



**PUBLIC HEARING NOTICE
MARTHA'S VINEYARD COMMISSION**

On **Thursday, September 22, 2011 at 7:00 p.m.**, at the MVC Offices, 33 New York Avenue, Oak Bluffs, MA, the Martha's Vineyard Commission will hold a Public Hearing pursuant to Chapter 831 of the Acts of 1977, as amended, to hear testimony and receive evidence in connection with its consideration of the following matters:

Rescinding the Commission's March 10, 2011 Designation of Ben Tom's Road, Middle Line Path, Pennywise Path, Tar Kiln Road and Watcha Path as Special Ways of the Island Road District of Critical Planning Concern within the Town of Edgartown.

Rescinding the following Commission Actions on March 10, 2011 Concerning the Special Ways Zone of the Island Road District of Critical Planning Concern:

- **Amendments (Clarifications) of Section 4.12 (Compliance With Criteria and Standards)**
- **Amendment (Clarifications) of Section 5.B. (Goals)**
- **Amendment (Clarifications) of Section 5.V.B.1 (Permitted Uses)**

Copies of the above referenced designation and actions are on file at the Commission offices for inspection or by e-mail or on the Commission website www.mvcommission.org. Written testimony may be submitted prior to or during the hearing.

STAFF NOTES FOR SPECIAL WAYS PUBLIC HEARING SEPTEMBER 22, 2011
Jo-Ann Taylor, DCPC Coordinator (updated September 20, 2011)

Purpose of Hearing: The purpose is rescission as stated in the public hearing notice.

The following motion text would appropriately initiate an affirmative vote:

- ***that the Commission rescind its March 10, 2011 votes and the related written decisions:***
 1. ***Designating Ben Toms Road, Middle Line Path, Pennywise Path, Tar Kiln Road and Watcha Path Special Ways within the Special Ways Zone of the Island Road District of Critical Planning Concern, in the Town of Edgartown.***
 2. ***Amending (Clarifying) Findings, Goals and Guidelines for the Special Ways Zone of the Island Road District of Critical Planning Concern.***

- Further moved that ***this rescission vote shall have no effect on the October 4, 2007 designation of Ben Toms Road, Middle Line Path, Pennywise Path, Tar Kiln Road and Watcha Path as Special Ways within the Special Ways Zone of the Island Road District of Critical Planning Concern, on the amendments to the Guidelines for that District approved on February 7, 2008, on the conformance determinations with respect to the Town of Edgartown regulations on February 7, 2008 and April 3, 2008 , or on the pending appeal or any further proceedings in any court in Therese M. Hall, et al. v. MVC, Appeals Court No. 2011-P-0853.***

- Further moved that ***this rescission vote shall not preclude or have any effect on any future amendments of the Island Road District of Critical Planning Concern, including without limitation with respect to accepting nominations of, or designating, the same five ways as Special Ways within that District .***