

THE MARTHA'S VINEYARD COMMISSION

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 MARTHA'S VINEYARD
 COMMISSION

June 21, 1977

TO: Planning Board of the Town of Edgartown

FROM: Martha's Vineyard Commission

SUBJECT: DEVELOPMENT OF REGIONAL IMPACT DECISION
 RE: RESIDENTIAL SUBDIVISION

APPLICANT: Ronald Conte

SUMMARY

The Planning Board of the Town of Edgartown is 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 23, 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 16, 1977 by the Martha's Vineyard Commission (the "Commission") at 8:00 p.m. at the Commission offices, olde Stone Building, New York Avenue, Oak Bluffs, MA upon public notice to consider the application of Ronald Conte (the "Applicant") for a definitive subdivision plan approval in the Town of Edgartown (the "Application"). The proposed development is for the subdivision of land of 24.47+ acres into 21 residential lots, as shown on a plan entitled "Birnam Woods, A Subdivision of Land In Edgartown, MA": Prepared for Ronald L. Conte, as surveyed and prepared May 19, 1977 at a scale of 1"=100' by Schofield Brothers, Inc., Lagoon Pond Road, Vineyard Haven, MA. This proposal is a division of land for 10 lots or greater and is thus a Development of Regional Impact under the criteria and standards, Development of Regional Impact Checklist 3.203. 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, 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

16, 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 Edgartown 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 definitive plan has incorporated the concepts of "Edgartown Heights: An Alternative Manner of Development" prepared by the Commission on December 17, 1976 as an alternative plan proposal. The Commission finds that the proposed subdivision provides valuable open space.

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 Edgartown 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 Edgartown officials granting applicable development permits.

BY VOTE OF THE COMMISSION

June 23, 1977

Edgartown, Mass. June 28 1977
at 10 o'clock and 10 minutes A M
Received and entered with Dukes County Deeds
book 347 Page 262

Attest: Suzely W. King
Register

George H. Mathiesen
George H. Mathiesen, Chairman

Marcia Friedman
Notary Public

my commission expires: 11/10/83

