

THE MARTHA'S VINEYARD COMMISSION

#124
BOX 1447
OAK BLUFFS
MASSACHUSETTS
02557
617-693-3453

DATE: December 18, 1980
TO: Planning Board of the Town of West Tisbury
FROM: Martha's Vineyard Commission
SUBJECT: DEVELOPMENT OF REGIONAL IMPACT
RE: RESIDENTIAL SUBDIVISION
APPLICANT: Philip Spalding

124-12-18-WT

SUMMARY

The Planning Board of the Town of West Tisbury 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 December 18, 1980. 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 December 18, 1980 by the Martha's Vineyard Commission (the "Commission") at 8:00 p.m. at the Martha's Vineyard Commission offices, Olde Stone Building, New York Avenue, Oak Bluffs, Massachusetts upon public notice to consider the application of Philip Spalding (the "Applicant") for a residential subdivision approval in the Town of West Tisbury (the "Application"). The proposed development is for the division of 211 $\frac{1}{2}$ acres into 14 (fourteen) lots as shown on a plan entitled "'Plum Bush Point', A Plan of Land in West Tisbury, Mass. prepared for Philip Spalding, Scale: 1"=200', October 19, 1980, Smith & Dowling, Engineers and Surveyors and Planners, Vineyard Haven, Mass." The applicant proposes to divide a contiguous ownership of land into 10 (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 December 18, 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. Jim Muth, Commission staff member, gave a slide presentation and also described supplementary visual aids and written material which were made available to those present at the hearing. The Coastal and Road District boundaries were described within the development as well as general vegetative cover and the location of wetlands. There was a question regarding the location of existing roads within the development and the placement of utilities. Reference was made to the Planning Board recommendations. There was a call for proponents; there were none. There was a call for opponents; there were none. There was further discussion regarding driveway placement and clear cutting. 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 West Tisbury 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.

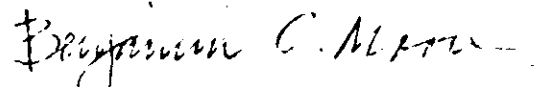
The Commission finds that the proposed development is consistent with local ordinances and by-laws to the extent it is required to, only the application being before it at this time. The Applicant must, consistent with the Decision, apply to appropriate Town of West Tisbury officers or boards for any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

permits required by law.

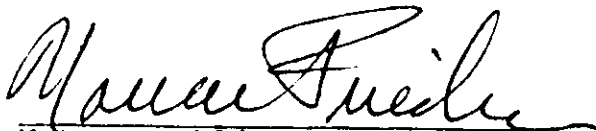
The Commission approves the Town of West Tisbury officials granting applicable development permits.

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

December 18, 1980

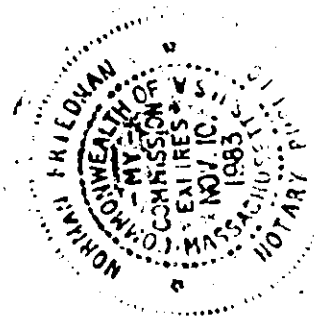


Benjamin C. Moore, Chairman



Notary Public

my commission expires: 11/10/83



January 9, 1981
date