Applicant: Patient Centric of Martha’s Vineyard, P.O. Box 1323, West Tisbury, MA 02575.

Owner: Kaysky, LLC, P.O. Box 4835, Vineyard Haven, MA 02568, whose title to the property is recorded at the Dukes County Registry of Deeds and described in Book 1405 Page 219, dated May 10, 2016.

Agent: Geoffrey Rose, P.O. Box 1323, West Tisbury, MA 02575.

Locus: 90 Dr. Fisher Road, West Tisbury, Map 21 Lot 12, LI District, 1.01 acres.


Hearing & Request: The hearing opened February 23, 2017: on an application for a special permit from Patient Centric of Martha’s Vineyard c/o Geoffrey Rose to operate a Registered Marijuana Dispensary (RMD), under West Tisbury Zoning Bylaw 3.1-1 (Use Table

The hearing was continued to the following dates: March 23, April 27, June 8, June 29, July 13, July 27, 2017.

On August 17, 2017: The application was revised to remove the dispensary part of the project.

Requirement: Section 3.1-1 (use table- business use); Registered Marijuana Dispensary (RMD) (see definition above).


Absent: Toni Cohen, Roger Hubbell and Robert Schwier.

Decision: On August 17, 2017, the Zoning Board of Appeals voted to GRANT with CONDITIONS a special permit to operate a Medical Marijuana Cultivation operation/business allowed under 3.1-1 of the West Tisbury Zoning Bylaws.


Vote Against:

Findings:

1) At a meeting on February 23, 2017, of the West Tisbury Zoning Board of Appeals the board voted unanimously to refer the application to the Martha’s Vineyard Commission as a Development of Regional Impact (DRI), under the provisions of 1.2 and 3.1 of the DRI checklist.
2) On August 17, 2017, the application was revised to consist of a Medical Marijuana Cultivation operation sole purpose to cultivate and process medical marijuana. The dispensary portion of the project was withdrawn.

3) A medical marijuana cultivation operation/business is allowed in the Light Industrial District under West Tisbury Zoning Bylaws (November 5, 2013). (Definition: A facility for the cultivation, production, processing, assembling, packaging, retail or wholesale, trade, distribution or dispensing of Marijuana for Medical Use, whether located inside a structure or building or not.)

4) Upon the removal of the dispensary portion of the project the board was in agreement that the applicant had worked to alleviate excess traffic and noise in the neighborhood.

5) Under the West Tisbury Zoning Bylaws under the Dimensional Table: the maximum cultivation area for medical marijuana shall not exceed 1,000 square feet.

6) Patient Centric of Martha’s Vineyard is licensed and regulated by the Department of Public Health.

8) The operation includes a laboratory as required by Department of Public Health which requires periodic testing for quality control.

9) The building is a total of 7,200 square feet. The applicant will share the first floor with Big Sky Tent; a total of 1,800 sq. ft. Patient Centric will occupy the second floor, totaling 3,600 sq. ft.

10) The application was referred to the Martha’s Vineyard Commission as a DRI which voted to approve the project on July 13, 2017.

11) Throughout its deliberations the Zoning Board had taken statements by the applicant and comments from the general public and parties of interest.

12) Parking: A total of ten parking spaces; nine for Patient Centric and one for Big Sky.

13) Hours of Operation: Monday thru Friday 8:30 am to 5:00 pm and Saturday & Sunday 12 noon thru 3:00 pm.

14) The exterior HVAC equipment is low noise units. Both the HVAC equipment and backup generator will be located on the north side of the building

Conditions:

1) All employees and company vehicles, including all regular vendors use Old Stage Road as the access to the facility. The applicant will make a best effort to notify other vendors to access the facility through Old Stage Road.

2) Subject to the Martha’s Vineyard Commission decision (under condition 6.1) the monetary contribution of $5,800.00 will be awarded to the West Tisbury Affordable Housing Trust.

