

THE MARTHA'S VINEYARD COMMISSION

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DATE: February 28, 1980
 TO: Conservation Commission of the Town of Tisbury
 FROM: Martha's Vineyard Commission
 SUBJECT: DEVELOPMENT OF REGIONAL IMPACT
 RE: NON-COMMERCIAL DEVELOPMENT
 APPLICANT: MARTHA'S VINEYARD SHELLFISH GROUP

SUMMARY

The Conservation Commission of the Town of Tisbury is granted approval by the Martha's Vineyard Commission to grant the necessary development permits for the Applicant's development. This approval was by vote of the Commission on February 28, 1980. The Town Conservation Commission 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 February 14, 1980 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 Martha's Vineyard Shellfish Group (the "Applicant") for a non-commercial development approval in the Town of Tisbury (the "Application"). The proposed development would be a quasi-publicly owned facility serving the residents of more than one town 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 331, as amended, Acts of 1977 (the "Act"). Said application and notice of public hearing are incorporated herein.

On February 14, 1980, the Hearing was held pursuant to the Act and Massachusetts General Laws, Chapter 30A, Section 2, and was chaired by Benjamin Moore, Chairman of the Commission. Mr. Moore opened the Public Hearing and read the public notice. There was a call for proponents.

Richard Karney, Shellfish Biologist for the Applicant, gave a presentation on the history of the Shellfish Group. Joseph Forns, Project Director for the Hatchery, gave a presentation on the design and

operation of the facility. Mr. Inoue, an abuttor, questioned the nature of the efflux, (the water pumped back into the Lagoon after cycling through the Hatchery), and was in favor of the proposal.

There was a call for opponents, and there were none. 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. In this matter the Commission has considered each factor enumerated in these sections of the Act 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 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:

FEBRUARY 28, 1980.

Benjamin C. Moore

Benjamin C. Moore, Chairman

Maureen Freese

Notary Public

my commission expires: 11/10/83



Edgartown, Mass. March 3 1980
at 2 o'clock and 00 minutes P M
Received and entered with Dukes County Deeds
book 372 Page 684

Attest: *Suzerly W. King*
Register