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# THE MARTHA'S VINEYARD COMMISSION

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February 18, 1977

To: Edgartown Conservation Commission and Board of Selectmen  
Oak Bluffs Conservation Commission and Board of Selectmen

From: The Martha's Vineyard Commission

Subject: Development of Regional Impact Decision  
RE: Sengekontacket Pond Dredging Project

Applicant: Towns of Edgartown and Oak Bluffs

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SUMMARY

The Edgartown Conservation Commission and Board of Selectmen and the Oak Bluffs Conservation Commission and Board of Selectmen are granted approval by the Martha's Vineyard Commission to grant the necessary development permits for the dredging proposal. The said Commissions and Boards may approve the development proposal.

### DECISION OF THE MARTHA'S VINEYARD COMMISSION

A Public Hearing was held on February 17, 1977 by the Martha's Vineyard Commission ("the Commission") at 8:00 p.m., upon proper public notice to consider the application of the Towns of Edgartown and Oak Bluffs ("the Applicant"). The project is for the dredging (section 1) of the main channel to 5 feet below mean low water, extending (section 2) from the main channel to the north. The project will continue to dredge to 3 feet below mean low water (section 3), under the small bridge to 2½ feet below mean low water. Disposal of spoil will cover 3 1/3 acres dune grass to the north. The project is a Development of Regional Impact under the criteria and standards, Development of Regional Impact Checklist Section 1.205. 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.

The Land Use Planning Committee of the Commission, with staff assistance from Michael Wild, presented a verbal and graphic report describing the project to the Commission. The tidal current chart of the Pond, prepared by Dr. C. Shabica in 1976, and the problems of eutrophication in the Pond were also discussed.

At the Hearing held pursuant to said Chapter 637 and Massachusetts General Laws, Chapter 30 A, Section 2, the Commission received testimony from those persons listed in Appendix A, appended hereto. Persons giving testimony were from both towns in which the appli-

cation originated, and said persons were representatives of local governing bodies, private citizens, biologists, fisherman, and shellfish wardens. All persons giving testimony were proponents of the project, and following testimony the Commission voted unanimously to support the project.

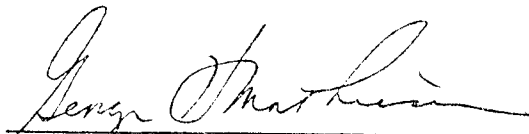
Under Section 15 and 16 of the Act, the Commission is required to make findings after its review of the project. The Commission finds as described herein that the probable benefits from the proposed project will exceed the probable detriments. Testimony and written correspondence with the Department of Natural Resources, Division of Marine Fisheries of the Commonwealth of Massachusetts has documented the decreasing quantity and quality of shellfish. While testimony supported the concept that the project is not a panacea but an important and necessary step to improve pond conditions, the project is beneficial economically and the whole effect of the dredging is expected to improve tidal circulation, oxygenation in water, and shellfish productivity.

The Commission finds that the proposal will not interfere with the achievement of any general plan of Dukes County or of the Towns of Edgartown or Oak Bluffs. The Commission finds that the development proposal will be more beneficial than detrimental when compared to alternative manners of development.

The Commission unanimously supports the project and urges the appropriate agencies concerned to expedite the review and permitting process.

BY VOTE OF THE COMMISSION

February 18, 1977

  
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George H. Mathiesen, Chairman