3) The applicant must obtain all permits or authorizations required by the Town of West Tisbury. The building inspector shall not issue a certificate of occupancy until all conditions have been satisfied. The applicant will be subject to annual inspections by the Zoning Inspector, Board of Health and the Fire Department.

4) All conditions set forth in the Martha’s Vineyard Commissions decision dated July 18, 2017, (DRI 618-M2), shall be complied with by the applicant. (See attached).

The applicant will obtain all other permits or authorization required by the Town of West Tisbury before proceeding with any work.

NO VARIANCE OR A SPECIAL PERMIT SHALL TAKE EFFECT UNTIL:

1. A period of twenty days has elapsed from the date of the filing of the Board’s written Decision with the Town Clerk, and the applicant has received a copy of the Decision bearing the certification of the Town Clerk that a period of twenty days has elapsed from the filing of the Decision and that no appeal has been filed, or the appeal has been denied or dismissed. The Certified Decision is recorded at the Dukes County Registry of Deeds and the recording fee has been paid at the Dukes County Registry of Deeds. Only Original Documents will be accepted at the Registry.

2. The Certified Decision is recorded at the Dukes County Registry of Deeds and the recording fee has been paid at the Dukes County Registry of Deeds. Only Original Documents will be accepted at the Registry.
3. A receipt for the recording stamped by the Dukes County Registry of Deeds has been returned to the Building & Zoning Inspector of West Tisbury or to the office of the West Tisbury Board of Appeals who will turn over the receipt to the Building and Zoning Inspector.

4. The applicants may proceed with applying to the appropriate Town of West Tisbury Officers and Boards for any other development permits which may be required by law.

5. Note well: You must obtain a Building Permit from the Building/Zoning Inspectors Office prior to construction of the project.

Any person aggrieved by the Decision of the West Tisbury Board of Appeals may appeal to Superior Court and must notify the Town Clerk of the action and submit a copy of the complaint within twenty days after the decision has been filed in the office of the Town Clerk.

A Special Permit shall lapse in 2 years if not utilized. A Variance shall lapse in one year if not utilized.

The Building and Zoning Inspector may approve at his discretion, minor changes that come up during the building process. All major changes to the plans or significant material changes must be approved by the Zoning Board of Appeals. Please consult with the Inspector regarding any change. Failure to do so may nullify your permit and may require removal of the unapproved construction.

Filed with the West Tisbury Town Clerk on August 25, 2017.________________________________________

I certify that no appeal has been made ___________________
The Commonwealth of Massachusetts

Town of West Tisbury
Zoning Board of Appeals

Decision of the Board of Appeals on the Petition of Patient Centric of Martha’s Vineyard, Ltd. filed with the West Tisbury Town Clerk on February 14, 2020 ZBA Case File 2020-3

Applicant: Patient Centric of Martha’s Vineyard, Ltd., P.O. Box 1323, West Tisbury, MA 02575

Property Owner: Kaysky LLC, whose title to the property is recorded at the Dukes County Registry of Deeds and described in Book 1405 Page 219, dated May 10, 2016.

Agent: Geoffrey Rose, P.O. Box 1323, West Tisbury, MA 02575.

Locus: 90 Dr. Fisher Rd, West Tisbury, MA, Assessors Map 21 Lot 12, LI1 district, 1.01 acres.

Plans: 1) Site Plan prepared by Vineyard Land Surveying & Engineering dated November 16, 2018. 2) Floor plans and elevations prepared by Crawford Design Associates dated November 20, 2017. All plans on file at the Zoning Board of Appeals office.


Hearing & Request: A Public Hearing was held on January 23, 2020 on an application for a Special Permit from Patient Centric of Martha’s Vineyard, Ltd. to amend Special Permit #2017-03 to allow cultivation of Adult/Recreational Use Marijuana in an existing structure previously approved for cultivation of Medical Marijuana.

The hearing was continued to February 6, 2020.

Requirement: Sections 3.1-1 (Use Table) and 9.3-3 of the Zoning Bylaws.

Present: Nancy Cole, Julius Lowe, Deborah Wells and Andy Zaikis.

