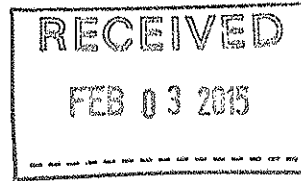


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AND FIRST CLASS MAIL

Edgartown Planning Board

P. O. Box 1065

Edgartown, MA 02539

January 26, 2015

To The Edgartown Planning Board:

I am a resident of Edgartown at the corner of Mullen Way and South Peases Point Road. It is my understanding that the Martha's Vineyard Commission has made an express request that the Edgartown Planning Board submit to the Commission for review the subdivision proposal which has been presented by Michael Kidder to the Planning Board. This request should be granted for the following reasons.

First, and most importantly, the subdivision in question clearly totals at least 10, and de facto 12, parcels, which automatically brings this matter within the realm of the Martha's Vineyard Commission. The efforts by the developer to avoid the mandatory review by the Commission have been obvious in this matter, as in December he sold two adjacent subdivided parcels to a Massachusetts builder, and then submitted his second 10 parcel proposal, which attempted to skirt the jurisdiction of the Commission by leaving one lot as open space. However, since the Commission has jurisdiction over subdivisions involving 10 parcels, and not just 10 building lots, it is clear that this matter should be placed before the Commission, and any failure of the Board to submit this matter to the Commission could result in a Mandamus proceeding to compel the Planning Board to act upon this non-discretionary matter.

With all due respect, the reported statements from the most recent hearing that the Board somehow possesses discretion to avoid submission of this matter to the Commission is inconsistent with the applicable standards for Commission review. There is simply no legal basis to avoid submitting this matter to the Commission so that it can conduct the review which is required

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Edgartown Planning Board
January 26, 2015
Page Two

under applicable law. Consequently, this matter should immediately be submitted to the Martha's Vineyard Commission to permit proper review and to avoid any impediment over the further review of the Board concerning this subdivision. Thank you for your consideration of these perspectives.

Very truly yours,



Dennis C. McAndrews

DCMcA/eg

c: Martha's Vineyard Commission
(Via Fax 508-693-7894 and
First Class Mail)

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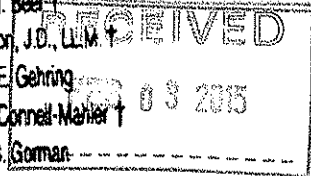


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DATE: January 26, 2015
RE:
NUMBER OF PAGES INCLUDING COVER SHEET: 5
COMMENTS: