLAUGHLIN MULLINS of Cambridge, Massachusetts, and LAURA C. LUCKEY, THOMAS

 118 276

BK634PG061

W. LUCKEY and WILLIAM C. LUCKEY, all c/o Cary Scheller, RFD 411, Vineyard Haven, MA 02568, jointly and severally (jointly and severally, the "Grantees") the right and easement, perpetual in nature, except as otherwise provided herein, to travel to and from their respective properties located in West Tisbury, Massachusetts, defined as "Beach Lots" in that certain Agreement, dated and recorded of even date herewith, by and among William L. Peltz, Trustee of Lambert's Cove Realty Trust, Laura C. Luckey, Thomas C. Luckey, William C. Luckey, Thomas D. Mullins, Corinne McLaughlin Mullins, Mary B. Griswold and Sarah G. Leahy, Trustee of James Pond Realty Trust u/d/t dated January 23, 1976 and registered with the Dukes County Registry District Office of the Land Court as Document No. 9067, as amended and restated by Certificate of Amendment and Restatement of Declaration of Trust, dated March 4, 1991, and registered with the Dukes County Registry District Office of the Land Court as Document No. 29191, of Chestnut Hill, Massachusetts (the "Agreement") and the properties owned by said parties (or members of their families) located in West Tisbury, Massachusetts defined collectively as the "Lots" in said Agreement, on foot only over and across the "3' Wide Footpath" and "relocated foot path (5±' wide)" as shown on the plan entitled "Plan of Land in West Tisbury, Mass. As Surveyed and Prepared for William L. Peltz et alii 11/02/93 Scale 1" = 60' Dean R. Swift Co. Inc. Professional Land Surveyors & Consulting Engineers" (the "Plan") which plan is recorded in the Dukes County Registry of Deeds as West Tisbury

BK634PC062

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Case File No. 464.

This easement is granted to the individual Grantees as appurtenant to their respective ownership rights in the properties defined as the "Beach Lots" and the "Lots" in the Agreement.

The Grantees, jointly and severally, hereby release to Mary B. Griswold, all right, title, interest and authority they or any one or more of them may have to use the path shown as "Former Footpath to be Abandoned" on the Plan.

Notwithstanding anything to the contrary contained herein, including, but not limited to, the statement that this easement is to be "perpetual" in nature: (a) if any party hereto violates the restrictions against the sale, conveyance, transfer or subdivision of Beach Lots contained in the Agreement, then the easement granted herein shall automatically terminate for said violating party; and (b) if any party hereto (the "Violating Party") violates any covenant, restriction or agreement contained herein or in the Agreement (other than those referred to in paragraph (a) above), any other party hereto may give notice of said violation to the Violating Party (the "Notice") and if the same Violating Party receives three (3) or more Notices of violation within the same calendar year, then the easement granted herein may be terminated for said Violating Party at any time thereafter by any party hereto. In the event of any such termination in accordance with the foregoing provisions, access to the Beach Lots from the Lot or Lots owned by the party for

118 278

634 PG 063

whom the easement granted herein has been terminated shall be over Lot 8 and Lot 9 as shown on Land Court Plan No. 20774E (see Certificate of Title No. 4357 standing in the name of the Inhabitants of the Town of West Tisbury). All Notices given hereunder shall be given in writing and sent by certified U.S. mail, postage pre-paid, return receipt requested, to the parties at their respective addresses set forth above, or to such other address as any party hereto may, from time to time, request that Notices thereafter be sent by written Notice to the other parties hereto given in accordance herewith, and all Notices shall be deemed given when so deposited in the mail.

EXECUTED as a sealed instrument as of the 6th day of April, 1994.

William L. Peltz
 William L. Peltz, as Trustee of
 Lambert's Cove Realty Trust as
 aforesaid

Mary B. Griswold
 Mary B. Griswold

Sarah G. Leahy, Trustee
 Sarah G. Leahy, as Trustee of James
 Pond Realty Trust as aforesaid

Thomas D. Mullins
 Thomas D. Mullins

Corinne McLaughlin Mullins
 Corinne McLaughlin Mullins

BY 634PG064

118 279

COMMONWEALTH OF MASSACHUSETTS

Dukes County, ss.