Decision: On February 6, 2020 the Zoning Board of Appeals voted to GRANT a Special Permit with CONDITIONS to allow the cultivation of Adult/Recreational Use Marijuana in an existing structure previously approved for the cultivation of Medical Marijuana.

Vote to Approve: Nancy Cole, Julius Lowe, Deborah Wells and Andy Zaikis.

Findings: 1) The cultivation and product manufacturing of recreational marijuana is allowed in the LI Zone by Special Permit from the Zoning Board of Appeals, (April 9, 2019).

2) The Applicant submitted an application to the Martha’s Vineyard Commission to modify existing DRI 618-M2 on August 29, 2019.

3) Modifications were approved by the Martha’s Vineyard Commission on September 19, 2019, resulting in DRI 618-M3 Marijuana Cultivation Building Modifications.

4) There will be no change to the size of the existing structure.

5) The cultivation of Adult/Recreational Use Marijuana will occupy approximately 1,200 sf. of an area previously utilized by Big Sky Tent and Party Rental.

6) Security systems currently in place will be extended to the new cultivation area by the installation of 20 additional security cameras.

7) The application complies with Section 9.2-2 Review Criteria, of the Zoning Bylaws.
Conditions:  1) The driveway easement along the westerly lot line to Assessors Map 21, Lot 12.1 must be cleared and prepared for use.

NOTE WELL: It is understood that the applicant will obtain all other permits or authorizations required by the Town of West Tisbury before proceeding with any work.

NO VARIANCE OR SPECIAL PERMIT SHALL TAKE EFFECT UNTIL:

1. A period of twenty days has elapsed from the date of the filing of the Board’s written Decision with the Town Clerk, and the applicant has received a copy of the Decision bearing the certification of the Town Clerk that a period of twenty days has elapsed from the filing of the Decision and that no appeal has been filed, or the appeal has been denied or dismissed. The Certified Decision is recorded at the Dukes County Registry of Deeds and the recording fee has been paid at the Dukes County Registry of Deeds. Only Original Documents will be accepted at the Registry.

2. A receipt for the recording stamped by the Dukes County Registry of Deeds has been returned to the Building & Zoning Inspector of West Tisbury or to the office of the West Tisbury Board of Appeals who will turn over the receipt to the Building and Zoning Inspector.

3. The applicants may proceed with applying to the appropriate Town of West Tisbury Officers and Boards for any other development permits which may be required by law.

Any person aggrieved by the Decision of the West Tisbury Board of Appeals may appeal to Superior Court and must notify the Town Clerk of the action and submit a copy of the complaint within twenty days after the decision has been filed in the office of the Town Clerk.

A Special Permit shall lapse in 2 years if not utilized. A Variance shall lapse in one year if not utilized.

The Building and Zoning Inspector may approve at his discretion, minor changes that come up during the building process. All major changes to the plans or significant material changes must be approved by the Zoning Board of Appeals. Please consult with the Inspector regarding any change. Failure to do so may nullify your permit and may require removal of the unapproved construction.

NOTE WELL: It is understood that the applicant will obtain all other permits or authorizations required by the Town of West Tisbury before proceeding with any work.

Filed with the West Tisbury Town Clerk on February 14, 2020

_______________________________

I certify that no appeal has been made _________________________________
THE COMMONWEALTH OF MASSACHUSETTS

TOWN OF WEST Tisbury

ZONING BOARD OF APPEALS

DECISION OF THE BOARD OF APPEALS ON THE PETITION OF Patient Centric of Martha’s Vineyard, Ltd. filed with the West Tisbury Town Clerk on February 14, 2020 ZBA Case File 2020-3

Applicant: Patient Centric of Martha’s Vineyard, Ltd., P.O. Box 1323, West Tisbury, MA 02575

Property Owner: Kaysky LLC, whose title to the property is recorded at the Dukes County Registry of Deeds and described in Book 1405 Page 219, dated May 10, 2016.

