

**WEST TISBURY CONSERVATION COMMISSION
MINUTES OF MEETING**

June 1, 2010

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

Absent: Joanie Ames

Also present for all or part of the meeting: G. L. Parrish, Chris Alley, Ena Thulin, Plamen Dunchev, Charles Alton, Rob McCarron, Doug Cooper, George Brush, George Sourati, Isaiah Scheffer, and Reid Silva

Prudy Burt called the meeting to order at 5:05 P.M. [An audiotape of this meeting is available for review.]

The minutes of the May 11th meeting were approved as corrected. All in favor.
The minutes of the May 25th meeting were approved. All in favor

Map 25 Lot 4.5/SE79-300- continuation of 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 Schofield, Barbini & Hoehn on behalf of Ena Thulin for property located at 5 Glory Hill Road. The proposed project includes the construction of a single-family dwelling, barn, and septic system, driveway, parking area, underground utilities and associated site work adjacent to the Riverfront Area.

Peter Rodegast recused himself as South Mountain Company will be building this house. He took a seat in the audience.

Chris Alley of Schofield, Barbini & Hoehn reviewed the revised plan which now shows a limit of work line.

Issues Discussed:

- Requirements under NHESP letter dated May 26, 2010: Photos and limit of work
- 225 sq. ft of Riverfront Area will be altered

The public hearing was closed. A motion was made and seconded to approve this project as shown on the revised plan and to issue an Order of Conditions. All in favor.

Draft special conditions were reviewed and approved as follows:

- Preconstruction site visit
- Landscaping plan
- View shed clearing
- As built foundation plan
- No fertilizers within Riverfront Area (ongoing)

A motion was made and seconded to approve the special conditions. All in favor.

Map 3 Lots 73.1, 73.2 & 79: continuation of 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 Cooper Environmental Services, LLC on behalf of the Alton Family Limited Partnership to construct a residential driveway within a 30 ft wide Right of Way over property located at 57 Lambert's Cove Road owned by Jeremy Biggs to access property owned by the Alton Family Limited Partnership at 55 Norton Farm Road.

New documents submitted:

- Report from LEC Environmental Inc dated June 1, 2010
- Report from Vanasse, Hangen and Brustlin dated June 1, 2010
- Revised project plan dated June 1, 2010 (removed original proposed driveway location)

The members reviewed the wetlands delineation report of LEC Environmental and discussed the report with Doug Cooper and Mr. Alton.

Issues Discussed:

- Presence of Spodosols/problematic identification
- Didn't agree that the area in question contains hydric soils
- Agreed to delineate Vernal Pool mean high water mark on plan
- Applicant concedes that this area is a wetland.
- Agreed to accept wetland line modification at flags 26-31

Mr. Alton hired Jeff Peterson, a soils scientist at Vanasse, Hangen and Bruistlin. Mr. Peterson did a site visit on May 27th. Doug submitted Mr. Peterson's report for the record as noted above.

Mr. Peterson's opinion is that these are not hydric soils. Members discussed Mr. Peterson's report.

The next steps:

- Resurvey and revise the plan according to the LEC flagging
- Possibly have LEC's soil scientist review Mr. Peterson's opinion
- Wetland flag numbers will be shown on the plan
- Driveway will be shifted at flags 26-31 subject to topographic limitations
- Submit written calculation of amount of wetland to be filled
- Vernal Pool Habitat high water mark boundary delineated.
- Review of Peterson report by LEC

A motion was made and seconded to continue this public hearing to June 22nd at 5:20 PM

Map 6 Lot 6 /SE79-301: 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 relocate an existing driveway in the Buffer Zone to within 33 feet of the top of a coastal bank, install underground utilities in the driveway, create a path in the Buffer Zone and perform additional landscaping.

George Sourati presented the project plan.

