

THE MARTHA'S VINEYARD COMMISSION

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June 10, 1977

TO: Planning Board of the Town of Chilmark

FROM: Martha's Vineyard Commission

SUBJECT: DEVELOPMENT OF REGIONAL IMPACT
RE: RESIDENTIAL SUBDIVISION

APPLICANT: John Whiting

SUMMARY

The Planning Board of the Town of Chilmark has been granted approval by the Martha's Vineyard Commission to grant the necessary development permits for the Applicants definitive plan subdivision. This approval was by vote of the Commission on June 9, 1977. The Town Planning Board may approve the development proposal or place conditions upon it or disapprove it.

DECISION OF THE MARTHA'S VINEYARD COMMISSION

A Public Hearing was held on June 9, 1977 by the Martha's Vineyard Commission (the "Commission") at 8:30 p.m. at the Commission offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA upon public notice to consider the application of John Whiting (the "Applicant") for a definitive subdivision plan approval in the Town of Chilmark (the "Application"). The proposed development is for the subdivision of land of 24.9+ acres into 5 residential lots, varying in size from 4.0+ acres to 5.6+ acres, as shown on a plan entitled "Plan of Land in Chilmark, MA as Prepared for John W.M. Whiting, et.al", as surveyed and prepared September 17, 1976 at a scale of 1"=100' by Schofield Brothers, Inc., Lagoon Pond Road, Vineyard Haven, MA. This proposal is a division of land essentially more than 4 lots on 30 acres and is thus a Development of Regional Impact under the criteria and standards, Development of Regional Impact Checklist 3.201. 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 the applicant, David Thompson

staff of the "Commission" delivered a presentation concerning the probable benefits and detriments of said "Application".

The Land Use Planning Committee of the Commission presented a verbal report and recommendation to the Commission on June 9, 1977. The Committee recommended that the Commission allow approval of the development proposal.

Under Sections 15 and 16 of Chapter 637, the Commission is required to make findings after its review of the development proposal. It must consider the probable benefits and detriments of the proposal. In this matter, the Commission has considered each factor enumerated in these sections of the Act and has considered its Draft Policies for Large Scale Development.

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 the Town of Chilmark or of Dukes County, or violate any local ordinances.

The Commission finds that the development proposal will be more beneficial than detrimental when compared to alternative manners of development or development occurring in alternative locations. The developed lots will be larger than the minimum 3 acres being permitted by the Town By-Law. The Commission finds the proposed subdivision to be in an area of high scenic quality and because of the large lots proposed, valuable open space is being provided. The protection of these features will be insured by compliance with the Martha's Vineyard Commission Coastal District Regulations which affect the property.

The Commission finds the proposed development is consistent with local development ordinances and by-laws 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 of Chilmark officers or boards for any other development permits which may be required together with any other development permits required by law.

The Commission approves the Town of Chilmark officials granting applicable development permits.

BY VOTE OF THE COMMISSION

June 9, 1977

George H. Mathiesen
George H. Mathiesen, Chairman

William J. [Signature]
Notary Public



my commission expires: 11/10/83

Edgartown, Mass. June 20 1977
at 12 o'clock and 15 minutes A M
Received and entered with Dukes County Deeds
book 216 Page 120

Attest: Frederic W. King