

THE MARTHA'S VINEYARD COMMISSION

BOX 1447
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02557
617-693-3453

April 29, 1976

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

FROM: THE MARTHA'S VINEYARD COMMISSION

SUBJECT: DEVELOPMENT OF REGIONAL IMPACT DECISION RE:
Vineyard Improvement Company

APPLICANT: VINEYARD IMPROVEMENT COMPANY

SUMMARY

The Tisbury Board of Selectmen, Tisbury Board of Health and the Tisbury Building Inspector are granted approval by the Martha's Vineyard Commission to grant the necessary development permits for the development proposal of Vineyard Improvement. This approval is subject to the development conditions contained within this Decision. The Tisbury Board of Selectmen, Health and Building Inspector may approve the development proposal, approve it with additional conditions, or disapprove the proposal.

DECISION OF

THE MARTHA'S VINEYARD COMMISSION

RE: VINEYARD IMPROVEMENT COMPANY

A Public Hearing was held on April 1, 1976 by the Martha's Vineyard Commission ("the Commission"), at 8:15 p.m., upon public notice to consider the application of Vineyard Improvement Company ("the Applicant") for a building permit and a sanitary disposal facilities permit, in the Town of Tisbury. The proposed development is for the construction of a commercial structure. This proposal is accessed directly from a road classified as a regional feeder road and is within 300 feet of such a road and has a floor area greater than 3,000 square feet, and is thus a Development of Regional Impact under the criteria and standards, Development of Regional Impact Checklist Sections 2.102 and 2.103. 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.

At the Hearing held pursuant to said Chapter 637 and Massachusetts General Laws, Chapter 30A, Section 2, the Commission received testimony from Mr. Louise Bianco in favor of the proposal. Additional information, including copies of the building permit application and Board of Health application for installation of a sanitary disposal facility, copies of the proposed building plans, copy of a letter from the Tisbury Board of Selectmen, dated March 30, 1976 informing the Commission of an article related to easement for two access roads was also submitted to the Commission.

The Development of Regional Impact Committee of the Commission presented a verbal report and recommendation to the Commission on April 15, 1976. The Committee recommended that the Commission allow approval of the applicable development permits by the Tisbury Board of Selectmen, Tisbury Board of Health and the Tisbury Building Inspector. The Committee report and recommendations are incorporated herein.

Under Section 15 and 16 of the Act, the Commission is required to make findings after its review of the development 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") and it has considered each factor enumerated in these sections of the Act.

The Commission finds as described herein that the probable benefits from the proposed development will exceed the probable detriments provided that the Applicant comply with development conditions contained within this Decision). The Commission also finds that the proposal will not interfere substantially with the achievement of any general plan of Dukes County or of the Town of Tisbury.

The Commission finds that the development proposal will be more beneficial than detrimental when compared to alternative manners of development provided the conditions are satisfied, and development occurring in alternative location. Specifically, economic development will be aided by the proposal, complying with DRI Policy 2.10, Economic Development, if development conditions are placed on the proposed development. The Commission finds that, without these conditions which are contained herein, the development proposal will not be able to conform to these adopted policies, and thus have more detrimental aspects associated with it. Therefore the Commission places the following conditions upon the development proposal as part of its approval:

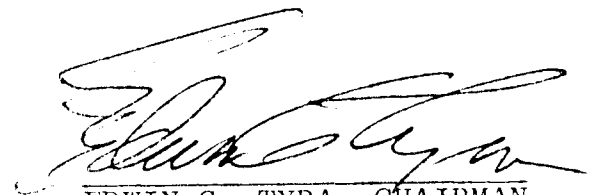
1. The structure to be placed upon the lot shall be located twenty (20) feet west of the proposed location as shown on the plan entitled "Vineyard Improvement, Co. Preliminary Site Development Plan, Tisbury, Massachusetts, scale: 1" = 20', N.E. Design

Achusnet, Massachusetts", which was referred to the Commission with the application, and is incorporated herein.

2. The height of the block wall of the proposed structure shall not exceed a height of eight (8) feet as measured from mean ground level to the top of the block wall.
3. The finished floor (foundation slab) shall not exceed an elevation of 103.0', as shown on the plan, as modified on April 9, 1976.
4. Access to the proposed structure and proposed parking areas shall be from West Spring Street and from the existing access to the Vineyard Manor Apartments; provided however, that if the applicant is denied in writing by the Town of Tisbury or the water company the necessary easements to establish the access contained within this condition, then this condition shall lapse and be of no further effect or force.
5. The driveway shown on the plan which lies between the proposed structure and the Massachusetts State Highway shall not exceed a width of twelve (12) feet. The planting area lying between such driveway and said highway shall not be less than thirteen (13) feet in width, as measured from the edge of the driveway and the edge of the highway's right-of-way.

BY VOTE OF THE COMMISSION

April 29, 1976



EDWIN G. TYRA, CHAIRMAN

THE MARTHA'S VINEYARD COMMISSION

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December 21, 1976

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

FROM: THE MARTHA'S VINEYARD COMMISSION

SUBJECT: AMENDED DEVELOPMENT OF REGIONAL IMPACT DECISION RE:
Vineyard Improvement Company

APPLICANT: VINEYARD IMPROVEMENT COMPANY

SUMMARY

This decision amends the decision of April 29, 1976, which is appended hereto. An emergency public hearing was held on December 21, 1977 to consider amending the April decision. This decision is pursuant to the vote of the Commission on December 16th.

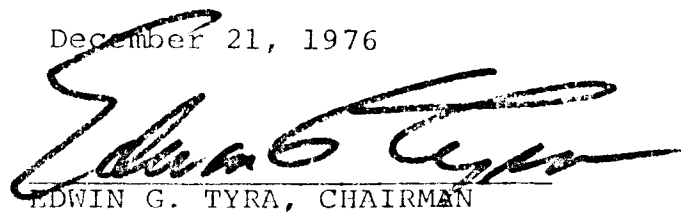
DECISION

Amend the April 29th decision re: Vineyard Improvement Company, by deleting condition number 1 on page 2 and replacing it with a new condition number 1 which reads as follows:

1. The land on the westerly side of the building will be used for package pick-up and trailer truck unloading or loading only.

BY VOTE OF THE COMMISSION

December 21, 1976



EDWIN G. TYRA, CHAIRMAN