

THE MARTHA'S VINEYARD COMMISSION

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January 29, 1976

TO: TOWN OF TISBURY BUILDING INSPECTOR
TOWN OF TISBURY BOARD OF HEALTH

FROM: MARTHA'S VINEYARD COMMISSION

APPLICANT: BRANDON WIGHT

SUBJECT: DEVELOPMENT OF REGIONAL IMPACT DECISION: RE BRANDON
WIGHT

SUMMARY

The town permit-granting agencies have been granted approval by the Martha's Vineyard Commission to grant the necessary development permits for Brandon Wight's proposed development. This approval was by vote of the Commission on January 29, 1976 and is contingent upon the conditions contained within the Decision. Development must proceed within one-year of the issuance of this approval, or else new approval from the Martha's Vineyard Commission will be necessary.

DECISION

OF

THE MARTHA'S VINEYARD COMMISSION

RE: BRANDON WIGHT

A Public Hearing was held on December 30, 1975 by the Martha's Vineyard Commission, at 8:00 p.m. upon Public Notice to consider the application of Brandon Wight for a building permit and sanitary disposal facility installation permit in the Town of Tisbury ("The Application"). The proposed development is for a single-family residence and sanitary disposal system, the premises shown on a deed filed at the Dukes County Registry of Deeds, in Book 258, Page 513, from Mink Meadows Association, Inc., grantor, to James H. Douglas, Jr., grantee, on October 1, 1965, and shown as lot 42, on a plan entitled "Mink Meadows A Sub-division in Tisbury, Mass. Property of Mink Meadows Association Inc.", dated March 8, 1965, by Schofield Brothers, Registered Land Surveyors, recorded with Dukes Registry of Deeds in Plan File No. 7. This location is below ten foot elevation above mean sea level, and is thus a Development of Regional Impact under criteria and standards, Development of Regional Impact Checklist Section 1.202. This application was referred to the Commission for action pursuant to Chapter 637, Acts of 1974 as amended ("The Act").

Said application is incorporated herein by reference.

At the hearing, held pursuant to said Chapter 637 and Massachusetts General Laws, Chapter 30A, Section 2, the Commission received testimony from Brandon Wight and Bruce Blackwell, and additional information, including four photographs of the site; copies of plans for a sanitary disposal facility designed by Donald DeSorcery, P.E.; a site plan of the lot prepared by the Applicant; a letter dated October 8, 1975 from Helen Haskill to the Applicant; a letter dated July 25, 1975 from John Daniels to Helen Haskill; two letters of referral from the Town of Tisbury, dated October 20, 1975 and November 24, 1975, with copies of the building permit application appended thereto; a sketch of the proposed residence; plans of the proposed structure, with a DRI Referral Form, dated October 15, 1975 and a "Statement Attached To Application of Brandon Wight for Permission to Build a Residence on Lot Number 42, Mink Meadows Subdivision, Tisbury, Massachusetts" appended thereto; and maps of the general area and specific site.

Based on the testimony and information, the Development of Regional Impact Committee of the Commission presented a verbal report and recommendation to the Commission on January 29, 1976, which is incorporated herein.

Under Section 15 and 16 of Chapter 637, 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 been guided by its Policies to be Used in Considering Development Proposals Whose Impact is of a Regional Nature, adopted by the Commission on June 5, 1975 ("DRI Policies").

The Commission finds the probable benefits from the proposed development will exceed the probable detriment and that the proposal will not substantially interfere with the achievement of any general plan of Tisbury or of Dukes County. In particular, the development proposal conforms to DRI Policy 2.40, Housing and Policy 2.90 Visual Quality.

The Commission finds 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 Tisbury officers or boards for any other Development Permits which may be required.

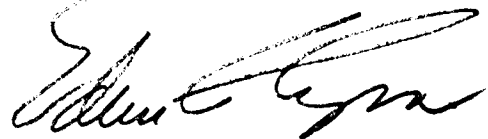
The Commission approves Town of Tisbury officials granting the applicable Development Permits, subject, however, to the following conditions:

1. That the sanitary disposal facility be designed by a registered sanitary engineer, who shall certify to the Tisbury Board of Health that said sanitary disposal facility has been installed in conformance to designed specifications; and

2. That construction of the residential structure and the access drive comply with the site plan submitted by the Applicants, said site plan to be Appended to this Decision;
3. That all construction comply with all plans submitted with the Application; any change in bulk, height, size, or intensity of use, without prior approval of the Commission shall revoke this approval.
4. This Decision shall not be effective until recorded at the Dukes County Registry of Deeds (or filed at the Dukes County Registry District of Land Court, in the case of registered land), and indexed in the grantor index under the names of the Martha's Vineyard Commission and the Town of Tisbury, respectively, and the name of the Applicant, and in the grantee index under the names of the Martha's Vineyard Commission and the Applicant.

Upon completion of the development proposed by the Applicant under this Decision, the Applicant shall apply to the Town of Tisbury Building Inspector for a certificate evidencing compliance with Conditions 2 and 3 of this Decision and to the Town of Tisbury Board of Health for a certificate evidencing compliance with Condition 1 of this Decision. The certificate of compliance, when approved by the town permit-granting agency, shall be approved by the Martha's Vineyard Commission and shall be filed at the Dukes County Registry of Deeds (or filed at the Dukes County Registry District of Land Court, in the case of registered land) and shall constitute conclusive evidence of such compliance in favor of all persons relying thereon.

BY VOTE OF THE COMMISSION
JANUARY 29, 1976



Edwin G. Tyra, Chairman