

THE MARTHA'S VINEYARD COMMISSION

BOX 1447
OAK BLUFFS
MASSACHUSETTS
02557
617-693-3453

Date: March 20, 1986
To: Building Inspector - Town of Tisbury
From: Martha's Vineyard Commission
Subject: Development of Regional Impact
RE: Commercial Development
Applicant: Plumbers' Supply
c/o Edmund Coogan, Esq.
Box 1639
Vineyard Haven, MA 02568

Decision of the Martha's Vineyard Commission

SUMMARY

The Martha's Vineyard Commission (The Commission) hereby approves with certain conditions the Application of Plumbers Supply, c/o Edmund Coogan, Esq., Box 1639, Vineyard Haven, MA 02568 for the construction of a commercial development in the Town of Tisbury as shown on the plans entitled: Site Plan in Tisbury, Mass. prepared for Plumbers' Supply Co., February 12, 1986, revised March 19, 1985, Schofield Bros. Inc., State Road, Vineyard Haven, MA 02568 plus three (3) sheets of building plans prepared by Space Metal Buildings, Taunton, Mass, totaling four (4) sheets (the Plan).

The Decision, with conditions contained herein, is rendered pursuant to the vote of the Commission of March 20, 1986. The Building Inspector of the Town of Tisbury may now refer the proposal to any Town Board as required by the local by-law, or may grant the necessary development permit for the Applicant's commercial development in accordance with the conditions contained herein, or, may approve in accordance with the conditions 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 3.301. The Application was referred to the Commission by the Building Inspector of the Town of Tisbury for action pursuant to M.G.L. Chapter 831, Acts of 1977, as amended (the Act). The Application and notice of public hearing relative thereto are incorporated herein.

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 March 20, 1986 at 8:30 p.m. at the Commission offices, Olde Stone Building, New York Avenue, Oak Bluffs, Massachusetts. The proposal is for the construction of a commercial building off State Road in Tisbury.

Marc Widdiss, Chairman of the Land Use Planning Committee read the public notice and opened the hearing for testimony at 8:43 p.m.

Edmund Coogan, agent for the applicant, explained the proposal. He explained the alteration to the driveway, described the area and discussed the usage of the proposal as well as the layout of the proposal.

Mr. Clifford, MVC staff, indicated the relationship of the proposal to other items such as DCPCs in the area, explained the local zoning requirements and discussed the area in general.

A discussion of access to the building followed. A discussion of the use of the existing residence followed. The applicant indicated that it would be renovated for possible use as a residence.

Mr. Widdiss called for any comments from town boards. He then called for proponents - there was none. He called for opponents - there were none.

A brief discussion of the intersection of the driveway with the State Highway followed.

There being no further testimony, the hearing was closed at 9:03 p.m.

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 of developments occurring in alternative locations.

The Commission has considered the surrounding area in which the development is proposed and in light of that consideration sets the following condition:

That Any Change In Use Of The Structures on or Proposed For The Site In The Future Shall Be Referred Back To The Commission As A DRI.

Further, the Commission has considered the proposed parking layout of the proposed development and the requirements of the Tisbury Zoning By-law and in light of that consideration sets the following condition:

THAT A SITE PLAN OF THE PROPOSED PARKING AREA BE SUBMITTED TO THE PLANNING BOARD OF TISBURY FOR THEIR REVIEW AND APPROVAL, AND THE PLAN SHALL CONFORM TO THE PLANNING BOARD REQUIREMENTS, NUMBERS 1 THRU 3 OF THE PLANNING BOARDS LETTER DATED 15 APRIL 1986, (APPENDED HERETO)

THAT AN EVERGREEN PLANTING AND SCREENING PLAN BE SUBMITTED TO THE BUILDING INSPECTOR FOR HIS REVIEW AND APPROVAL. SAID PLAN SHALL ADEQUATELY SCREEN THE EXISTING DWELLING FROM THE PROPOSED WAREHOUSE AND SHALL ADEQUATELY SCREEN THE WAREHOUSE FROM VIEW FROM STATE ROAD.

Further, the Commission has considered the visual impact upon the surrounding area of the proposal and in light of that consideration sets the following condition:

THAT A NEUTRAL COLOR SHALL BE CHOSEN FOR THE EXTERIOR OF THE STRUCTURE SO THAT THE STRUCTURE WILL MORE READILY BLEND WITH THE SURROUNDING AREA AND NOT BE OBTRUSIVE.


The Commission finds that the proposed development, subject to the conditions contained herein, will be 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 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 Tisbury officials granting applicable development permits.

The Decision is written consistent with the vote of the Commission March 20, 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 with the Town Clerk of the Town in which the the proposed development is located.


John G. Early, Chairman

4/17/86
Date


Notary

4/17/86
Date



NORMAN FRIEDMAN
NOTARY PUBLIC
My commission expires Nov 2, 1990

PLANNING BOARD

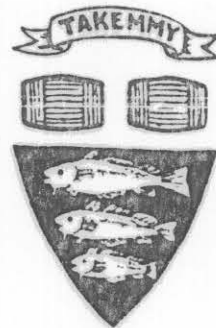
TOWN OF TISBURY

P.O. BOX 602

TOWN HALL ANNEX

VINEYARD HAVEN, MASSACHUSETTS 02568

(617) 693-2447



15 April 1986

David Amaral
 (Plumbers Supply Company)
 RFD Box 467
 Edgartown, Massachusetts 02539

RE: SITE PLAN IN TISBURY, PREPARED FOR PLUMBERS' SUPPLY
COMPANY, SCALE 1" = 40', BY SCHOFIELD BROTHERS, INC.,
REVISION MARCH 31, 1986

Dear Mr. Amaral:

The referenced plan was reviewed by the Planning Board on 9 April 1986.

The plan must be revised to incorporate:

1. The access way shall be sited along the east boundary line to conform to Tisbury Zoning requirements.
2. The access way width shall be 22 +/- feet (as available between the existing building and the east boundary line) for a minimum layout (reservation) width. The paved width shall be 18 feet minimum.
3. The rear of the proposed building (southeast part of lot) shall be designated "reserved for future vehicle parking and turning apron".

A marked copy of the revised plan has been furnished to Schofield Bros., Inc. to assist you in discussing these requirements with them.

Very truly yours,

Walter H. Renear
 Walter H. Renear, Chairman

RECEIVED BY
 MARTHA'S VINEYARD
 COMMISSION

APR 16 1986

cc: Building/Zoning Inspector
 → Martha's Vineyard Commission
 Schofield Bros., Inc.

Edgartown, Mass. April 18, 1986
 at 10 o'clock and 00 minutes A M
 Received and entered with Dukes County Deeds
 book 446 Page 41.

Attest:

Severly W. King
 Register