

## THE MARTHA'S VINEYARD COMMISSION

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April 15, 1977

TO: Oak Bluffs Planning Board  
 FROM: Martha's Vineyard Commission  
 SUBJECT: DEVELOPMENT OF REGIONAL IMPACT DECISION  
 RE: Albert A. Sakey, Tr.  
 APPLICANT: Albert A. Sakey, Tr.

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SUMMARY

The Oak Bluffs Planning Board is granted approval by the Martha's Vineyard Commission to grant the necessary development permits for the development proposal of Albert A. Sakey, Tr. The Approval of the definitive subdivision plan is subject to the conditions contained within this decision; the Oak Bluffs Planning Board may approve the development proposal with additional conditions, or not approve the plan. This decision in effect rescinds the decision dated March 11, 1977 and recorded as Book 343, page 352 in the Dukes County Register of Deeds.

DECISION OF THE MARTHA'S VINEYARD COMMISSION

RE: ALBERT A. SAKEY, TR.

A Public Hearing was held on April 14, 1977 by the Martha's Vineyard Commission ("the Commission"), at 8:00 p.m. upon public notice to consider the application of Albert A. Sakey, Tr. ("the Applicant") for a subdivision plan approval, in the Town of Oak Bluffs ("the Application"). The application is for 14 lots on 5.08+ acres as shown on a plan entitled "Plan of land in Oak Bluffs, Mass. Surveyed for Wing Road Realty Trust, Albert A. Sakey, Tr., December 16, 1976, Scale 1"=50' Dean R. Swift, Registered Land Surveyor, Vineyard Haven, MA." ("the Plan"). This application is for more than ten lots and is thus a Development of Regional Impact under the Criteria and Standards, Development of Regional Impact Checklist Section 2.20. 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 Land Use Planning Committee of the Commission presented a verbal report and recommendation to the Commission on April 14, 1977.

The Committee recommended that the Commission allow with conditions, approval of the layout of the definitive subdivision by the Oak Bluffs Planning Board.

Mr. Jack E. Robinson and Mr. Dean Swift were representatives for the applicant and spoke for the application.

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 Oak Bluffs.

The Commission finds that the general layout of the development proposal will be more beneficial than detrimental when compared to alternative manners of development and development occurring in alternative locations, provided the condition is satisfied.

The Commission finds that a rate of growth shall be applied to the application. Since this proposal conforms to already existing density and provides three accesses to public ways, the growth rate for this application differs from that normally established by the Commission in other decisions. Therefore, the Commission places the following condition upon the development proposal as part of its approval:

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