

THE MARTHA'S VINEYARD COMMISSION

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DATE: December 26, 1978
TO: Planning Board of the Town of Tisbury
FROM: Martha's Vineyard Commission
SUBJECT: DEVELOPMENT OF REGIONAL IMPACT DECISION
RE: RESIDENTIAL SUBDIVISION
APPLICANT: Robert J. Priore - "Greenwood Hills"

SUMMARY

The Planning Board of the Town of Tisbury is granted approval by the Martha's Vineyard Commission to grant the necessary development permits for the Applicant's residential subdivision. This approval was by vote of the Commission on December 21, 1978. The Town Planning Board may approve the development proposal and may, if authorized by local development ordinances and by-laws, place conditions upon or disapprove the development application.

DECISION OF THE MARTHA'S VINEYARD COMMISSION

A Public Hearing was held on November 30, 1978 by the Martha's Vineyard Commission (the "Commission") at 8:00 p.m. at the Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA upon public notice to consider the application of Robert J. Priore - "Greenwood Hills" (the "Applicant") for a residential subdivision approval in the Town of Tisbury (the "Application"). The proposed development is for the division of 8.87+ acres into 22 lots as shown on plans entitled "Greenwood Hills - A Plan of Land in Tisbury, Mass., prepared for Robert J. Priore, December 14, 1978 (revised) by Schofield Brothers, Inc., Registered Engineers and Land Surveyors, State Road, Vineyard Haven, MA at a scale of 1" = 50', and Plan and Profile, 11 December 1978 (revised)". This proposal proposes to divide a contiguous ownership of land into 10 or more lots and is thus a Development of Regional Impact under the Criteria and Standards, Development of Regional Impact 3.203. This application was referred to the Commission for action pursuant to Chapter 831, Acts of 1977 (the "Act"). Said application and notice of public hearing are incorporated herein.

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On November 30, 1978 the Hearing was held pursuant to the Act and Massachusetts General Laws, Chapter 30A, Section 2, and was chaired by Ben Moore, Acting Chairman of the Commission's Land Use Planning Committee. Mr. Moore opened the Public Hearing and read the public notice. David Thompson, staff of the Commission, delivered a presentation concerning the development of the locus. Mr. Renear, Planning Board Chairman, pro tem, discussed the Board's review of the plan. There was a call for proponents. Mr. Douglas Dowling, representative of the Applicant, presented the general layout and addressed the concerns which the Commission had on the Preliminary Plan. These were roadway layout, erosion and lot access problems, amount of earthwork required, buffer between uses, and recreation provisions to alleviate town tax burdens.

At the Hearing, the Commission again reviewed grade and access concerns, waste disposal methods and water table depth and gradient and the use of lot #1 to be given to the Cerebral Palsy Camp, Inc. There was consensus that the Hearing be recessed to December 7, 1978 at 8:00 p.m. so that the Commission members could meet with the Local Planning Board.

On Thursday, December 7, 1978 at 8:00 p.m., Commissioner Moore reconvened the Public Hearing and called for testimony. Mr. Don Voltz, representative of the Applicant, presented the plan and discussed the buffer area, drainage easements, crash gate for fire egress, soil sample and percolation test results. There was discussion concerning grades and driveway access. The Commission had received a letter from the Tisbury Planning Board that lot #1 be reserved as a buffer zone. There was no further testimony and the Hearing was closed.

On December 14, 1978 the Commission considered the matter of DRI approval and did not reach a decision. The Tisbury Planning Board had recommended that the Commission not proceed until the Planning Board received from the Applicant all necessary documents for it's approval. On December 20, 1978 the Tisbury Planning Board tentatively approved the Application and presented to the Commission a Decision with draft documents.

Under the Act, the Commission is required to make findings after its review of the development proposal. It must consider the probable benefits and detriments of the proposal. In this

matter the Commission has considered each factor enumerated in these sections of the Act and has considered its Information for Evaluation of Large Scale Residential Developments, together with the information presented at the Public Hearing.

The Commission finds that the probable benefits of the application will exceed the probable detriments and will not interfere substantially with the achievement of any general plan of the Town of Tisbury or of Dukes County, or violate any local development ordinances and by-laws.

The Commission finds that the development proposal will be more beneficial than detrimental when compared to alternative manners of development or development occurring in alternative locations.

The Commission finds the proposed development is consistent with local development ordinances and by-laws to the extent it is required to, only the Application being before it at this time. The Applicant must, consistent with the Decision, apply to appropriate Town of Tisbury officers or boards for any other development permits which may be required together with any other development permits required by law.

The Commission approves the Town of Tisbury officials granting applicable development permits.

This decision is written consistent with the VOTE OF THE COMMISSION:

December 21, 1978

George H. Mathiesen
George H. Mathiesen, Chairman

Notary Public
Notary Public



12/29/78
date

my commission expires: 11/10/83

Edgartown, Mass. January 10 19 79
at 1 o'clock and 35 minutes P.M
Received and entered with Dukes County Deeds