

**WEST TISBURY CONSERVATION COMMISSION
MINUTES OF MEETING**

July 14, 2009

Present: Prudy Burt Chair, Hadden Blair, Judy Crawford, Dan Pace, Binnie Ravitch, Peter Rodegast, Tara Whiting and Maria McFarland

Absent: Joanie Ames

Also present for all or part of the meeting: George Sourati and John Early

Prudy Burt called the meeting to order at 5:05 P.M.

The minutes of the June 23rd meeting were approved.

Map 3 Lot 50 (SE 79-295) - a public hearing under the under the requirements of M.G.L. Ch.131 § 40, as amended and the West Tisbury Wetlands Protection Bylaw and regulations to consider a **Notice of Intent** filed by Sourati Engineering Group on behalf of Fred and Mary Demarest for land at 68 Stone Bridge Road. The proposed project consists of the construction of a three bedroom single-family residence in the Buffer Zone.

George Sourati explained that the Commission approved a similar project in 2002 (SE79- 207) which had one extension permit. The well and septic system were installed as approved under the original order but the house, smaller in size than the one now being proposed, was never built. The site is limited by the topography, the location of the wetlands and the 50 ft. zoning setback from the property line. The footprint of the house will be 56 ft. from the edge of the wetland.

The discussion centered on the amount of lawn being requested. The plan shows that 11 trees of 8" DBH or larger will be removed within a 15' perimeter of the proposed house and parking area. It was agreed that the plan would be changed to show a reduction in lawn area from 26 ft. wide to 16 ft. wide on the south side of the house, making the distance from the edge of the lawn to the edge of the wetland 40 ft. . The approval will be conditioned on receiving a final house plan, grading and drainage plan and an as-built foundation plan.

There being no public comment, the public hearing was closed. A motion was made and seconded to approve this project with the change to the amount of lawn. The vote in favor was unanimous. The special conditions will be reviewed and approved at the next meeting.

Map 6 Lot 6 (SE 79-294) - a public hearing under the requirements of G.L. Ch.131 § 40, as amended and the West Tisbury Wetlands Protection Bylaw and regulations to consider a **Notice of Intent** filed by Sourati Engineering Group on behalf of SB Vineyard LLC owner of property located at 271 John Cottle Road, to renovate an existing single-family dwelling in the same footprint, and to excavate, trench, backfill, regrade and re-vegetate in order to install a new septic system and well. The house and septic tank are located in the Buffer Zone to a coastal bank.

John Early and George Sourati represented the owner. The members reviewed the foundation demolition plan, proposed foundation plan, site plan and sewage system design plan.

The house was built in the 1930's (according to Assessor's records) so it predates the WPA. The house will be jacked up in place, the existing foundation demolished and replaced with a crawl

space. The overall footprint and volume of the house will stay the same but the interior will be reconfigured. The plan is to upgrade the septic and well which are both within the Buffer Zone. The system will pump uphill to a new leach field located outside the Buffer Zone. There will be no new clearing within 100 ft. of the bluff. The area around the house is lawn and landscaped. Trenching to connect the well and septic system will be done under the existing driveway. Three trees that are too close to the house will be removed.

The applicant has requested waivers of the bylaw provisions for work in the No-Disturbance and No-Build Zones as the porch is located 17 ft. from the top of the bluff and the current foundation is 25 ft. from the top of the bluff.

The applicant does not want to move the house back from the bluff. It was noted that under 310 CMR 10.30(3) "... a coastal engineering structure shall be permitted when required to prevent storm damage to buildings constructed..... prior to August 10, 1978, including reconstruction of such buildings..."

It was requested that the plan be revised to indicate that the rip-rap at the toe of the bank are loose boulders and not an engineered wall. The applicant's representatives did not know the history of the boulders on the beach; whether or when they were placed there. There is no record of an Order of Conditions to construct a revetment. In most places, the coastal bank is well vegetated but there does appear to be an area of erosion by the stairs going down to the beach. The property owner has an estimate from the Woods Hole Group to do a study of the stability of the bank, but no timetable to do the study. George said the delineation of the rocks is accurate.

A bobcat needs 6 ft. of clearance around the house. John said there may be a minor grade change at the back of the house. John mentioned that a sump pump might be required.

There being no public comment, the hearing was closed. A motion was made and seconded to approve the project as presented. Special conditions to be drafted and approved at the next meeting will include a pre-construction site visit. There is to be no stockpiling within 100 feet of the top of the bank of more than 10 yards of material. An as-built foundation plan and a final landscaping plan will be submitted to the Commission. To the extent possible, all foundation work shall be done from the west side of the house and within the limit of work as shown on the project plans.

Old Business

Map 5 Lot 2.1 (SE79-258): Joan Smith has requested permission to replant the shrubs moved to make way for the septic system, and to clear the path to the electrical pad. Also, the old cottage had a path to it that Joan would like to clear, and extend to the new cottage. There will not be driveway to the cottage. This work is fine as it is all part of stabilizing the site upon completion of the project and returning it to its original condition.

Map 3 Lot 63/170 Lambert's Cove Road: Members read a letter dated July 8, 2009 submitted by Liz Jones in response to a letter sent to Liz on July 2nd requesting a site visit. She and her husband are away until the beginning of August. A site visit will be scheduled then.

New Business

Map 30 Lot 11.2/71 Red Pony Road: Prudy, Peter and Maria met with David Berlow on July 7th for a pre-application site visit to discuss his plan to clear an undefined area and post signs on his

property in the Buffer Zone in an effort to deter hunters and people planting marijuana. After the site visit, Mr. Berlow submitted a plan by email showing the approximate location of the area to be cleared. He was informed that this area is within MESA habitat and he should be in touch with NHESP. Also, he needs to have the wetland boundaries flagged, the amount of acreage to be cleared shown on a plan and file either a Request for Determination of Applicability or a Notice of Intent depending on the size of the area to be cleared. No action was taken.

Map 38 Lots 3.1 & 3.2/Watcha Club Road: At the request of Doug Hoehn at Schofield, Barbini & Hoehn, members did a pre-application site visit on July 7th to view an existing path over a coastal dune and look at a possible alternative site for a new path to the beach. The Schley family currently shares a path to the beach but one of the lots is being sold to a third party and the path crosses the lot that is staying in the family. No action was taken.

Administrative

Map 3 Lot 50/Demarest (SE79-207): George Sourati filed a request for a partial Certificate of Compliance as to the well and the septic installation. The house has to be constructed; trenching is needed to connect the system to the house and must be tested to be sure it all works. The partial Certificate would cover only the location as installed. A motion was made, seconded and the vote in favor to issue a partial Certificate of Compliance.

Bills signed: MACC dues

There being no further business on the agenda, the meeting adjourned at 6:15 P.M.

Respectfully submitted,

Maria McFarland
Board Administrator
APPROVED