

THE MARTHA'S VINEYARD COMMISSION

BOX 1447
OAK BLUFFS
MASSACHUSETTS
02557
617-693-3453

DATE: February 19, 1981

TO: Planning Board of the Town of Chilmark

FROM: Martha's Vineyard Commission

SUBJECT: DEVELOPMENT OF REGIONAL IMPACT DECISION
RE: RESIDENTIAL SUBDIVISION

APPLICANT: Boldt Family Trust, "Chilmark North Slopes"

SUMMARY

The Planning Board of the Town of Chilmark 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 February 19, 1981. 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 February 19, 1981 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 Boldt Family Trust, (the "Applicant") for a residential subdivision approval in the Town of Chilmark (the "Application"). The proposed development is for the division of 44.6 \pm acres into 8 (eight) lots as shown on a plan entitled "'Chilmark North Slopes', A Plan of Land in Chilmark, Mass., Surveyed for the Boldt Family Trust, December 15, 1980 at a scale of 1"=100', by Smith & Dowling, Registered Land Surveyors, Engineers, & Planners, Vineyard Haven, Mass." The Applicant proposes to divide a contiguous ownership of land of more than 30 acres into four or more parcels and thus is a Development of Regional Impact under the Criteria and Standards, Development of Regional Impact Section 3.201. 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 February 19, 1981, the Hearing was held pursuant to the Act and the Massachusetts General Laws, Chapter 30A, Section 2 and was chaired by Jules Worthington, Chairman of the Commission's Land Use Planning Committee. Mr. Worthington read the legal notice and opened the Public Hearing for testimony. Jim Muth, MVC staff Cartographer, gave a slide presentation and discussed the topography, vegetation, soils, views, stone walls, and layout. There was a call for proponents. Douglas Dowling of Smith & Dowling, representing the Applicant, spoke in favor of the plan. He reported the plan had been through preliminary review by the Chilmark Planning Board and the Commission's Land Use Planning Committee. He discussed lot sizes, road configuration (which is staked out for preliminary review by Chilmark), a restriction on further subdivision of any of the eight lots per an agreement to be arranged with the buyer and seller, and road profiles. Percolation and well tests are being performed. 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 Chilmark 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 Chilmark 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 Chilmark officials granting applicable development permits.

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

February 19, 1981.

Benjamin C. Moore
Benjamin C. Moore, Chairman

Glenn F. [Signature]
Notary Public

my commission expires: 11/10/83



3/13/81
date

Edgartown, Mass. Mar. 16, 1981
at 1 o'clock and 50 minutes P
Received and entered with Dukes County Deeds
book 381 Page 766.

Attest: Severly W. King
Register