

TO: PLANNING BOARD OF THE TOWN OF WEST TISBURY

FROM: THE MARTHA'S VINEYARD COMMISSION

SUBJECT: DEVELOPMENT OF REGIONAL IMPACT DECISION RE: ARNOLD M. FISCHER, SR.

APPLICANT: ARNOLD M. FISCHER, SR.

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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 Arnold M. Fischer's proposed development. This approval was by vote of the Commission on April 1, 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: ARNOLD M. FISCHER, SR.

A Public Hearing was held on March 11, 1976 by the Martha's Vineyard Commission, at 8:15 p.m. upon Public Notice to consider the application of Arnold M. Fischer, Sr. for a Subdivision Approval in the Town of West Tisbury ("the Application"). The proposed development is for a division of land to create four (4) five acre lots from an existing parcel of land larger than thirty acres, the premises shown as "Plan of Land in West Tisbury, Mass., Surveyed for Arnold M. Fischer, January 20, 1976, scale 1"=100', by Dean R. Swift, Registered Land Surveyor, Vineyard Haven. This proposal is for a division of land to create 4 five-acre lots from an existing parcel of land larger than thirty acres qualifying it as a Development of Regional Impact pursuant to Section 1.203 of the Regional Impact Checklist. 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 Arnold M. Fischer, Sr., James F. Alley and Jean Hancock in favor of the proposal, and additional information, including letter of approval, pending the Commission's decision, from the West Tisbury Planning Board, dated February 9, 1976, copies of the proposed subdivision plan and 'Restrictions for lots on Flat Point Farm' which the applicant submitted.

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 April 1, 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").

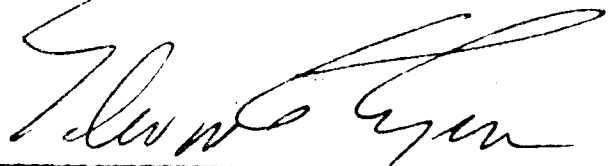
The Commission finds the probable benefits from the proposed development will exceed the probable detriments and that the proposal will not substantially interfere with the achievement of any general plan of the Town of West Tisbury or of Dukes County. In particular, 2.80, Open Space and 2.90, Visual 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 West Tisbury officers or boards for any other Development Permits which may be required.

The Commission approves Town of West Tisbury officials granting applicable Development permits.

BY VOTE OF THE COMMISSION

April 1, 1976

A handwritten signature in cursive script, appearing to read "Edwin G. Tyra", written over a horizontal line.

Edwin G. Tyra, Chairman