Agent: Geoffrey Rose, P.O. Box 1323, West Tisbury, MA 02575.

Locus: 90 Dr. Fisher Rd, West Tisbury, MA, Assessors Map 21 Lot 12, LI1 district, 1.01 acres.

Plans: 1) Site Plan prepared by Vineyard Land Surveying & Engineering dated November 16, 2018. 2) Floor plans and elevations prepared by Crawford Design Associates dated November 20, 2017. All plans on file at the Zoning Board of Appeals office.


Hearing & Request: A Public Hearing was held on January 23, 2020 on an application for a Special Permit from Patient Centric of Martha’s Vineyard, Ltd. to amend Special Permit #2017-03 to allow cultivation of Adult/Recreational Use Marijuana in an existing structure previously approved for cultivation of Medical Marijuana.

The hearing was continued to February 6, 2020.

Requirement: Sections 3.1-1 (Use Table) and 9.3-3 of the Zoning Bylaws.

Present: Nancy Cole, Julius Lowe, Deborah Wells and Andy Zaikis.

Decision: On February 6, 2020 the Zoning Board of Appeals voted to GRANT a Special Permit with CONDITIONS to allow the cultivation of Adult/Recreational Use Marijuana in an existing structure previously approved for the cultivation of Medical Marijuana.

Vote to Approve: Nancy Cole, Julius Lowe, Deborah Wells and Andy Zaikis.

Findings: 1) The cultivation and product manufacturing of recreational marijuana is allowed in the LI Zone by Special Permit from the Zoning Board of Appeals, (April 9, 2019). 2) The Applicant submitted an application to the Martha’s Vineyard Commission to modify existing DRI 618-M2 on August 29, 2019. 3) Modifications were approved by the Martha’s Vineyard Commission on September 19, 2019, resulting in DRI 618-M3 Marijuana Cultivation Building Modifications. 4) There will be no change to the size of the existing structure. 5) The cultivation of Adult/Recreational Use Marijuana will occupy approximately 1,200 sf. of an area previously utilized by Big Sky Tent and Party Rental. 6) Security systems currently in place will be extended to the new cultivation area by the installation of 20 additional security cameras. 7) The application complies with Section 9.2-2 Review Criteria, of the Zoning Bylaws.
Conditions: 1) The driveway easement along the westerly lot line to Assessors Map 21, Lot 12.1 must be cleared and prepared for use.

NOTE WELL: It is understood that the applicant will obtain all other permits or authorizations required by the Town of West Tisbury before proceeding with any work.

NO VARIANCE OR SPECIAL PERMIT SHALL TAKE EFFECT UNTIL:

1. A period of twenty days has elapsed from the date of the filing of the Board’s written Decision with the Town Clerk, and the applicant has received a copy of the Decision bearing the certification of the Town Clerk that a period of twenty days has elapsed from the filing of the Decision and that no appeal has been filed, or the appeal has been denied or dismissed. The Certified Decision is recorded at the Dukes County Registry of Deeds and the recording fee has been paid at the Dukes County Registry of Deeds. Only Original Documents will be accepted at the Registry.

2. A receipt for the recording stamped by the Dukes County Registry of Deeds has been returned to the Building & Zoning Inspector of West Tisbury or to the office of the West Tisbury Board of Appeals who will turn over the receipt to the Building and Zoning Inspector.

3. The applicants may proceed with applying to the appropriate Town of West Tisbury Officers and Boards for any other development permits which may be required by law.

Any person aggrieved by the Decision of the West Tisbury Board of Appeals may appeal to Superior Court and must notify the Town Clerk of the action and submit a copy of the complaint within twenty days after the decision has been filed in the office of the Town Clerk.

A Special Permit shall lapse in 2 years if not utilized. A Variance shall lapse in one year if not utilized.

The Building and Zoning Inspector may approve at his discretion, minor changes that come up during the building process. All major changes to the plans or significant material changes must be approved by the Zoning Board of Appeals. Please consult with the Inspector regarding any change. Failure to do so may nullify your permit and may require removal of the unapproved construction.

