

WEST TISBURY CONSERVATION COMMISSION
MINUTES OF MEETING

October 24, 2006

Present: Prudy Burt Chair, Judy Crawford, Patricia Durfee, Patrick Phear, Peter Rodegast, Tara Whiting and Maria McFarland

Absent: Debra Swanson

Also present for all or part of the meeting: Frank Flanders, John Lolley, Joan and George Thomas, Tom Johnson, Linda Hearn and John Jones

Prudy Burt called the meeting to order at 5:00 P.M.

The minutes of the September 26th meeting were approved with corrections.

Hearings

Map 5 Lot 2.1 – Reopening of a of a public hearing under the Wetlands Protection Act and the West Tisbury Wetlands Protection Bylaw to consider a Notice of Intent filed by Frank Flanders on behalf of Joan Smith for property at 207 Obed Daggett Road. The proposed project consists of relocating an existing structure within a bordering vegetated wetland to a new concrete foundation and the installation of a new septic system in the buffer zone.

Frank Flanders was present on behalf of the applicant. The board reviewed the revised plan dated May 8, 2006. The existing cottage will be moved 64 feet further away from the wetlands and 51 feet from the side of the lot. A crane will be set up in the driveway and used to lift the structure off the pilings and set it on the new foundation. The new foundation will be a poured concrete crawl space. Presently the cottage sits on concrete piers, which will be removed. Soil removed from the crawl space will be trucked off site. Nature will take care of the grading. The cottage will have to be tied into the septic. The plan shows a new pump chamber and tank to be installed. The vegetation will be allowed to grow back once the trenching to install the water and utility lines is completed. Access to the cottage will be by footpath and the area around the cottage will be cleared to 3 feet to allow for painting and maintenance. Frank said that the property owner might change the location again. That would not impact the decision of the board but it may require zoning relief. There being no further discussion, the public hearing was closed.

A motion was made and seconded to approve the project as presented. The board reviewed conditions. Pilings will be removed, no stockpiling of excavated soil, a snow fence will be used to catch debris and no heavy equipment will be used. Patrick abstained, as he is an abutter and road commissioner for Obed Daggett Road. The vote was 5 in favor with one abstention.

Map 1 Lot 36.2 -Public meeting under the Wetlands Protection Act and the West Tisbury Wetlands Protection Bylaw to consider a **Request for Determination of Applicability** filed by John Lolley on behalf of Richard and Margery Ablon for property located at 61 Naushon Avenue. The applicant seeks permission to make minor repairs to an existing seawall at the top of a coastal bank.

John Lolley explained how the rip-rap would be repaired; by hand with materials trucked to the site, brought to the top of the bank in a bobcat and placed in the holes of the seawall by hand. Rosa rugosa will be planted along the top of the coastal bank where none currently exists.

There being no further discussion, the meeting was closed. A motion was made and seconded to issue a **Negative Determination** that this is maintenance work under an Order of Conditions (SE 79- 81). The vote was unanimous in favor.

Map 34 Lot 10- Public hearing under the Wetlands Protection Act and the West Tisbury Wetlands Protection Bylaw to consider a **Notice of Intent** filed by Thomas Johnson on behalf of George and Joan Thomas for property at 65 Carl's Way. The proposed project consists the installation and maintenance of a timber-frame raised walkway and seasonal, bottom-anchored, floating pier and ramp within the Riverfront Area. The Thomas' and Mr. Johnson presented the plan for the project. They will use the pin foundation system for the footings of the boardwalk.

At the request of DEP, the applicant submitted a supplemental filing detailing the construction sequencing and materials to be used.

Floats will be installed and removed at the boat launch on the pond and will be stored outside the buffer zone as will the boats and kayaks. Repairs of the boardwalk and floats will be done using the best available materials at that time.

There was no public comment. The Division of Marine Fisheries comment letter and the NHESP comment letter are outstanding.

With the agreement of the applicant, a motion was made and seconded to continue the public hearing on this matter to November 14, 2006 at 6:00 PM. All in favor.

Map 7 Lot 7.2- Public meeting under the Wetlands Protection Act and the West Tisbury Wetlands Protection Bylaw to consider a **Request for Determination of Applicability** filed by Laura Luckey for property located at 299 Lambert's Cove Road. The applicant seeks permission to remove three oak trees on the bank of James Pond. No one was present for the applicant. After a brief discussion, Prudy closed the public meeting. A motion was made to issue a **Negative Determination** that removing the trees did not require an Order of Conditions. There was no further discussion. The motion was seconded. Judy abstained. There were 5 votes in favor.

Map 1 Lot 37 - Public meeting under the Wetlands Protection Act and the West Tisbury Wetlands Protection Bylaw to consider a **Request for Determination of Applicability** filed by John Jones on behalf of Lisa Copenhagen for property located at 62 Naushon Avenue. The applicant seeks permission to add a porch on the back of an existing house, to bury the overhead utility line and remove several trees. All work is in the Buffer Zone.

John Jones described the project. The new owner is going to have the house stuccoed. The new porch will require two small footings. The porch needs to be framed and the electrical lines have to be removed from the side of the house before the stucco project starts. Spoils from the trenching to burying the utility lines will be backfilled. Several trees around the house need to be removed because the house has mold and bug problems.

Measures will be taken to mitigate any impact to the site from the stuccoing process. Snow fencing will be placed on the wetland side of the house to establish a limit of work line.

Mr. Jones said they would need to come back to the Commission for approval to do grading work.

A motion was made to issue a **Negative Determination** that this work is in the buffer zone and will not alter a resource area. Therefore no permit is required from the Commission. The motion was seconded and the vote in favor unanimous.

New Business

Map 35 Lot 6.5 (Yager) –60 Plum Bush Point Road Letter and plan from Matthew Cramer of Mark Hutker Architects. The letter was read and the Commission reviewed a plan of the work, which is outside the Commission’s jurisdiction. As a precaution, a silt fence will be installed to establish a limit of work line to keep trucks and equipment outside of the buffer zone. Maria was instructed to send a letter to Mr. Cramer that this work may proceed without a permit from this board.

Wetlands Bylaw Filing Fees – Maria reported that the Commission has started to collect filing fees under the bylaw. In order to have these funds segregated in a separate account, a revolving fund has to be set up which requires annual approval at town meeting. Otherwise, the funds go into the general fund. A motion was made seconded and the vote unanimous to turn these fees over to the Treasurer for deposit to the general fund at this time. A decision on setting up a revolving fund will have to be made before the annual town meeting. Judy suggested that we look into other uses for the money in the Conservation Fund that is earmarked for the management of Greenlands.

Old Business

Map 6 Lot 2 and 2.1 (Rattner/White)– Maria was instructed to prepare a letter to the Rattners with a copy to Vineyard Land Surveying to remind them that there is an Order of Conditions that prohibits them from mowing the bordering vegetated wetland, that they need to reflag these areas and to notify the Commission when this has been done.

There being no further business on the agenda, the meeting adjourned at 6: 45 P.M.

Respectfully submitted,

Maria McFarland
Board Administrator