

VOTE TO ACCEPT PROPOSED BOUNDARY AMENDMENT FOR CONSIDERATION

July 1, 2010

Island Road District in the Town of Edgartown - Special Ways

staff notes (Jo-Ann Taylor)

Area to be considered for expansion:

- Within twenty feet of either side of the center line of **Jeffers Lane** – beginning near the most southeastern point of Map 31 Lot 30 on the north side of Chappaquiddick Road and proceeding northeasterly then northwesterly to Map 31 Lot 16.12 and ending at the point where a way branches leading to the Old Indian Burial Ground overlooking Cape Pogue Bay. (The Town notes that this portion is a Special Vehicular Way.)
- Within twenty feet of either side of the center line of **Old Wood Road** – beginning at the north side of Meetinghouse Road at the southeast point of Map 28 Lot 251 and running northerly along the east boundary of said lot to its intersection with Quenomica Road.

Nomination: The nomination from the Edgartown Planning Board was received June 16.

MVC response to nomination: The MVC has been asked by the Edgartown Planning Board to **ACCEPT THE PROPOSED BOUNDARY AMENDMENT FOR CONSIDERATION. THIS IS NOT THE VOTE TO AMEND THE BOUNDARY.** Should the MVC vote **to accept the nomination for consideration**, the MVC would **then** schedule a Public Hearing and **subsequently vote to amend or not to amend** the district. The vote **to accept the nomination for consideration** commits the MVC to hearing and making a decision on the boundary amendment, and institutes a development moratorium.

Should the MVC vote **to accept the nomination for consideration for designation**, such vote will initiate a development moratorium in the area proposed to be added to the district (exemptions may be granted under certain circumstances).

Timeline: MVC considers a boundary amendment in the same manner as a new nomination. MVC has 45 days from the receipt of the nomination to vote **to accept or to reject the nomination for consideration**, based on consideration of whether or not the nomination merits further review. An affirmative vote would begin a moratorium and commit the MVC to hold a public hearing and vote on designation (boundary amendment) within 60 days from the consideration vote, based on the Critical Planning District Qualifications (excerpted below).

Goals of the Island Road District Special Ways Zone:

The Goals for the Special Ways are: To protect historic places, to retain these ways open primarily for uses such as walking and horseback riding, but not developed as a primary vehicle route except for access to properties where no alternative access exists.

CRITICAL PLANNING DISTRICT QUALIFICATIONS (EXCERPTS)

GENERAL QUALIFICATIONS FOR ALL DISTRICTS

NEED FOR DESIGNATION

There must be a regional need for special regulations or planning to protect the district from damage or losses by inappropriate development. The Commission shall find:

- that present public or private regulations in a substantial part of the district cannot assure protection: and

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- that damage to the district or impediments to proper development will be a substantial loss to the region or to two or more towns.

SIZE AND SHAPE OF DISTRICT

The district shall consist of the land and water which reasonably belong in the district for the three following reasons:

- It is the critical area or critical resource which is in need of protection.
- It is the logical planning area which should be considered in adopting a coordinated system of regulations to protect the critical resource or critical area.
- The dimensions or landmarks which form the boundary of the district are convenient and recognizable.

SPECIFIC QUALIFICATIONS

CULTURAL OR HISTORIC RESOURCE DISTRICT

The district contains a place, landscape, way or view which is in some special way expressive of the character of the Island, traditions of the Island residents, and of special interest to Island visitors. The maintenance and protection of those values is essential to a sound local economy. The district also:

- is of exceptional symbolic or recreational importance to the residents of more than one town and is either visible or accessible to them or can reasonably be made so; or
- is rare, unique, or makes an unusual contribution to the diversity of the Island character; or
- is irreplaceable, or replaceable only with extraordinary effort or expense.

Subject to the above general tests, designations may be considered for areas which are important for their connection with the history of the region-including its geological history or the history of its Indian settlement-or which symbolize and support the traditional activities and ways of Island life, or which give us a particular understanding of the Vineyard lands and their setting in the sea. These include places which present opportunities for hunting and fishing and the enjoyment of wildlife.