NOTE WELL: It is understood that the applicant will obtain all other permits or authorizations required by the Town of West Tisbury before proceeding with any work.

Filed with the West Tisbury Town Clerk on February 14, 2020

________________________________________
I certify that no appeal has been made _________________________________
THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF WEST TISBURY
ZONING BOARD OF APPEALS

DECISION OF THE BOARD OF APPEALS ON THE PETITION OF Patient Centric of Martha’s Vineyard, Ltd. filed with the West Tisbury Town Clerk on March 4, 2020 ZBA Case File 2020-4

Applicant: Patient Centric of Martha’s Vineyard, Ltd., P.O. Box 1323, West Tisbury, MA 02575

Property Owner: Kaysky LLC, whose title to the property is recorded at the Dukes County Registry of Deeds and described in Book 1405 Page 219, dated May 10, 2016.

Agent: Geoffrey Rose, P.O. Box 1323, West Tisbury, MA 02575.

Locus: 90 Dr. Fisher Rd, West Tisbury, MA, Assessors Map 21 Lot 12, LI1 district, 1.01 acres.

2) Floor plans and elevations prepared by Sullivan Associates dated November 12, 2019.
All plans on file at the Zoning Board of Appeals office.


Hearing & Request: A Public Hearing was held on an application for a Special Permit from Patient Centric of Martha’s Vineyard, Ltd. to amend Special Permit #2017-03 to allow an 1,800 sf. internal expansion of cultivation area and conversion of a second floor storage space to a vegetative room within an existing structure approved for the cultivation of Medical Marijuana under section 3.1-1 and 9.3-3 of the Zoning Bylaws, Map 21, Lot 12, 90 Dr. Fisher Rd., LI1 District.

The hearing was continued without testimony to February 6th and again to February 20th 2020.

Requirement: Sections 3.1-1 (Use Table) and 9.3-3 of the Zoning Bylaws.


Decision: On February 20, 2020 the Zoning Board of Appeals voted to GRANT a Special Permit to allow an 1,800 sf. internal expansion of cultivation area for Adult/Recreational Use Marijuana and the conversion of a 209 sf. second floor storage area to a vegetative room within an existing structure previously approved for the cultivation of Adult/Recreational Use and Medical Marijuana.

Vote to Approve: Nancy Cole, Larry Schubert, Julius Lowe and Deborah Wells.

Findings: 1) The cultivation and product manufacturing of recreational marijuana is allowed in the LI Zone by Special Permit from the Zoning Board of Appeals, (April 9, 2019).
2) The Applicant submitted an application to the Martha’s Vineyard Commission to modify existing DRI 618-M2 on August 29, 2019 and again for a minor modification on February 6, 2020.
3) Modifications were approved by the Martha’s Vineyard Commission on September 19, 2019, and February 6, 2020 respectively, resulting in DRI 618-M3 Marijuana Cultivation Building Modifications.
4) There will be no change to the size of the existing structure.
5) The 1,800 sf. first floor space was originally used by Big Sky Tent and Party Rental for storage. The 209 sf. second floor area, originally used for storage by Patient Centric, is being converted to a vegetative room.
6) Security systems currently in place will be extended to the new cultivation area by the installation of 20 additional security cameras.

7) The application complies with Section 9.2-2 Review Criteria, of the Zoning Bylaws.

Conditions: N/A

NOTE WELL: It is understood that the applicant will obtain all other permits or authorizations required by the Town of West Tisbury before proceeding with any work

NO VARIANCE OR SPECIAL PERMIT SHALL TAKE EFFECT UNTIL:

1. A period of twenty days has elapsed from the date of the filing of the Board’s written Decision with the Town Clerk, and the applicant has received a copy of the Decision bearing the certification of the Town Clerk that a period of twenty days has elapsed from the filing of the Decision and that no appeal has been filed, or the appeal has been denied or dismissed. The Certified Decision is recorded at the Dukes County Registry of Deeds and the recording fee has been paid at the Dukes County Registry of Deeds. Only Original Documents will be accepted at the Registry.

