

WEST TISBURY  
CONSERVATION COMMISSION  
MINUTES OF MEETING  
May 23, 2017

**Present:** John Brannen, Prudy Burt, Whit Griswold, Binnie Ravitch, and Michael Turnell,

**Absent:** Peter Rodegast Peyton Wallace and Tara Whiting

**Staff Present:** Maria McFarland

**Also present for all or part of the meeting:** Charlie Kernick, James Mahoney, Reid Silva and Jude Villa

The meeting was called to order at 5:05 P.M. Whit Griswold Vice-Chairman presiding.

**Map 14 Lot 2/SE79-368:** 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 **an Amendment to an Order of Conditions issued** to Theodore and Katherine Dreier for a project to construct an addition to the existing dwelling, construct a new guest house, install a septic system, well and waterline, reconfigure the existing driveway and landscaping and maintain the existing view channels. The amendment, filed by Vineyard Land Surveying & Engineering, Inc., on behalf of the new owners of the property, seeks permission to demolish the existing house, construct a new house, and modify the location and shape of the approved guest house. The project location is 38 Forest Road. The property is owned by Seven Gates Corporation and leased to Water Lily View LLC.

The original Order of Conditions approved an addition to an existing single family dwelling, a new guest house and associated site work. Existing view channels were verified and wetland areas previously altered were required to be left alone to grow back.

The new owners would like to demolish the existing house because the foundation is in poor condition and they want a different configuration. They would also like to shift the guest house slightly and add a garage. The revised project plan shows the original approved locations in red.

The new 4,200 square foot house would be located 44 feet from the wetland on the northeasterly side of the property and 50 feet from the edge of the wetland on the northwesterly side of the property.

The proposed 800 square foot guest house would move to the edge of the 50 foot No-Zone in an area that is already cleared.

The existing driveway will be reconfigured. At the moment the applicant is not requesting any changes to the view channels.

Commissioners Comments/ Questions:

Prudy asked if the view channels were approved by Seven Gates. Reid replied that Seven Gates is currently reviewing the plan.

When asked if it was ok that no structure touched the Seven Gates established house bound, Reid explained that subsequent to the house bound being placed on this parcel; Seven Gates built a pier on Map 14 Lot 1. The originally approved location of the guest house touches the house bound, but is visible from the pier and this might not be acceptable to Seven Gates. Reid added that there is also some concern about proximity to the two structures.

Whit asked if they would want to change the view channel for the guest house. Mr. Mahoney said it hasn't been decided. Mr. Mahoney said the applicant is happy with the view channel for the moment but added that. Seven Gates may want more screening.

Maria noted that the original Order approved a landscape schematic done by South Mountain Company. Maria suggested that the new project plan include everything that was on the approved landscape plan.

There was no public comment.

A motion was made and seconded to continue the public hearing on this application to July 11 at 5:10 PM to allow the applicant sufficient time to finalize and obtain approval from Seven Gates. All in favor.

#### **New Business:**

**Administrative Review/Location of Mill Pond Plaque:** Charlie Kernick was present on behalf of the Friends of the Mill Pond Committee and Sean Conley of the Historic District Commission to obtain approval of the location for the plaque. The plaque will be placed near the split rail fence next to the opening on the police station side of the Mill Pond.

Allen Gowell will do the installation of the boulder holding the plaque. The boulder will be sunken two foot into the ground and stand about 2.5 to 3 ft. above ground. The hole will be dug by hand and there should be no need to disturb the surrounding area.

A motion was made and seconded to approve the location under an administrative review. All in favor.

**Draft Fishway Operations and Maintenance Plan for Mill Pond dam:** Prudy had substantive comments regarding this plan.

#### **Issues Discussed:**

- The impact of high summer temperatures.
- Need for a Herring habitat suitability study for this fish ladder. Such a study would be independent of the management of the existing fish ladder.
- Need for language that no work should be happening without supervision of the herring warden.

- The management plan calls for written reports. Prudy doesn't think any reports have been done because no herring have made it through the fish ladder. This lack of success should be documented.

Prudy will send her written comments to the office to be forwarded to Brad Chase. No action was taken.

**Map 39 Lot 9/226 Middle Point Road/ Phragmites removal:** Maria presented Tom Della Rocco's written request to remove a small stand of Phragmites by hand in mid to late summer. Cut stems will be taken off site. Most of the stems are above high pond. A motion was made and seconded to approve this work under an administrative review. All in favor.

### **Old Business:**

**Map 3 Lot 63/SE79-378/ Relocation of Workshop:** After the Order of Conditions was issued for the house addition and new workshop, Chris MacLeod determined that he wanted to locate the workshop to a more level spot on the property. The original location was 176 feet from the edge of the brook. The new location is 156 feet away from the edge of the brook in a previously disturbed area of the property. A motion was made and seconded to approve this minor change. No additional paperwork is required. All in favor.

**Brandy Brow/Wells Easement:** Rez Williams and Bill Veno both spoke to Maria about blocking off the old path through Brandy Brow that people used to get to State Road. The old path is approximately 40 feet down the Waldron driveway and doesn't line up with the newly established easement through the Wells property.

Prudy said she was there last week and saw that someone had already moved some brush into the old path to which she added more, and someone had mowed a new path. Prudy said she also put some red flags marking the path so that it can be mowed without mowing over the daffodils. The rest of the hill should not be mowed until after July 1 so that the daffodils will not be lost. No action was taken.

**Map 43 Lot 3&6/ 140 & 138 Watcha Club Road:** In 2014 the board issued a Determination of Applicability allowing the demolition of two structures on this property. The determination called for all disturbed areas to be returned to grade and allowed to regrow. Any further landscaping needed to be approved by this board.

Jude Villa submitted a plan showing two areas to be landscaped. One area is within the buffer zone and the other slightly outside of the buffer zone.

For the area within the buffer zone, Jude would like to screen and spread the woods loam that came off the house site and then seed the area with tall fescue or sheep fescue. Temporary above-ground irrigation will be used so that the seed will germinate. The owner would also like to maintain an existing five foot path to the beach. This area is about 3,000 square feet of land located 60 feet from the wetland.

Prudy suggested some blue stem. Michael said there are sedges around the edge of the disturbed area, but that it will take a long time to get back to its natural state.

The second area is just beyond the edge of the 100 foot buffer zone line and will be a manicured and irrigated lawn.

Maria suggested having the edge of the buffer zone line staked. Prudy said she would like to see permanent markers along the edge the buffer zone. Jude said she was planning to have Sourati Engineering mark the areas on the ground.

A motion was made to approve the work as proposed with the requirement that the applicant have the entire length of the 100 foot buffer zone line delineated with permanent boundary markers. The owners may also maintain the existing path to the beach to a width of 4 feet. All in favor.

**Administrative:** Approval of vacation carry- over for staff.

### **Correspondence**

**In** Town Vehicle Usage Policy

There being no new business to conduct, the meeting adjourned at 6: 15 PM.

Respectfully submitted,

Maria McFarland  
Board Administrator  
APPROVED