April 6, 1994

Then personally appeared the above-named William L. Peltz, Trustee of Lambert's Cove Realty Trust, and acknowledged the foregoing instrument to be his free act and deed as such Trustee, before me,

Joseph M. [Signature]
Notary Public
My commission expires: Oct. 14, 1999

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

April 20, 1994

Then personally appeared the above-named Mary B. Griswold, and acknowledged the foregoing instrument to be her free act and deed, before me,

Donna J. Kelburne
Notary Public
My commission expires: Jan. 27, 2000

EX 634 PG 065

118 280

COMMONWEALTH OF MASSACHUSETTS

Dukes County, ss.

April 22, 1994

Then personally appeared the above-named Sarah G. Leahy, Trustee of James Pond Realty Trust, and acknowledged the foregoing instrument to be her free act and deed as such Trustee, before me,

Sarah G. Leahy
Notary Public
My commission expires: Oct. 14, 1999

COMMONWEALTH OF MASSACHUSETTS

, ss.

April 23, 1994

Then personally appeared the above-named Thomas D. Mullins and Corinne McLaughlin Mullins and acknowledged the foregoing instrument to be their free act and deed, before me,

Thomas D. Mullins
Notary Public
My commission expires: Oct. 14, 1999

n:\u08\93\LCAL\CAEascn.9

Edgartown, Mass. May 20 1994
at 1 o'clock and 56 minutes PM
received and entered with Dukes County Deeds
book 634 page 060