2. A receipt for the recording stamped by the Dukes County Registry of Deeds has been returned to the Building & Zoning Inspector of West Tisbury or to the office of the West Tisbury Board of Appeals who will turn over the receipt to the Building and Zoning Inspector.

3. The applicants may proceed with applying to the appropriate Town of West Tisbury Officers and Boards for any other development permits which may be required by law.

Any person aggrieved by the Decision of the West Tisbury Board of Appeals may appeal to Superior Court and must notify the Town Clerk of the action and submit a copy of the complaint within twenty days after the decision has been filed in the office of the Town Clerk.

A Special Permit shall lapse in 2 years if not utilized. A Variance shall lapse in one year if not utilized.

The Building and Zoning Inspector may approve at his discretion, minor changes that come up during the building process. All major changes to the plans or significant material changes must be approved by the Zoning Board of Appeals. Please consult with the Inspector regarding any change. Failure to do so may nullify your permit and may require removal of the unapproved construction.

NOTE WELL: It is understood that the applicant will obtain all other permits or authorizations required by the Town of West Tisbury before proceeding with any work.

Filed with the West Tisbury Town Clerk on March 4, 2020

__________________________

I certify that no appeal has been made _________________________________
THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF WEST Tisbury
ZONING BOARD OF APPEALS

DECISION OF THE BOARD OF APPEALS ON THE PETITION OF FFD Enterprises MA, Inc. filed with the West Tisbury Town Clerk on April 22, 2021 ZBA Case File 2021-12

Applicant: FFD Enterprises MA, Inc., 40 Woodland St., Hartford, CT 06105

Property Owner: Kaysky LLC, whose title to the property is recorded at the Dukes County Registry of Deeds and described in Book 1405 Page 219, dated May 10, 2016.

Agent: Ellen Kaplan, Kaplan and Associates, P.C.

Locus: 90 Dr. Fisher Rd., West Tisbury, MA, Assessors Map 21 Lot 12, LI-1 district, 1.01 acres

2) Floor plan and elevations prepared by Crawford Design Associates, dated November 20, 2017. All plans on file at the Zoning Board of Appeals office.

Notice: Certified abutters notified on March 24, 2021 and legal notice advertised in the Martha’s Vineyard Times on March 25 and April 1, 2021.

Hearing & Request: A Public Hearing was held on April 8, 2021 on an Application for a Special Permit from FFD Enterprises MA, Inc. to operate a Medical Use and Adult-Recreational Use Marijuana Cultivation Facility under Sections 9.2-2 and 3.1-1 (Use Table) of the Zoning Bylaws on Map 21 Lot 12, 90 Dr. Fisher Rd, LI-1 District. This application seeks to transfer ownership and operational rights previously granted to Patient Centric, MV.

Requirement: Sections 9.2-2 and 3.1-1 of the Zoning Bylaws.

Present: Larry Schubert, Julius Lowe, Deborah Wells, John Rau, Andy Zaikis, Jeffrey Kaye and Casey Decker.

Decision: On April 8, 2021 the Zoning Board of Appeals voted to GRANT a Special Permit with CONDITIONS to FFD Enterprises MA, Inc. to operate a Medical Use and Adult-Recreational Use Marijuana Cultivation Facility under Sections 9.2-2 and 3.1-1 (Use Table) of the Zoning Bylaws on Map 21 Lot 12, 90 Dr. Fisher Rd, LI-1 District. This application seeks to transfer ownership and operational rights previously granted to Patient Centric, MV.

Vote to Approve: Larry Schubert, Julius Lowe, Deborah Wells, John Rau, Andy Zaikis, Jeffrey Kaye and Casey Decker.

