

THE MARTHA'S VINEYARD COMMISSION

BOX 1447
OAK BLUFFS
MASSACHUSETTS
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617-693-3453

DATE: March 13, 1980
TO: Planning Board of the Town of Oak Bluffs
FROM: Martha's Vineyard Commission
SUBJECT: DEVELOPMENT OF REGIONAL IMPACT DECISION
RE: RESIDENTIAL SUBDIVISION
APPLICANT: Alphonse Chiappisi, et al

SUMMARY

The Planning Board of the Town of Oak Bluffs is granted approval by the Martha's Vineyard Commission to grant the necessary development permits for the Applicant's residential subdivision in accordance with the conditions contained herein. This approval was by vote of the Commission on March 13, 1980. The Town Planning Board may approve the development proposal and may, if authorized by local development ordinances and by-laws, place additional conditions upon or disapprove the development application.

DECISION OF THE MARTHA'S VINEYARD COMMISSION

A Public Hearing was held on March 13, 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, Massachusetts, upon public notice to consider the application of Alphonse Chiappisi, et al (the "Applicant") for a residential subdivision approval in the Town of Oak Bluffs (the "Application"). The proposed development is for the division of 18.3⁺ acres into 11 (eleven) lots as shown on a plan entitled "A Plan of Land in Oak Bluffs, Mass., Surveyed for Alphonse Chiappisi, et al, November 13, 1979 at a scale of 1" = 60', by Dean R. Swift, Registered Land Surveyor, Vineyard Haven, Mass." The applicant proposes to divide a contiguous ownership of land into ten or more lots and is thus a Development of Regional Impact under the Criteria and Standards, Development of Regional Impact Section 3.203. The Application was referred to the Commission for action pursuant to Chapter 831, Acts of 1977, as amended ("the Act"). Said application and notice of public hearing are incorporated herein.

On March 13, 1980, the Hearing was held pursuant to the Act and the 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 read the legal notice and opened the Public Hearing. Michael Wild, Executive Director of the Commission, delivered a presentation concerning the development. There was a call for proponents. Mr. Dean Swift, Surveyor for the Applicant, discussed the plan. The Land Use Planning Committee discussed their review of the plan. They were in favor of the plan with the addition of a 75' buffer strip along the County Road boundary of the property. There was discussion of the layout of the new road and of the future visibility down said road into the development. 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. 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 this 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 Oak Bluffs or of Dukes County, or violate any local development ordinances or 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 has considered the question of the new road alignment and determined that the arrangement required by the Oak Bluffs Planning Board would provide adequate screening.

The Commission has considered the question of the buffer strip. In order to enhance the visual integrity of the development and assure that no additional access will be made to County Road via Lot #1, the Commission sets the following condition:

THAT A 75' BUFFER ZONE BE PROVIDED ALONG THE COUNTY ROAD

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BOUNDARY OF THE PROPERTY, SAID ZONE TO BE LEFT IN ITS
NATURAL STATE TO SERVE AS A VISUAL SCREEN BETWEEN THE ROAD
AND DEVELOPMENT.

The Commission finds that the proposed development is consistent with local 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 Oak Bluffs 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 Oak Bluffs officials granting applicable development permits.

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

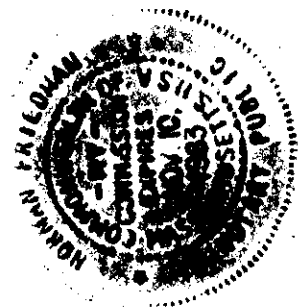
March 13, 1980.

Any party aggrieved by a determination of the Commission may appeal to the superior court within twenty days after the Commission has sent the development applicant written notice, by certified mail, of its decision and has filed a copy of its decision with the Town Clerk of the Town in which the proposed development is located.

Benjamin C. Moore
Benjamin C. Moore, Chairman

Harold Friede
Notary Public

my commission expire: 11/10/83



Edgartown, Mass. March 28 1980
at 10 o'clock and 00 minutes A M
Received and entered with Dukes County Deeds
book 373 Page 161

Attest:

Dorothy W. King

Register