

THE MARTHA'S VINEYARD COMMISSION

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DATE: August 5, 1977
TO: Planning Board of the Town of Chilmark
FROM: Martha's Vineyard Commission
SUBJECT: DEVELOPMENT OF REGIONAL IMPACT DECISION
RE: RESIDENTIAL SUBDIVISION
APPLICANT: Jerome & Laya Wiesner

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 Applicant's preliminary plan subdivision. This approval was by vote of the Commission on August 4, 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 August 4, 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 Jerome & Laya Wiesner ("the Applicant") for a preliminary subdivision plan approval in the Town of Chilmark ("the Application"). The proposed development is for the subdivision of land of 81+ acres into 8 residential lots as shown on a plan entitled "Plan of Land in Chilmark, MA prepared for Jerome & Laya Wiesner", prepared March 8, 1977 at a scale of 1"=100' by Vineyard Open Land Foundation, West Tisbury, MA. This proposal is a division of land for 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, David Thompson staff of the "Commission" delivered a presentation concerning the probable benefits and detriments of said "Application".

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 approvals which may be required together with any other approvals required by law.

BY VOTE OF THE COMMISSION

August 4, 1977

George H. Mathiesen
George H. Mathiesen, Chairman

Norman Friedman
Notary Public

8/15/77



Edgartown, Mass. August 16 1977
at 10 o'clock and my commission expires 11/10/83
Received and entered with Dukes County Deeds book 349 Page 21

Attest: *Severly W. King*
Register