- Comprehensive plan for NHESP/ MESA compliance

- Request permission to move the driveway to within 33 ft from the top of the bank as it is very close to the proposed house
- Requested waiver of the Bylaw regulations for a driveway in the first 50 feet of the Buffer Zone
- House can't be moved as pool on adjacent property is 50 feet from the proposed house
- Existing electric transformer- trenching for underground utilities in driveway to proposed house
- Footpath from cottage to new house
- Existing driveway location would be revegetated
- No long term effect on the bluff, condition to protect during construction
- Construction of road by hand
- Trucks and equipment will travel on new driveway

Issues Discussed:

- Have not demonstrated that there is a hardship or no alternatives
- Parking turnout does not have to be within the buffer zone
- Consider screening instead of relocation
- Consider different layout of relocation

Next Steps

- George requested that the members do a second site visit.
- George will look at alternatives

A motion was made and seconded to continue the public hearing on this project to 5:45PM on June 22nd. The site visit will be on June 17th at 1:30 PM.

George was asked to revise all plans of this property to indicate that the rocks on the beach are not an engineered structure.

Map 35 Lot 3.4: 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 **Request for Determination of Applicability** filed by Chilmark Shellfish Constable Isaiah L. Scheffer on behalf of the Town of West Tisbury for a project to be located at 161 Road to Great Neck owned by Priscilla P. Fischer Trs. The proposed project includes the installation and maintenance of a dual-use Floating Upweller System (“Flupsy”) at the end of an existing fixed pier for the purpose of culturing shellfish seed.

Pictures of the existing dock were circulated. Isaiah Scheffer described the project.

Issues Discussed:

- Dock is capable of growing about 400,000 oysters to an inch and a half.
- Oysters are filter feeders so they are good for the pond. Project would run from end of June to September.
- Depth of water is 3-4 feet. Dock will extend out 20 feet to assure that the dock will not ground out if the pond is open.
- Power is available at the site to run the electric pump.
- Pressure treated wood and anchored with a 100 lb anchor
- Propagation permit needed
- Hauled in and out at Sepiessa

- Has been in the water for 2 years and it is on floats
- No eelgrass
- Dock is owned by the Town of Chilmark
- Renting the Fisher dock/Nothing in writing
- Dock will come out by October 15th and stored at Chilmark town lot

A motion was made and seconded to approve a Negative Determination of Applicability. Conditions are a copy of the propagation permit, agreement from Fishers and dock out of the water by October 15th. All in favor.

Old Business

Map 1 Lot 41/ Berlin: Reid Silva was in to submit a plan showing profiles done in June 2008, July 2009 and April, 2010. There are four transects. Between last year and 2008 very little erosion occurred. There was evidence of approximately 20 yards of accretion. Between 2009 and 2010 there has been a range of erosion from a foot to one and a half feet.

Issues Discussed:

- Over the past 3 years there was either a big erosion event this year or it is a seasonal change. Next two months are a usually a period of accretion.
- What happens between now and July.
- Profiling should be done in April but it has been done in July.
- Toe of revetment is exposed.
- Special Conditions were reviewed: The annual contribution of sediment from the coastal bank was calculated to be 81 cubic yards. 405 cubic yards equal to a five year supply.

Next Steps:

- Will 81 cubic yards of sand to supply down drift beach be necessary or should more be placed on the beach so as to not have to do it for multiple years.
- Another set of profiles will be done in July. Reid will submit a plan for the July 13th meeting.

Administrative

Map 6 Lot 6/ SE 79-294/271 John Cottle Road/Certificate of Compliance/

George will submit an as built plan for the cottage. The driveway was relocated to 28ft from the top of the bluff instead of 26 ft. Waterline was direct drilled. As built plan must note that the rocks are not an engineered structure.

A motion was made and seconded to sign the Certificate of Compliance. All in favor.

There being no further business on the agenda, the meeting adjourned at 7:05 PM.

Respectfully submitted,

Maria McFarland
Board Administrator
APPROVED