Findings: 1) The cultivation and product manufacturing of medical and adult use recreational marijuana is allowed in the LI Zone by Special Permit from the Zoning Board of Appeals, (April 9, 2019).
2) The Martha’s Vineyard Commission has approved the change in ownership of 90 Dr. Fisher Rd. (DRI #618) to FFD Enterprises MA, Inc.
3) The Community Host Agreement with the Town has been transferred to FFD Enterprises, Inc. contingent upon approval of the Cannabis Control Commission.
4) There was no abutter correspondence in support of or in opposition to the application.
5) The application complies with Section 9.2-2 Review Criteria, of the Zoning Bylaws.

Conditions: 1) All conditions set forth in the attached Martha’s Vineyard Commission decisions dated July 18, 2018, (DRI618-M2) and September 19, 2019, (DRI618-M3).
2) The driveway easement along the westerly lot line to Assessors Map 21, Lot 12.1 must be cleared and prepared for use.
3) All employees and company vehicles, including all regular vendors use Old Stage Road as the access to the facility. The applicant will make a best effort to notify other vendors to access the facility through Old Stage Road.
4) The applicant must obtain all permits or authorizations required by the Town of West Tisbury. The building inspector shall not issue a certificate of occupancy until all conditions have been satisfied. The applicant will be subject to annual inspection by the Zoning Inspector, Board of Health and Fire Department.
5) Hours and days of operation are as follows:
   Monday through Friday from 8:30am to 5:00pm.
   Saturday and Sunday from 12noon to 3:00pm.

NOTE WELL: It is understood that the applicant will obtain all other permits or authorizations required by the Town of West Tisbury before proceeding with any work.

NO VARIANCE OR SPECIAL PERMIT SHALL TAKE EFFECT UNTIL:

1. A period of twenty days has elapsed from the date of the filing of the Board’s written Decision with the Town Clerk, and the applicant has received a copy of the Decision bearing the certification of the Town Clerk that a period of twenty days has elapsed from the filing of the Decision and that no appeal has been filed, or the appeal has been denied or dismissed. The Certified Decision is recorded at the Dukes County Registry of Deeds and the recording fee has been paid at the Dukes County Registry of Deeds. Only Original Documents will be accepted at the Registry.
2. A receipt for the recording stamped by the Dukes County Registry of Deeds has been returned to the Building & Zoning Inspector of West Tisbury or to the office of the West Tisbury Board of Appeals who will turn over the receipt to the Building and Zoning Inspector.
3. The applicants may proceed with applying to the appropriate Town of West Tisbury Officers and Boards for any other development permits which may be required by law.

Any person aggrieved by the Decision of the West Tisbury Board of Appeals may appeal to Superior Court and must notify the Town Clerk of the action and submit a copy of the complaint within twenty days after the decision has been filed in the office of the Town Clerk.

A Special Permit shall lapse in 2 years if not utilized. A Variance shall lapse in one year if not utilized.

The Building and Zoning Inspector may approve at his discretion, minor changes that come up during the building process. All major changes to the plans or significant material changes must be approved by the Zoning Board of Appeals. Please consult with the Inspector regarding any change. Failure to do so may nullify your permit and may require removal of the unapproved construction.

Filed with the West Tisbury Town Clerk on April 22, 2021

I certify that no appeal has been made
THE COMMONWEALTH OF MASSACHUSETTS

TOWN OF WEST Tisbury

ZONING BOARD OF APPEALS

DECISION OF THE BOARD OF APPEALS ON THE PETITION OF FFD Enterprises MA, Inc., filed with the West Tisbury Town Clerk on January 27, 2022 ZBA Case File 2022-2

Applicant: FFD Enterprises MA, Inc., 40 Woodland St., Hartford, CT 06105

Property Owner: Kaysky LLC, whose title to the property is recorded at the Dukes County Registry of Deeds and described in Book 1405 Page 219, dated May 10, 2016.

Agent: Corey Revelson

Locus: 90 Dr. Fisher Rd., West Tisbury, MA, Assessors Map 21 Lot 12, LI1 district, 1.01 acres.


