

THE MARTHA'S VINEYARD COMMISSION

BOX 1447
OAK BLUFFS
MASSACHUSETTS
02557
617-693-3453

DATE: December 27, 1979

TO: Building Inspector of the Town of Tisbury

FROM: Martha's Vineyard Commission

SUBJECT: DEVELOPMENT OF REGIONAL IMPACT DECISION
RE: COMMERCIAL DEVELOPMENT

APPLICANT: Cronig Brothers Market, c/o Robert Cronig

SUMMARY

The Building Inspector of the Town of Tisbury is granted approval by the Martha's Vineyard Commission to grant the necessary development permits for the Applicant's commercial development. This approval was by vote of the Commission on December 13, 1979. The Town Building Inspector 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 December 13, 1979 by the Martha's Vineyard Commission (the "Commission") at 8:15 p.m. at the Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA upon public notice to consider the application of Cronig Brothers Market (the "Applicant") for a commercial development approval in the Town of Tisbury (the "Application"). The proposed development is for the addition of storage coolers on both sides of the existing market as shown on plans entitled "Walter Tompkins Refrigeration, Vineyard Haven, Mass., 3/8" = 1'-0", KCM, 'cooler' 11/5/79". This proposal is a proposed commercial development which has a floor area greater than 3,000 square feet and is thus a Development of Regional Impact under the Criteria and Standards, Development of Regional Impact 3.30. This application was referred to the Commission for action pursuant to Chapter 831, as amended, Acts of 1977 (the "Act"). Said application and notice of public hearing are incorporated herein.

On December 13, 1979, the Hearing was held pursuant to the Act and Massachusetts General Laws, Chapter 30A, Section 2, and was

chaired by Marc Widdiss, Acting Chairman of the Commission's Land Use Planning Committee. Mr. Widdiss opened the Public Hearing and read the public notice. David Thompson, staff of the Commission, delivered a presentation concerning the development. There was a call for proponents.

Mr. Robert Cronig described the proposal. He explained the substantial energy savings to be realized by this new arrangement. A letter in favor of the proposal from Dixon Renear, an abuttor, was read into the record. Another letter, from Margaret DeBettencourt, was in favor of the proposal if it did not cause noise problems for Anthony Guyther, an abuttor. There was discussion of the appearance, and concern expressed over the white aluminum exterior siding. Mr. Walter Tompkins, representative of Mr. Cronig and designer of the additions, described the increased cooling efficiency of white siding, but expressed his intention to paint them to blend in more with the existing building when weather permitted.

There was a call for opponents. Mr. Anthony Guyther, abuttor, was concerned about the placement of new coolings fans near his residence and the possibility of increased noise. Mr. Tompkins and Mr. Cronig explained that the new equipment would be considerably quieter than the existing equipment which it would replace. The point was also made that Mr. Guyther was, in fact, living in an area zoned for commercial activity. There was no further testimony and the Hearing was closed.

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 its Information for Evaluation of Commercial 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 official granting applicable development permits.

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

December 13, 1979

Benjamin C. Moore
Benjamin C. Moore, Chairman

Harold F. Fisher
Notary Public



12/28/79
date

my commission expires: 11/10/83

Edgartown, Mass. Jan 2 1980
at 1 o'clock and 32 minutes PM
Received and entered with Dukes County Deeds
book 371 Page 363

Attest: Suzerly W. King
Register