



DECISION OF THE MARTHA'S VINEYARD COMMISSION AMENDING (CLARIFYING) FINDINGS, GOALS AND GUIDELINES FOR THE SPECIAL WAYS ZONE OF THE ISLAND ROAD DISTRICT OF CRITICAL PLANNING CONCERN

As authorized by Chapter 831 of the Acts of 1977 ("the Act"), as amended, and Massachusetts General Laws, Chapter 30A, Section 2, and the Standards and Criteria regarding designation of a District of Critical Planning Concern (DCPC), adopted by the Commission pursuant to Chapter 637 of the Acts of 1974 and approved on September 8, 1975 by the Secretary of Communities and Development, the Martha's Vineyard Commission ("the Commission") held a Public Hearing on March 10, 20011 and voted to amend (clarify) the Findings and the Goals and Guidelines of the Decision Designating the Island Road District as a District of Critical Planning Concern as follows:

Amendments (clarifications) of FINDINGS

4.12 Cultural and Historic District: Special Ways

Special Ways are typically historical by definition, including roads which have been virtually abandoned or left to infrequent use, ~~are historical by definition. Also by definition, however, they have not been part of Island life and commerce for some time. In some cases, they may have been laid out by the early Proprietors in the course of dividing commonly owned land into individually owned lots.~~ They are a unique resource because they may have archeological significance or may provide public rights of way, either as a statutory private way or as common scheme ways, but are generally not committed to major vehicular travel. They ~~do tend to~~ may link origins and destinations that people will frequent; therefore they may offer a resource which can be developed as a means to experience the Island landscape by slower means of transportation, such as walking, horse-back riding, or possibly bicycling. Regardless whether such ways are wholly private or subject to public rights of travel, this is clearly a case where proper development guidelines at this time could preserve the historic aspects of old rights-of-way while enhancing them for existing or potential use by Island residents and visitors. Development near the Special Way is not so injurious as might be along major vehicular transportation corridors, because it could be pleasant to walk or horseback ride through populated, as well as unpopulated areas. However, new vehicular roads in the area should be on new rights-of-way, unless providing the only access to property with access and development rights prior to nomination of the Special Way, thus preserving the Special Ways for alternative forms of transportation.

Amendments (clarifications) of GOALS AND GUIDELINES

Section 5B Goals for Special Ways Zone

To protect historic places, and or to retain these ways and their abutting landscapes open primarily for uses such as walking and horseback riding, but not developed as a primary vehicular route, except for access to properties where no alternative access exists.

Section 5V.B. Uses Within the Special Ways Zone

1. Permitted Uses:

Any use permitted by the applicable town zoning district, provided that (1) the development does not result in direct vehicular access to the Special Way, or (2) the property had legal access and development rights prior to nomination of the Special Way. However, continued vehicular use may be allowed where a Special Way, or a portion thereof, is specifically identified by the town as routinely traveled by motor vehicles prior to nomination of the Special Way and provided that the continued vehicular use is of the same nature and extent as that which existed prior to the nomination of the Special Way

By Vote of the Martha's Vineyard Commission March 10, 2011
And Subsequent Vote to Confirm the Written Decision March 24, 2011



Christopher Murphy, Chairman