

THE MARTHA'S VINEYARD COMMISSION

BOX 1447
OAK BLUFFS
MASSACHUSETTS
02557
617-693-3453

DATE: April 4, 1985
TO: Planning Board, Town of West Tisbury
FROM: Martha's Vineyard Commission
SUBJECT: DEVELOPMENT OF REGIONAL IMPACT
RE: COMMERCIAL DEVELOPMENT - MARTHA'S VINEYARD AIRPORT
APPLICANT: P & L Appliances
Leonard Baker and Everett Francis
P.O. Box 1051
Edgartown, MA 02539

DECISION OF THE MARTHA'S VINEYARD COMMISSION

SUMMARY

The Martha's Vineyard Commission (the Commission) hereby approves the Application of the P & L Appliances, Leonard Baker and Everett Francis, P.O. Box 1051, Edgartown, Massachusetts, 02539 for the construction of a commercial development at the Martha's Vineyard Airport in the Town of West Tisbury as shown on the plans entitled: "Airport Home Center", TechBuilt, North Dartmouth, Massachusetts, 02747, October 1984, consisting of three (3) sheets and as substituted for by the plans entitled: "Airport Home Center", TechBuilt, North Dartmouth, Massachusetts, 02747, January 1985, consisting of three (3) sheets (the Plan).

The Decision contained herein is rendered pursuant to the vote of the Commission on April 4, 1985.

The Planning Board of the Town of West Tisbury may now grant the necessary development permits for the Applicant's commercial development in accordance with the decision contained herein, or, may approve in accordance with the decision contained herein and place further conditions thereon, or, may disapprove the development application.

FACTS

The proposed development is a Development of Regional Impact as defined by the Commission's Criteria and Standards, Developments of Regional Impact, Section 3.30. The application was referred to the Commission by the Planning Board of the Town of West Tisbury for action pursuant to M.G.L. Chapter 831,

Acts of 1977, as amended (the Act).

A duly noticed public hearing on the Application was conducted by the Commission pursuant to the Act and Massachusetts General Laws, Chapter 30A, Section 2, on January 3, 1985 at 8:00 PM at the Commission offices, Olde Stone Building, New York Avenue, Oak Bluffs, Massachusetts. The proposal is for the construction of a commercial development at the Martha's Vineyard Airport.

Marc Widdiss, Chairman of the Land Use Planning Committee opened the public hearing at 8:00 PM by reading the hearing notice and calling for testimony.

Leonard Baker, applicant, explained the proposal using the plan submitted. He noted that there would be space in the downstairs area for three offices, P & L Applicant and rental space. He noted that the proposal visualized an airport home center which would cover everything needed - somewhat like Nickerson's in Orleans. On the second floor there would be less expensive office space and a conference room for rentals. He described the parking and the location of the proposed new airport road. He noted that it would be set back in the trees and that there would be a 200 ft. green belt in the front. The total floor area would be about 20,000 sq. ft. He also noted that the rear area would be a storage area for Cape Cod Express which has no storage area on the Island.

In response to a question, he noted that the location of the proposal was directly across the street from their current location. The height of the proposed structure will be less than 30 ft. Regarding lighting, he indicated that no lighting was proposed but that they would comply with all airport requirements. He also noted that the FAA would have to review the proposal but had not yet.

Regarding restrooms, he indicated the location of the proposed restrooms on the plan.

With respect to exterior finish, it was indicated that it would be clapboard and shingle, painted or stained. A discussion of parking followed.

A discussion of an airport architectural committee followed.

Mr. Baker noted that the same firm that did the Animal Hospital would be doing their building so the styles should be fairly compatible.

A discussion of whether the Airport Commissioners had reviewed the plan followed. Jim Mitchell, Airport Manager, discussed the roles of the Airport Advisory Committee and the Airport Commissioners and noted the problems created by the referral and its timing. A discussion of the status followed.

Mr. Clifford explained what would now happen, that there would be a joint Airport Advisory - Land Use Planning Committee meeting and then the Airport Commissioners would meet and everything could possibly be completed by the middle of February.

