

THE MARTHA'S VINEYARD COMMISSION

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MASSACHUSETTS
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DATE: June 10, 1982
TO: Planning Board, Town of West Tisbury
FROM: Martha's Vineyard Commission
SUBJECT: DEVELOPMENT OF REGIONAL IMPACT
RE: RESIDENTIAL SUBDIVISION
APPLICANT: Estate of Everett D. Whiting, c/o Daniel Whiting

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. This approval was by vote of the Commission on June 10, 1982. 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 Thursday, June 3, 1982 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 the Estate of Everett D. Whiting, c/o Daniel Whiting for a residential subdivision approval in the Town of West Tisbury (the "Application"). The proposed development is for subdivision of 79.9± acres into 13 lots as shown on plans entitled, "A Plan of Land in West Tisbury, Mass. prepared for The Estate of Everett D. Whiting, Scale: 1"=100', March 25, 1982, Smith & Dowling, Engineers, Surveyors, Planners, State Road, Post Office Box 1087, Vineyard Haven, Mass. 02568." 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

from Panhandle Road being more beneficial than a long access in the back of the lots across the open field in compliance with district regulations. There was further discussion regarding the appropriateness of the Commission modifying regional district regulations by way of the benefit/detriment analysis central to any Development of Regional Impact decision. There was no further testimony, and the hearing was closed.

At a Special Meeting of the Martha's Vineyard Commission on June 10, 1982, the Commission reviewed and approved an amended plan entitled, "A Plan of Land in West Tisbury, Mass. prepared for the Estate of Everett D. Whiting, Scale: 1"=100', March 25, 1982, Revised June 10, 1982, Smith & Dowling, Engineers, Surveyors, Planners, State Road, Post Office Box 1087, Vineyard Haven, Mass. 02568." This revised plan provides for two additional access-ways off Panhandle Road with each way providing access to three lots; the remaining lots will be provided access by existing access-ways as shown on the revised plan.

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 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 West Tisbury or of Dukes County.

The Commission finds that the development proposal will be more beneficial than detrimental particularly when considering additional access-ways off Panhandle Road. Notwithstanding the present Road District regulations in the Town of West Tisbury requiring no additional access closer than one-thousand foot separation, the Commission finds that additional access-ways as proposed will implement the original purpose of the Road District, that is, to allow for safe access and travel along roads as well as to protect the visual character, diversity of landscape, and historic features of

the journey along the roads.

The Commission finds that the development proposal as revised with two additional access points 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 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 this 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:

June 10, 1982.

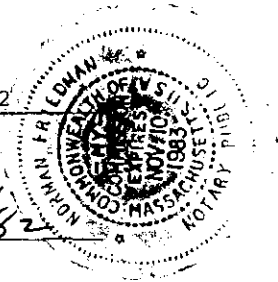
Leonard Jason, Jr.
Leonard Jason, Jr., Chairman

Nancy Friedman
Notary Public

my commission expires: 11/10/83

6/17/82
date

6/17/82
date



Edgartown, Mass. June 21 1982
at 1 o'clock and 10 minutes P.M.
Received and entered with Dukes County Deeds
book 383 Page 254.

Attest: *Severly W. King*
Register