

Aquinnah selectmen split over oyster farm lease

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Beach walk

In a phone conversation yesterday, Ms. Ackerman said Mr. Newman and Mr. Booker inspected the shoreline with her last week. She said they talked about things that needed to be worked on, and she agreed to keep them updated.

"I feel encouraged," Ms. Ackerman said. "They listened. That's very good that communications made it embarrassing for everybody."

Mr. Newman said yesterday that much of the debris has been cleaned up since he photographed the beaches in June, though he said he intended to go back to the beach at low tide for further observation.

"We're setting up a plan to clean things up," Mr. Newman said. He said the board's vote to reinstate Ms. Ackerman's lease was predicated on her cooperation and clean up of the site in a short period of time. "The

tenor of the meeting was enough to warrant giving her more consideration, and to follow due process, that's the most important thing that was lacking," Mr. Newman said.

When asked who was responsible for grow bags washed up on other parts of the shoreline, he said he didn't observe areas beyond Ms. Ackerman's lease. "We have to find out whose they are first, if there are any," Mr. Newman said. "Somebody told me there were, but I haven't been down there."

Tax issues

Over the past four years, the town has foregone \$48,000 in tax revenue from property owners along western shoreline of Menemsha Pond. The town expects to forego another \$16,000 this year.

In a phone conversation last month, assessor Angela Cywinski said the lost revenue comes in the form of adjustments to the value of the land. The property of six

private landowners is valued at a lower price, because the debris deprives them of the use of their shoreline.

For example, property owned by Robert Rosenberg, which abuts the oyster farms, is currently valued at \$2,177,200, according to assessor's records. Ms. Cywinski said it would be valued at \$2,643,800, a difference of \$466,600, if the owner could use their shoreline property.

"It's significant," Ms. Cywinski said. "That's a lot." Ms. Cywinski said she consulted state officials to determine how the failed oyster project affects land values.

The Sheriff's Meadow Foundation also owns land along the shore, but that land is tax-exempt.

Who owns what?

Ms. Ackerman and the Wampanoag Tribe began raising oysters on Menemsha Pond in 2002, on underwater land owned by the town. In 2007, the tribe suspended

the operation.

In a phone interview with The Times last month, Ms. Ackerman refused to clarify who is responsible for the debris along the shoreline. Town officials said her oyster farm is an area on the southern side of the shoreline, while the tribe's project is on the northern side of the shoreline. But she said the aquaculture operation is a joint effort.

A telephone call and email exchange with tribe officials shed little light on the tribe's current role. In an email to tribe administrator Tobias Vanderhoop, The Times asked who owns the bags, to what extent the tribe would contribute to the cleanup, and the tribe's relationship to Ms. Ackerman's operation.

Mr. Vanderhoop said the tribe is responsible for picking up its own bags, which are tagged with a number to call if they are found. He said the tribe had given away or sold most of its extra bags.



PHOTO BY STEVE MYRICK

which expired in 2008. The original lease between the town and the tribe cannot be examined, because the town cannot find it. ♦

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LEGAL NOTICES

for Bids and the accompanying drawings and specifications and to complete this project in the time periods specified. The Contractor will be required to pay prevailing rates of wages for all work performed on the project in accordance with the schedule of minimum wage rates issued for the projects by the Massachusetts Department of Labor and Workforce Development, Division of Occupational Safety under the provisions of Mass. G.L.c.149, §§ 26 and 27. Each bid must be accompanied by a bid deposit in the form of a bid bond, or cash, or a certified check on, or a treasurer's or cashier's check, or a responsible bank or

LEGAL NOTICES

Title 848, Book 5, Page 109 at the Dukes County Registry of the Land Court. Subject to and together with the benefit of any easements and/or restrictions of record insofar as the same are in force and applicable. For title, see Certificate of Title No. 11685. The above premises will be sold subject to all taxes, assessments, and other encumbrances which may constitute a prior lien thereon, and will be conveyed subject to any easements, restrictions of record, tenancies, and rights of redemption for unpaid federal taxes, if any, as shall, notwithstanding this provision, constitute valid liens or encumbrances.

LEGAL NOTICES CHILMARK

attached bedroom with a half bath. A ground-level deck will be added to the south side of the structure. The special permit granted for this project on September 11, 2007 has expired. The owner must receive a new special permit for the same work before obtaining a building permit. This construction will take place on the property located at 285 South Road; Assessors' Map 24 Lot 162. Administrative Assistant LN: 10/7/10, 10/14/10, 21

CHILMARK PLANNING BOARD PUBLIC HEARING
Monday, November 8, 5:00 pm

LEGAL NOTICES CHILMARK

and deck will be 29 feet from the lot line. This construction will take place on the property located at 49 Wequobisque Road; Assessors' Map 30 Lot 114. Administrative Assistant LN: 10/7/10, 10/14/10, 21

CHILMARK

Board of Selectmen will hold a hearing pursuant to town bylaw to discuss the override question appearing on the November 2, 2010 Special Town Election, on Tuesday, October 26, at 9 am in the Selectmen's Meeting Room, Town Hall. LN: 10/14/10, 11

LEGAL NOTICES EDGARTOWN NOTICE OF PUBLIC HEARING EDGARTOWN

CONSERVATION COMMISSION
On Wednesday, 20 October 2010 at 5:00 p.m. the Edgartown Conservation Commission will hold a public hearing on the second floor of the Town Hall on the notice of Intent filed by Chester Davenport under the Edgartown Wetlands Protection Bylaw and the Massachusetts Wetlands Protection Act. The project involves the restoration of view channels and lawn to permitted conditions in response to a cease and desist notice issued by the Commission. The property is located at 6 Jane's Cove, Assessor's Map 38 Lot 3.10.