Notice: Certified abutters notified on December 29, 2021 and legal notice advertised in the Martha’s Vineyard Times on December 30, 2021 and January 6, 2022.

Hearing & Request: A Public Hearing was held on January 13, 2021 on an Application for a Special Permit to Appeal a November 15, 2021 Decision of the West Tisbury Zoning Inspector to enforce the West Tisbury road development regulations at 90 Dr. Fisher Rd., Assessor’s Map 21, Lot 12, LI district. The appeal is filed by FFD Enterprises MA, Inc. under MGL Ch40A, Section 8 & Section 15, of the Zoning Act.

Requirement: M.G.L. Chapter 40A, Section 8 & 15

Present: Larry Schubert, Julius Lowe, Deborah Wells, John Rau, Andy Zaikis, Jeffrey Kaye and Casey Decker.

Decision: On January 13, 2021 the Zoning Board of Appeals GRANTED a Special Permit to Appeal a November 15, 2021 Decision of the West Tisbury Zoning Inspector to enforce the West Tisbury road development regulations at 90 Dr. Fisher Rd., Assessor’s Map 21, Lot 12, LI district. The appeal is filed by FFD Enterprises MA, Inc.

Vote to Approve: Larry Schubert, Julius Lowe, Deborah Wells, John Rau, Andy Zaikis, Jeffrey Kaye and Casey Decker.

Findings: 1) In Zoning Board of Appeals Decision #2020-3 filed on February 14, 2020, the following was required as Condition of Approval #1: “The driveway easement along the westerly lot line to Assessors Map 21, Lot 12.1 must be cleared and prepared for use”.
2) In a letter to the property owner dated November 15, 2021, the Building/Zoning Inspector wrote that sections of the Town of West Tisbury’s road development requirements must be adhered to in order to comply with Condition of Approval #1 in Decision #2020-3.
3) All roads in this immediate area are unpaved, dirt roads.
4) The decision by the Building/Zoning Inspector does not reflect the intent of the Zoning Board of Appeals Condition of Approval #1 in Decision #2020-3.
5) The easement will be cleared, topsoil stripped and a layer of RAP (recycled asphalt product) applied to a width of 10 feet.

Conditions: N/A
NOTE WELL: It is understood that the applicant will obtain all other permits or authorizations required by the Town of West Tisbury before proceeding with any work.

**NO VARIANCE OR SPECIAL PERMIT SHALL TAKE EFFECT UNTIL:**

1. A period of twenty days has elapsed from the date of the filing of the Board’s written Decision with the Town Clerk, and the applicant has received a copy of the Decision bearing the certification of the Town Clerk that a period of twenty days has elapsed from the filing of the Decision and that no appeal has been filed, or the appeal has been denied or dismissed. The **Certified Decision** is recorded at the Dukes County Registry of Deeds and the recording fee has been paid at the Dukes County Registry of Deeds. Only **Original Documents** will be accepted at the Registry.

2. A receipt for the recording stamped by the Dukes County Registry of Deeds has been returned to the Building & Zoning Inspector of West Tisbury or to the office of the **West Tisbury Board of Appeals** who will turn over the receipt to the Building and Zoning Inspector.

3. The applicants may proceed with applying to the appropriate Town of West Tisbury Officers and Boards for any other development permits which may be required by law.

Any person aggrieved by the Decision of the West Tisbury Board of Appeals may appeal to Superior Court and must notify the Town Clerk of the action and submit a copy of the complaint within twenty days after the decision has been filed in the office of the Town Clerk.

A Special Permit shall lapse in 2 years if not utilized. A Variance shall lapse in one year if not utilized.

The Building and Zoning Inspector may approve at his discretion, minor changes that come up during the building process. All major changes to the plans or significant material changes must be approved by the Zoning Board of Appeals. Please consult with the Inspector regarding any change. Failure to do so may nullify your permit and may require removal of the unapproved construction.

Filed with the West Tisbury Town Clerk on January 27, 2022

____________________________________________________________

I certify that no appeal has been made

____________________________________________________________