Attest: *Beverly W. King*
Register

Dukes Registry District

RECEIVED FOR REGISTRATION

May 20, 1994 1:55 M

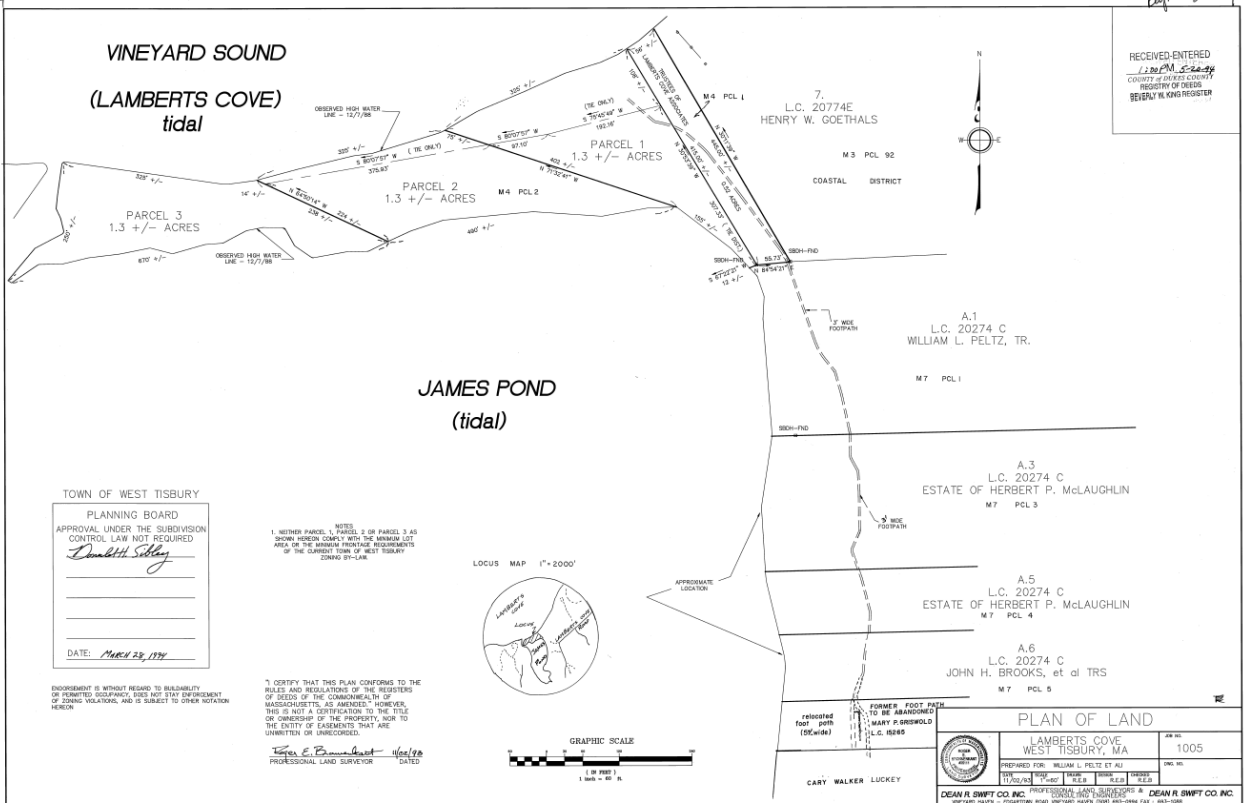
NOTED ON CERTIFICATE NO 6602

RECEIVED ATTON BK 34 PG 81

Cert 4002, 2/25/1
* Cert 1527, 9/173

464

Proposed 25 464



RECEIVED-ENTERED
 11/20/14
 COUNTY of Dukes
 REGISTRY OF DEEDS
 BEVERLY PALFREY REGISTER

TOWN OF WEST TISBURY
 PLANNING BOARD
 APPROVAL UNDER THE SUBDIVISION
 CONTROL LAW NOT REQUIRED
Donald H. Sibley

 DATE: MARCH 23, 1994

NOTES
 1. NEITHER PARCEL 1, PARCEL 2 OR PARCEL 3 AS SHOWN HEREON COMPLY WITH THE MINIMUM LOT AREA OF THE MINIMUM FRONTING REQUIREMENTS OF THE CURRENT TOWN OF WEST TISBURY ZONING BY-LAW.

I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS, AS APPLICABLE. HOWEVER, THIS IS NOT A CERTIFICATION TO THE TITLE OR OWNERSHIP OF THE PROPERTY, NOR TO THE EXISTENCE OF EASEMENTS THAT ARE UNWRITTEN OR UNRECORDED.
Cary Walker Lucky
 PROFESSIONAL LAND SURVEYOR DATED _____

ENDORSEMENT IS WITHOUT REGARD TO BUREAUCRACY OF PERMITTED OCCUPANCY, DOES NOT STAY ENFORCEMENT OF ZONING REGULATIONS, AND IS SUBJECT TO OTHER NOTATION HEREON.

Appendix J. Abutters

Map 21: Abutter's map of James Pond Preserve within 200ft of property boundary. Note that the James Pond Preserve property boundaries are dissimilar to previous maps, due to available survey data.

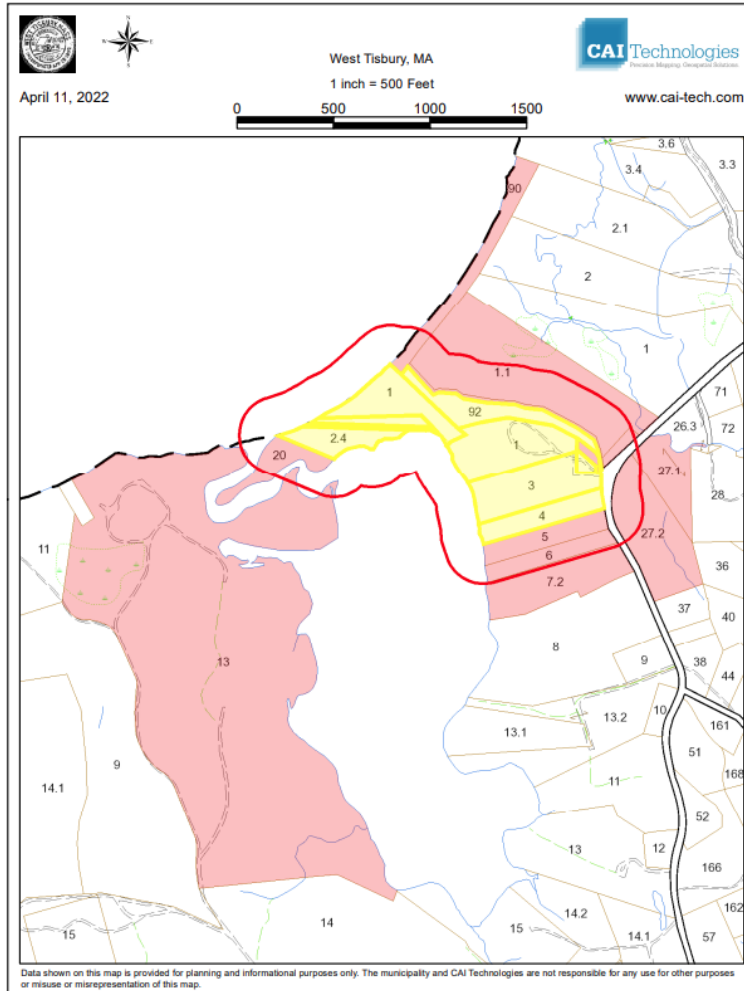


Table 5: List of Abutters or those individuals that are within 200 ft of the James Pond Preserve boundary.