Mr. Widdiss then called for other proponents - there were none. He then called for opponents - there were none.

Pending the report from the Airport Commissioners, the hearing was continued at 8:25 PM until the first meeting in February.

At the February 7, 1985 meeting of the Commission, it was announced that the Applicant and the Airport Commissioners were still discussing the matter and thusly the hearing would be continued once again to give the Applicant the opportunity to complete the discussions with the Airport Commissioners.

The Martha's Vineyard Commission held a continuation of a public hearing on Thursday, April 4, 1985 at 8:30 PM. Mr. Widdiss called the hearing to order at 8:31 PM by reading the legal notice and re-opening the hearing for testimony.

Leonard Baker, applicant, explained the progress of the project; the altered proposal now contained 6,964 square feet in two buildings; P & L to take the majority of the first floor; rental space to be on the second floor.

A discussion of the layout of the Airport property and the location of the proposal followed. A discussion of the various meetings with the Airport Advisory Committee and their questions followed.

Mr. Widdiss read a letter from the Airport Commission regarding approval of the proposal subject to approval of West Tisbury, DEQE, MVC, FAA and an executed lease.

James Mitchell, Airport Manager, explained the status of the DEQE approval to join into the Airport sewerage system and when DEQE would visit the site. A discussion of the matter followed. A discussion of potential landscaping followed.

A discussion of the second and smaller building followed. The total square footage mentioned was for both buildings.

Doug Ewing, MVC staff and member of the Airport Advisory Committee explained the methodology used by the Advisory Committee to review the proposal and the steps that were taken to reach the revised plans now being presented.

A discussion of some of the items considered by the Airport Advisory Committee followed.

A discussion of the future fire protection followed.

A discussion of how the proposal fit into the overall Airport Master Plan followed.

Mr. Widdiss called for any proponents - there were none. He then called for opponents - there were none.

There being no further testimony, the hearing was closed at 9:07 PM.

FINDINGS AND CONDITIONS

The Commission has considered the Application and the information presented at the public hearing and based upon such consideration, makes the following findings pursuant to Section 14 of the Act:

- A. The Commission finds that the probable benefits of the proposed development will exceed the probable detriments of the proposal in light of the considerations set forth in Section 15 of the Act.
- B. The Commission finds that the proposed development will not interfere substantially or unreasonably with the achievement of the objectives of any general plan of the Town or of Dukes County.
- C. The Commission finds that the proposed development as set forth in the Application and the Plan will be consistent with local development ordinances or by-laws.
- D. The Commission finds that the development proposal will be more beneficial than detrimental when compared to alternative manners of development or developments 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 the appropriate Town of West Tisbury officers and 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: April 4, 1985.

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.

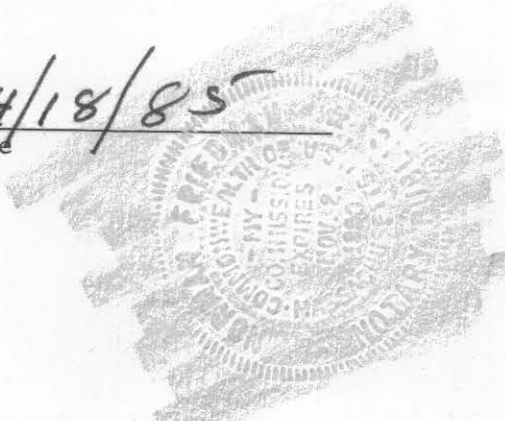
Leonard Jason, Jr.
Leonard Jason, Jr., Chairman

18 April 85
Date

Norman Friedman
Notary:

4/18/85
Date

**NORMAN FRIEDMAN
NOTARY PUBLIC
My commission expires Nov 2, 1990**



Edgartown, Mass. April 19, 1985
at 9 o'clock and 50 minutes A M
Received and entered with Dukes County Deeds
book 427 Page 469

Attest: Suevely W. King
Register