

RACKEMANN SAWYER & BREWSTER

PROFESSIONAL CORPORATION
COUNSELLORS AT LAW



Established 1886

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January 23, 2014

VIA E-MAIL

Richard Atherton, Chairman
Nantucket Board of Selectmen
Town Hall - 16 Broad Street
Nantucket, MA 02554

Bruce Miller, Chairman
Nantucket County Commissioners
Town Hall - 16 Broad Street
Nantucket, MA 02554

Re: Continuance of Baxter Road or Other Public Access to Sankaty Head Light

Dear Chairmen Atherton and Miller, Selectmen and Commissioners:

This is on behalf of 'Sconset Trust, owner of the Sankaty Head Light Land, an open 12.5 acre parcel formerly owned by the United States located at the northern terminus of Baxter Road. By prior correspondence, we summarized several public obligations of the Trust that inhere to the Sankaty Head Light Land and that are powerfully protected by a web of federal and state laws.

The Trust is compelled by its public duty to register unyielding objection to any plan that could leave its Sankaty Head Light Land without public vehicular access over a public way. We regret having to write in this fashion but feel compelled to do so given the most recent series of plans put forward, many of which implicate an "abandonment" of the Town and County obligation to accommodate public travel to and from the Sankaty Head Light Land. The singular purpose of this letter is to request your support for the simple proposition that public vehicular access to Sankaty Head Light must be an essential element of any plan to deal with Baxter Road.

At present, an emergency access plan has been advanced that would preclude public access to Sankaty Head Light via a public way. Under the plan, the Town would discontinue the northern end of Baxter Road but would not lay out a new public way to serve this area. The Trust cannot stand by and let this happen. The Trust has obligations to the Coast Guard and others including the general public which must and can readily be met by a public way.

The Trust requests an indication from the Selectmen and the Commissioners that you will not support any alternative access plan that deprives the public of vehicular access to Sankaty Light by a public way. Without such an indication, the Trust will be forced to take all steps

necessary to prevent the discontinuance of Baxter Road and/or to establish one or more new public ways for public access to Sankaty Head Light in the event Baxter Road is breached. The Trust continues to believe an alternative access can be developed satisfactory to all concerned working openly and cooperatively with all and would welcome an opportunity to meet with you and other interested parties to reach such a plan.

We look forward to hearing from you, and working cooperatively with you.

Very truly yours,



Daniel J. Bailey III



DJB:smg

cc: Bob Felch
George Pucci, Esq.

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