| Map Number | Parcel Number | Property Address | Owner Name | Co-Owner Name | Owner Address | Owner City | Owner State | Owner Zip |
|------------|---------------|----------------------|----------------------|------------------------|---------------|--------------|-------------|-----------|
| 3 | 1.1 | 265 LAMBERTS COVE RD | WEST TISBURY TOWN OF | BOARD OF SELECTMAN | PO BOX 278 | WEST TISBURY | MA | 02575 |
| 3 | 90 | 277 LAMBERTS COVE RD | WEST TISBURY TOWN OF | BD SELECTMEN: LC BEACH | PO BOX 278 | WEST TISBURY | MA | 02575 |

| | | | | | | | | |
|--------|---------|--------------------------------|---------------------------------------|--|---------------------------------------|-------------------|----|----------------|
| 3 | 91 | 275 LAMBERTS COVE RD | GOETHALS LAMBERTS COVE LP | | 259 LAMBERTS COVE RD | VINEYARD HAVEN | MA | 02568 |
| 6 | 13 | 15 OLD HERRING CREEK RD | C/O CRAVATH, SWAINE & MOORE LLP | | 825 EIGHTH AVE | NEW YORK | NY | 10019 |
| 6 | 20 | 180 OLD HERRING CREEK RD | TREES SUSAN E | | 2900 K STREET NW, APT 606 | WASHINGTON | DC | 20007 |
| 7 | 175 | 273 LAMBERTS COVE RD | WEST TISBURY TOWN OF | BD SELECTMEN: LCB PARKING LOT | PO BOX 278 | WEST TISBURY | MA | 02575 |
| 7 | 27.1 | 274 LAMBERTS COVE RD | COTTLE EDMUND C | COTTLE ELIZABETH G | 256 LAMBERTS COVE RD | VINEYARD HAVEN | MA | 02568 |
| 7 | 27.2 | 290 LAMBERTS COVE RD | LAMBERTS COVE HOUSE LLC | | 183 LAMINGTON RD, PO BOX 226 | OLDWICK | NJ | 08858 |
| 7 4 | 5 2C | 291 LAMBERTS COVE RD | FLENDER JOHN O-TR | JAMES POND REALTY TRUST | 6 TIASQUAM RD | CHILMARK | MA | 02535- 2206 |
| 7 4 | 6 2B | 295 LAMBERTS COVE RD | GRISWOLD A WHITNEY JR | WAINWRIGHT LAURA L | 295 LAMBERTS COVE RD | VINEYARD HAVEN | MA | 02568 |
| 7 | 7.2 | 299 LAMBERTS COVE RD | TREES SUSAN E | | 2900 K STREET NW, APT 606 | WASHINGTON | DC | 20007 |

Appendix K. Universal Access

The Recreational Opportunities Spectrum (ROS) classification for James Pond Preserve is “Semi-Primitive Non-motorized”. The ROS is a model designed and used by the U.S.D.A. Forest Service to categorize conservation areas or universal access planning. The land bank framework for describing the accessibility of its properties is applied to James Pond Preserve as follows.

| | |
|---|---|
| Property Name: | James Pond Preserve |
| Size: | 13.9 acres |
| Primary activities: | beachgoing, hiking, kayaking, fishing |
| Primary elements: | viewing platform, 3+ benches, boat slide, adjustable dune stairs, trails, universal access trail |
| Primary spaces: | James Pond, Vineyard Sound, beach, grasslands, woodlands, maritime shrublands |
| Obstacles that limit accessibility: | topography, town of West Tisbury bylaws |
| Existing or potential alternatives: | Blackwater Pond Preserve |
| Proposed ROS classification: | semi-primitive non-motorized |
| Proposed expectation of accessibility: | 325-foot universal access trail leading to viewing platform overlooking James Pond and the Vineyard Sound |

For all less-developed land bank, the Universal Access Plan states the following (Potter 1997):

Use outdoor recreation access routes to link primary elements and primary spaces within one-quarter mile of a trailhead or drop-off and use accessible recreation trails to connect other primary elements and primary spaces on all less-developed land bank conservation areas, but only if modifications are minimal, will provide continuous barrier-free access, do not require a fundamental alteration of the setting, and are not in conflict with natural and scenic resource protection goals.

Universal access is feasible for the southern segment of the trail loop that leads to the viewing platform. Due to topography, substrate, sensitive habitats and archaeology, the remainder of the Preserve is not suitable for Universal Access.