

# THE MARTHA'S VINEYARD COMMISSION

BOX 1417  
OAK BLUFFS  
MASSACHUSETTS  
02557

March 18, 1976

TO: BOARD OF SELECTMEN, TOWN OF CHILMARK  
FROM: MARTHA'S VINEYARD COMMISSION  
SUBJECT: DEVELOPMENT OF REGIONAL IMPACT DECISION: RE HOME PORT  
APPLICANT: HOME PORT, INC.

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## SUMMARY

The Town permit-granting agencies have been granted approval by the Martha's Vineyard Commission to grant the necessary development permits for Home Port, Inc.'s proposed development. This approval was by vote of the Commission on March 4, 1976. The town may grant the permit, grant it with conditions, or disapprove it.

## DECISION

### OF

## THE MARTHA'S VINEYARD COMMISSION

### RE: HOME PORT

A public hearing was held on March 4, 1976 by the Martha's Vineyard Commission ("the Commission") at 8:15 p.m. upon public notice to consider the application of Home Port, Inc. for a Building Permit in the Town of Chilmark ("The Application"). The proposed development is for an ice structure/addition 100 square feet to a commercial structure at Menemsha, Chilmark, Massachusetts. The proposed development is within 500 feet of Menemsha Pond, and thus a Development of Regional Impact pursuant to Section 1.202 of the Regional Impact Checklist (the criteria and standards for Developments of Regional Impact, adopted by the Commission on July 27, 1975). 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 Chester Cummins, Jr. and additional information, including a plot plan and detailed maps of the area and copies of applications for building permits from the Town of Chilmark.

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 March 4, 1976. which is incorporated herein.

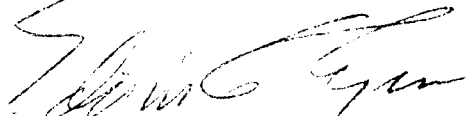
Under Sections 15 and 16 of Chapter 637, the Commission is required to make findings after its review of the development proposal. It must consider the probable benefits and detriments of the proposal. In this matter, the Commission has been guided by its Policies to be Used in Considering Development Proposals Whose Impact is of a Regional Nature, adopted by the Commission on June 5, 1975 ("DRI Policy").

The Commission finds the probable benefits from the proposed development will exceed the probable detriments and that the proposal will not substantially interfere with the achievement of any general plan of Chilmark or of Dukes County. In particular it complies with DRI Policy 2.10, Economic Development.

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 Chilmark town officers or boards for any other Development Permits which may be required.

The Commission approves Town of Chilmark officials granting applicable Development permits. The town boards may approve this proposal, impose additional conditions or deny the permit application.

BY VOTE OF THE COMMISSION  
March 18, 1976



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Edwin G. Tyra, Chairman