

THE MARTHA'S VINEYARD COMMISSION

BOX 1447
OAK BLUFFS
MASSACHUSETTS
02557
617-693-3453

Date: January 16, 1986

To: Planning Board, Town of Gay Head

Subject: Development of Regional Impact
RE: Coastal Facility Improvement - Boat Ramp and
Pier Construction.

Applicant: Town of Gay Head
Board of Selectmen
RR Box 128
Gay Head, MA 02535

Decision of the Martha's Vineyard Commission

SUMMARY

The Martha's Vineyard Commission (the Commission) hereby approves the Application of the Town of Gay Head, Board of Selectmen, RR Box 128, Gay Head, MA 02535 for the relocation of a boat launching ramp and construction of floating piers in the West Basin area of the Town of Gay Head as shown on the plans entitled "Plan Accompanying Petition of Town of Gay Head, (undated), consisting of two (2) sheets, (the Plans).

The Decision contained herein is rendered pursuant to the vote of the Commission on January 16, 1986.

The Planning Board of the Town of Gay Head may now grant the necessary development permits for the Applicant's boat ramp and pier proposal in accordance with the Decision contained herein, or may approve in accordance with the Decision contained herein and may 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 3.502. The Application was referred to the Commission by the Planning Board of the Town of Gay Head for action pursuant to MGL 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 16, 1986 at 8:15 PM at the Commission offices, Olde Stone Building, New York Avenue, Oak Bluffs, Massachusetts. The proposal is for the relocation of a boat ramp and the construction of two floating piers in the West Basin area of Gay Head.

Edith Eber of the Land Use Planning Committee read the hearing notice and opened the hearing for testimony at 8:15 PM.

Carol Borer, MVC staff described the proposal and showed a series of slides of the West Basin area. She responded to various questions that were raised.

Mrs. Eber asked for proponents.

Marc Widdiss, Selectmen, discussed the proposal and the need for something to help protect the fragility of the area.

Jeff Madison, Selectmen, also discussed the proposal and explained further some of the points of the proposal and of the needs of the users.

Luther Madison, spoke in favor of the proposal and discussed the deteriorated condition of the existing facility and the destruction being caused presently with no facility in place.

Mrs. Eber called for opponents - there were none

Mrs. Eber called for other testimony.

Flavia Stutz questioned the wisdom of a project while a court decision was pending regarding the land claim settlement.

A discussion of the relevance of the matter followed. Paula Dennison questioned whether there would be any slips in the proposal. None were proposed.

There being no further testimony the hearing was closed at 8:42 PM.

FINDINGS AND CONDITIONS

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

- A. The Commission finds that the probable benefits of the proposed development, subject to the conditions set forth herein, 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 and 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 appropriate Town of Gay Head 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 Gay Head officials granting the applicable development permits.

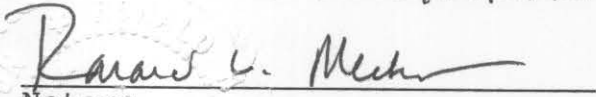
This Decision is written consistent with the vote of the Commission:
January 16, 1986.

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.


John Early, Chairman

2/6/86
Date

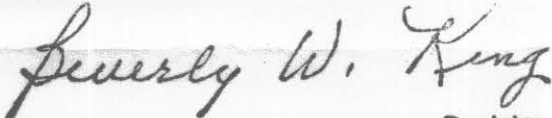
His Free Act & Deeds, before me


Karan L. Meek
Notary

2/6/86
Date

My Commission expires: 2-6-87

Edgartown, Mass. Feb 10 1986
at 1 o'clock and 52 minutes P.M
Received and entered with Dukes County Deeds
book 441 Page 895

Attest: 
Beverly W. King
Register