

# THE MARTHA'S VINEYARD COMMISSION

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May 6, 1976

TO: TOWN OF TISBURY BUILDING INSPECTOR  
TOWN OF TISBURY BOARD OF SELECTMEN  
TOWN OF TISBURY ZONING BOARD OF APPEALS

FROM: THE MARTHA'S VINEYARD COMMISSION

SUBJECT: DEVELOPMENT OF REGIONAL IMPACT DECISION RE: John A. Pachico

APPLICANT: JOHN A. PACHICO (JOHN'S FISH MARKET)

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## SUMMARY

The Town of Tisbury Board of Selectmen, Tisbury Building Inspector, and the Tisbury Zoning Board of Appeals are granted approval by the Martha's Vineyard Commission to grant the necessary development permits for the development proposal of John A. Pachico. The Town of Tisbury Board of Selectmen, Tisbury Building Inspector and the Tisbury Zoning Board of Appeals may approve the development proposal, approve it with additional conditions, or disapprove the proposal.

## DECISION OF

THE MARTHA'S VINEYARD COMMISSION

RE: JOHN A. PACHICO

A Public Hearing was held on May 6, 1976 by the Martha's Vineyard Commission ("the Commission"), at 8:00 p.m., upon public notice to consider the application of John A. Pachico ("the Applicant") for a Special Permit and a building permit, in the Town of Tisbury. The proposed development is for the replacement and enlargement of an existing commercial structure. This proposal is directly accessed from a road classified as a regional feeder road on a map adopted by the Commission, or the proposed building lot is within 300 feet of such a regional feeder 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. Joseph Borges and Mrs. Sandra Pachico in favor of the proposal.

Additional information, including copies of the application to the Zoning Board of Appeals of the Town of Tisbury for a Special Permit, copies of the proposed development proposal plans, a list of the abutters to the property 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 May 6, 1976. The Committee recommended that the Commission allow approval of the applicable development permits by the Town of Tisbury Board of Selectmen, Tisbury Building Inspector and the Board of Appeals of Tisbury. The Committee report and recommendations are incorporated herein.

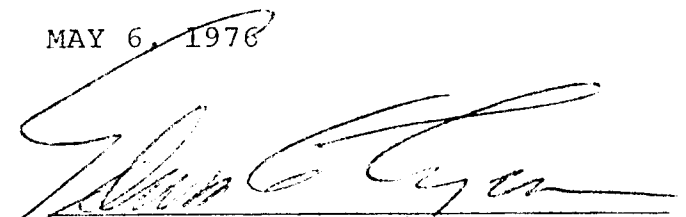
Under Section 15 and 16 of the Act, the Commission is required to make findings after its review of the development proposal. In this matter, the Commission has been guided by its Policies to be Used in Considering Development Proposals Whose Impact is of a Regional Nature, adopted by the Commission 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 Tisbury.

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, the proposal will provide opportunity for economic development.

BY VOTE OF THE COMMISSION

MAY 6, 1976



Edwin G. Tyra, Chairman