



PUBLIC HEARING NOTICE MARTHA'S VINEYARD COMMISSION

The Martha's Vineyard Commission will hold a Public Hearing at 7:00 P.M., on Thursday, March 10, 2011, at the offices of the Martha's Vineyard Commission, Stone Building, 33 New York Avenue, Oak Bluffs, Massachusetts.

Part 1: Special Qualifications for a Cultural or Historic District: This hearing is held pursuant to Chapter 831 of the Acts of 1977, as amended to hear testimony and receive evidence as to whether the Commission shall adopt and submit to the Secretary of the Executive Office of (Energy and) Environmental Affairs amendments to the Standards and Criteria regarding designation of a District of Critical Planning Concern (DCPC), adopted by the Commission pursuant to Chapter 637 of the Acts of 1974 and approved on September 8, 1975 by the Secretary of Communities and Development, as follows:

In the Specific Qualifications for a Cultural or Historic Resource District, replace "*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*" with "*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 has the history or potential for symbolic or recreational linkage with other such areas; or*"

Part 2: Designation of the Island Road District – Findings, Guidelines and Boundaries: This hearing is held pursuant to Chapter 831 of the Acts of 1977, as amended, and Massachusetts General Laws, Chapter 30A, Section 2, and the Standards and Criteria regarding designation of a District of Critical Planning Concern (DCPC), adopted by the Commission pursuant to Chapter 637 of the Acts of 1974 and approved on September 8, 1975 by the Secretary of Communities and Development, as may be amended by March 10, 2011 vote of the Martha's Vineyard Commission and subsequent approval of the Secretary of the Executive Office of (Energy and) Environmental Affairs, to hear testimony and receive evidence as to whether the Commission should make the following amendments.

Amend the Findings of the Decision Designating the Island Road District as a District of Critical Planning Concern as follows:

Section 4.12 Cultural and Historic District: Special Ways

- replace "... they provide public rights of way, ..." by "... they may provide public rights of way, ..."
- replace "They do tend to link origins and destinations ..." by "They may link origins and destinations ..."
- replace "therefore they offer a resource ..." by "... therefore they may offer a resource ..."
- replace "However, new vehicular roads in the area should be on new rights-of-way, thus preserving the Special Ways for alternative forms of transportation" by "However, new vehicular roads in the area should be on new rights-of-way, unless providing the only access to a property with access and development rights prior to nomination of the Special Way, thus preserving the Special Ways for alternative forms of transportation"

Amend the Goals and Guidelines of the Island Road District as follows:

Section 5 Goals for Special Ways Zone: replace "to protect historic places, to retain these ways open primarily for uses such as walking and horseback riding, but not developed..." with "to protect historic places"

and or to retain these ways open primarily for uses such as walking and horseback riding, but not developed..."

Section 5 V.B.1 Permitted Uses: replace "Any use permitted by the applicable town zoning district, provided that the development does not result in direct vehicular access to the Special Way unless that portion of the Special Way has been specifically identified by the town as one that is already routinely traveled by automobiles" with "Any use permitted by the applicable town zoning district, provided that the development does not result in direct vehicular access to the Special Way unless that portion of the Special Way has been specifically identified by the town as one that is already routinely traveled by automobiles or providing access to property with access and development rights prior to nomination of the Special Way."

And to expand the boundaries of the Island Road District in the Town of Edgartown to add the following Special Ways as follows:

Within twenty feet of either side of the center line of:

Ben Tom's Road: Begins at the north side of Edgartown-West Tisbury Road between Edgartown Assessors' Map 23 Lot 6 and Edgartown Assessor's Map 21 Lot 96 northwesterly and northerly following the west fork to Pennywise Path along the south border of Edgartown Assessors' Map 21 Lot 169.

Middle Line Path: Begins at Ben Tom's Road at the easternmost point of Edgartown Assessors' Map 21 Lot 133.1 and runs northwesterly until it merges with Pennywise Path at the westernmost point of Edgartown Assessors' Map 22 Lot 125.20.

Pennywise Path: Begins at the intersection of Tar Kiln Road and Three Cornered Rock Road easterly to the Vineyard Haven-Edgartown Road at northwestern point of Edgartown Assessors' Map 21 Lot 148.1 continuing easterly then northeasterly and ending at Edgartown-Vineyard Haven Road at the northeast corner of Edgartown Assessors' Map 21 Lot 36.33.

Tar Kiln Path: Begins at the Manuel Correllus State Forest between Edgartown Assessors' Map 10 Lot 96 and Edgartown Assessors' Map 11 Lot 1.143 running east to its intersection with Three Cornered Rock Road in the interior of Edgartown Assessors' Map 11 Lot 86.1.

Watcha Path: Begins at the northeast point of Edgartown Assessors' Map 25 Lot 4, west of the intersection of Edgartown-West Tisbury Road and Oyster-Watcha Road, extending westerly some 360 feet along a segment formerly known as Mill Path, then southwesterly to the northeast point of Edgartown Assessors' Map 40 Lot 4.2, continuing southwesterly to the West Tisbury town line at the southern boundary of Edgartown Assessors' Map 40 Lot 6.

Copies of the nomination are on file at the Commission offices for inspection or by e-mail or on the Commission website <http://www.mycommission.org/> Written testimony may be submitted prior to or during the hearing. The Commission will consider the subject matter of these proposals and the evidence offered at the public hearing and may modify or amend the text of all of these proposals.