

# THE MARTHA'S VINEYARD COMMISSION

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November 21, 1975

To: Town Permit Granting Agencies  
From: The Martha's Vineyard Commission  
Subject: Development of Regional Impact Decision  
Re Georgia Ireland

Enclosed is the Decision of the Martha's Vineyard Commission regarding the application of Georgia Ireland which was voted upon, after Public Hearing, on November 13, 1975.

The Town has been granted approval by the Commission to grant the necessary development permits for Ms. Ireland's proposed construction of a single-family dwelling.

This approval carries no additional conditions other than the following administrative conditions:

- a) The approval given by the Martha's Vineyard Commission is only for the applicant and is not transferable.
- b) This approval is contingent on the development proceeding as proposed; any substantial change in the size, bulk, or intensity of use of the proposed development as submitted with the Application shall revoke this approval.
- c) To be effective, this Decision must be filed by the Applicant in the Registry of Deeds together with appropriate title reference.

Once all of these conditions have been fulfilled, the Town is free to process the necessary applications for the development permits which the Applicant may need under local law to proceed with the proposed construction.

November 20, 1975

DECISION

OF

THE MARTHA'S VINEYARD COMMISSION

RE: GEORGIA IRELAND

A Public Hearing was held by the Martha's Vineyard Commission on November 13, 1975 at 8:40 p.m. upon Public Notice to consider the application of Ms. Georgia Ireland for a Building Permit in the Town of Chilmark ("The Application"). The proposed development is a single-family dwelling located off South Road and adjacent to Chilmark Pond, Chilmark. This location is within 500 feet of Chilmark Great Pond and the development is thus a Development of Regional Impact under Development of Regional Impact Checklist Section 1.202. The application was referred to the Commission for action pursuant to Chapter 637 of the Acts of 1974 as amended. Said application is incorporated herein by reference.

At the Hearing held pursuant to said Chapter 637 and Massachusetts General Laws Chapter 30A, Section 2, the Commission heard testimony from Georgia Ireland, who reviewed her proposal and expressed her views regarding the benefits of the proposal as compared to its detriments, Mr. Sheldon Dietz, member of the Chilmark Planning Board, and Mr. Joseph Kretzer, Chairman of the Chilmark Conservation Commission, both of whom asked for procedural clarification of this Development of Regional Impact, and received other information including the plans of the proposed structure, general plans of the area and site, a copy of the Building Permit and Disposal Works Construction Permit, signed by Herbert Hancock on October 6, 1975, a Moratorium Exemption Form, signed by Herbert Hancock and Georgia Ireland, dated October 8, 1975, and a copy of the deed to said property appended thereto.

The Commission also received the report and recommendation from the Development of Regional Impact Committee dated November 13, 1975, which is incorporated herein.

Under Section 15 and 16 of the Act, the Commission is required to make findings after its review of the Development. It must consider the probable benefits and detriments of the proposal. In this matter the Commission has been guided by its Policies to be Used in Considering Development Proposals Whose Impact is of a Regional Nature, adopted by the Commission on June 5, 1975 ("DRI Policy").

The Commission finds the probable benefits from the proposed development will exceed the probable detriment and that the proposal will not substantially interfere with the achievement of any general plan of Chilmark or of Dukes County. In particular, although the proposed structure lies within a flood hazard area, the Commission finds the benefits of the proposed construction will outweigh the detrimental impacts:

In Re Ireland

- a) The dwelling is to be used for year-round housing, conforming to DRI Policy 2.40, Housing.
- b) The dwelling will conform to the General Policies concerning the rural quality of life, and thus meet DRI Policy 1.001.
- c) The proposed septic system will not adversely affect the quality of the water of Chilmark Pond, and thus comply with DRI Policy 2.60, Water Resources.
- d) The dwelling will not conflict with the Visual Quality Goals of Policy 2.90.
- e) Construction of this structure at this time will aid in the promotion of sound local economies, pursuant to Policy 2.10, Economic Development.

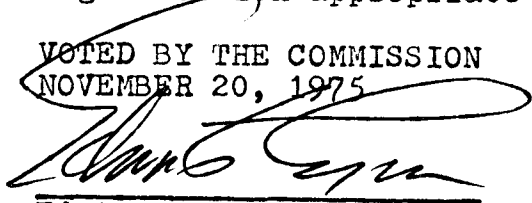
The Commission finds the proposed development is consistent with local development ordinances and by-laws to the extent it is required to, only the Building Permit and Disposal Works Construction Permit being before it at this time. The applicant must, consistent with this decision, apply to appropriate Chilmark officers and boards for other Development Permits required.

The proposed development would have been a Section 7(c) exemption to the Island-wide moratorium under the Act and is thus also exempt from the moratorium imposed on this area which is under consideration as a possible District of Critical Planning Concern, by vote of the Commission on October 23, 1975.

The Commission approves Town of Chilmark official granting applicable Development Permits for this proposal subject to this decision and subject to these conditions:

- a) The approval given by the Martha's Vineyard Commission is only for the applicant and is not transferable.
- b) This approval is contingent on the development proceeding as proposed,  
pursuant to the plans which have been submitted to the Commission; any substantial change in the size, bulk, or intensity of use of the proposed development as submitted with the application shall revoke this approval.
- c) To be effective, this Decision must be filed by the Applicant in the Registry of Deeds together with appropriate title reference.

VOTED BY THE COMMISSION  
NOVEMBER 20, 1975

  
Edwin Tyra, Chariman