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Sent: Tuesday, October 15, 2024 2:23 PM

To: Planning Director <PlanningDirector@townofnewbury.org>; Alicia Greco <agreco@townofnewbury.org>; William DiMaio <wdimaio@townofnewbury.org>; Geoffrey Walker <gwalker@townofnewbury.org>; Leslie Matthews <lmatthews@townofnewbury.org>; Dana Packer <dpacker@townofnewbury.org>; Tracy Blais <administrator@townofnewbury.org>

Subject: Wiffletree Works

Hello All-

I am writing as a resident of Austin Lane to bring to your attention recent social media posts regarding the upcoming October 16th Planning Board meeting that involves site plan/parking approval for Wiffletree Works.

As you can see from the attached screenshots, both Damon Jespersen and Ryan Kelley have taken to social media to make disparaging remarks against the abutters and surrounding neighbors. Once again, they are spreading a false narrative as to their own motives and the concerns of the neighbors. We are not against the arts but we all have long memories. Back to September 2022, when Mr. Jespersen sought a special zoning to allow weddings and concerts at the barn. At that time, the Select Board indicated that this would not be approved as presented but would be approved under a non-profit to which Mr. Jespersen responded, "The farm needs to make money and become self-sustaining." Fast forward two years and now Mr. Jespersen's request is under the guise of "Wiffetree Works," a non-profit entity organized in July 2023 whose purported main purpose is to provide art and agricultural education.

Under the Dover Amendment, the actual use of the facility must have education as the "primary or dominant purpose." How will this be monitored by the town? Three to four hours of "educational classes" per week (12 hours per month) would become secondary to all day craft fairs, weddings, and concerts. The Dover Amendment applies to educational activities held by a nonprofit educational corporation. Based on the Articles of Organization, educational purpose does not appear to be the main focus of Wiffletree Works.

THE CORPORATION'S PURPOSES INCLUDE, WITHOUT LIMITATION,

(A) DEVELOPING THE PROPERTY AT 1 MARSH MEADOW LANE, BYFIELD, MASSACHUSETTS (THE "PROPERTY") INTO A COMMUNITY ART AND EVENTS SPACE;

(B) HOSTING CRAFT FAIRS AND ART EXHIBITS TO GIVE GREATER VISIBILITY TO LOCAL ARTISTS;

(C) PROVIDING A SHARED SPACE IN WHICH ARTISTS CAN DEVELOP THEIR CRAFT AND CREATE, DISPLAY, PERFORM AND TEACH AND LEARN ABOUT VARIOUS ARTFORMS;

(D) CONTRIBUTING TO THE COMMUNITY BY ENTERTAINING IT AND ENGAGING IT IN ART AND THE LAND;

(E) FOSTERING APPRECIATION FOR THE LOCAL ENVIRONMENT BY SHARING THE BEAUTY OF THE PROPERTY'S NATURAL SPACES;

(F) HOSTING EDUCATIONAL PROGRAMMING ABOUT THE HISTORY AND CURRENT USES OF THE PROPERTY (FARMING, FORAGING, BUTCHERING, CIDER MAKING); THE CREATIVE PROCESS IN BOTH ART AND AGRICULTURE; AND VARIOUS ARTS AND CRAFTS (SCULPTURE, MUSIC, PAINTING, PHOTOGRAPHY, CERAMICS, COOKING, THEATRE, DANCE, YOGA, WELLNESS, CIRCUS, WREATHS AND BOUQUETS, QUILTING, BASKET MAKING, WEAVING); AND

(G) PRESERVING THE FARMING AND AGRARIAN USES OF THE PROPERTY, INCLUDING THE HORSE FARM AND ORCHARD.

THE CORPORATION MAY RAISE FUNDS, DIRECTLY OR INDIRECTLY, ALONE OR IN CONJUNCTION OR COOPERATION WITH OTHERS, AND OTHERWISE ENGAGE IN ALL LAWFUL ACTS THAT MAY BE NECESSARY OR CONVENIENT TO FURTHER THESE PURPOSES.

THE CORPORATION MAY ENGAGE IN OTHER CHARITABLE AND EDUCATIONAL ACTIVITIES AND

If the plan is to utilize the barn to host three to four art classes a week, then why is all this excessive parking being sought? When asked directly at the 9/18/24 Planning Board meeting, Mr. Jespersen couldn't rule out the possibility that the barn may be utilized to host large social gatherings (weddings, concerts, etc).

Mr. Jespersen has requested the Planning Board only opine on parking. That being said, the fact is that Marsh Meadow Lane has no sidewalks or curbs and an abundance of on-street parking is being proposed. What about the safety of the pedestrians during all the entertaining and community engagement that Wiffletree Works is proposing? Have any studies been performed regarding light pollution from parking cars directly facing abutting neighbors? In Mr. Jespersen's own words on social media, "We are hoping to host small classes both inside the historic barn and on the trails surrounding the property ranging from canning and pickling, to elements of farming and foraging, to music and fine arts." That being said, 35 spaces should be MORE than sufficient for his plans. I implore you to further investigate the necessity of the proposed parking based on the written intended use of the property.

Additionally, it is clear from these social media posts that both Mr. Jespersen and Mr. Kelley are requesting support from residents outside of Newbury/Byfield. These letters of support should not be contemplated as they are not being offered by direct residents of the Town.

Lastly, the fact that Mr. Kelley refers to their progress adhering to town rules, regulations, by-laws and the thereby relevant approvals from Town boards and departments, as "slow and tedious" is an insult to our town and its constituency.

Thank you in advance for your time.

Alissa Rice
7R Austin Lane
Byfield

<  **Ryan Kelley**
1d · 🌐 ...

As a proud Newbury born and raised artist and cultural liaison, it's my honor to be involved with [Wiffletree Works](#) and everything [Damon Jespersen](#) is trying to do for our town and community.

Unfortunately, there is a lot of negative "chatter" (pun entirely intended) and lies about this project that have spread misinformation which is negatively impacting our slow and tedious progress.

If you can send an email of support, I know our entire board would so appreciate it. This will be an incredible additional offering for our community to enjoy.

As we've moved forward in preparing the property to better accommodate visitors, we've encountered some resistance from the neighbors. Some of their concern relates to the unexpected traffic that resulted from a craft fair we hosted in December 2020 that attracted more attendees than we anticipated. We have since come up with a parking plan, which is before the Planning Board now, to address these issues, and we are confident we can handle parking and traffic flow issues for future events.

 **Damon Jespersen**
1d · 🌐

Please support Wiffletree Works as we try to get off the ground!

As some of you may be aware, myself, along with a small group of friends, family, neighbors, and community members, have formed a 501C3 called Wiffletree Works whose mission is to foster art, sustainability, and education in New England. We aim to nurture the relationship between the creative journey and its place in the natural world, celebrating the beauty of nature and its significance within our community. We are hoping to host small classes both inside the historic barn and on the trails surrounding the property ranging from canning and pickling, to elements of farming and foraging, to music and fine arts.

At the recent Planning Board Public Hearing, several people spoke in animosity to the project, citing strangers were a threat to their children, and fears related to the increased use of the barn being generally unsafe and a nuisance to adjacent properties. This focus on the use of the space rather than an assessment of the parking plan led the Planning Board to postpone further discussion to a second hearing on October 16th to allow them more time to evaluate the project. This is why I am asking for your support - if the discussion cannot stick to the parking plan, the Planning Board should know that many in the community support the mission of the project, and see its value in enhancing the richness of our community.

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