

# THE MARTHA'S VINEYARD COMMISSION

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April 29, 1976

TO: CHILMARK BOARD OF SELECTMEN

FROM: MARTHA'S VINEYARD COMMISSION

SUBJECT: DEVELOPMENT OF REGIONAL IMPACT DECISION RE: Chilmark  
Store, Inc.

APPLICANT: THE CHILMARK STORE, INC. (Hugh Taylor)

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## SUMMARY

The Chilmark Board of Selectmen is granted approval by the Martha's Vineyard Commission to grant the necessary development permits for the development proposal of The Chilmark Store, Inc. The Chilmark Board of Selectmen may approve the development proposal, approve it with additional conditions, or disapprove the proposal.

## DECISION OF

THE MARTHA'S VINEYARD COMMISSION

RE: THE CHILMARK STORE, INC.

A Public Hearing was held on April 15, 1976 by the Martha's Vineyard Commission ("the Commission"), at 8:00 p.m., upon public notice to consider the application of The Chilmark Store, Inc. ("the Applicant") for a sanitary disposal facility installation permit, in the Town of Tisbury. The proposed development is for the installation of a sanitary disposal facility in a location which is accessed directly from a road classified as a regional feeder road or within 300 feet of such a road, and is thus a Development of Regional Impact under the criteria and standards, Development of Regional Impact Checklist Section 2.102. 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. Hugh C. Taylor and Mr. Herbert Hancock, Chilmark Selectman, in favor of the proposal. Additional information, including a letter of referral dated February 6, 1976 from the Town of Chilmark, copies of the building permit applica-

tion to the Town of Chilmark dated January 30, 1976, copies of the proposed plans for the addition, a letter from Hale and Dorr, Attorneys representing Mr. Lewis King, dated March 18, 1976 regarding ownership of the property, a letter from Clarissa Allen, dated April 6, 1976 regarding ownership and allowing permission for the addition 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 Chilmark Board of Selectmen. 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.

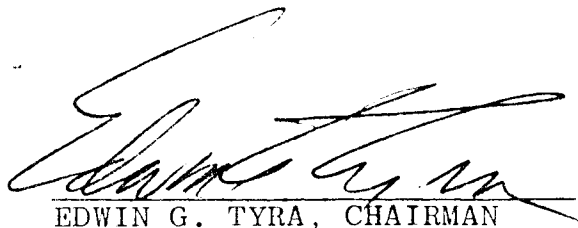
The Commission finds as described herein that the probable benefits from the proposed development will exceed the probable detriments. The Commission also finds that the proposal will not interfere substantially with the achievement of any general plan of Dukes County or of the Town of Chilmark.

The Commission finds that the development proposal will be more beneficial than detrimental when compared to alternative manners of development, and development occurring in alternative locations. Specifically, economic development will be aided by the development proposal.

The Commission finds that the development proposal will conform to DRI Policy 2.10 Economic Development. The Commission finds that the proposed development is consistent with local development ordinances and bylaws 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 boards and officials for any other Development Permits required. The Commission approves Town of Chilmark officials granting applicable development permits.

BY VOTE OF THE COMMISSION

April 29, 1976



EDWIN G. TYRA, CHAIRMAN