

WEST TISBURY
CONSERVATION COMMISSION
MINUTES OF MEETING
October 25, 2016

Present: John Brannen, Prudy Burt, Whit Griswold, Binnie Ravitch, Peter Rodegast and Tara Whiting

Absent: Michael Turnell

Staff Present: Maria McFarland

Also present for all or part of the meeting: Meg Bodnar, Chris Kennedy, Reid Silva, George Sourati, Marjorie Yoars and Kelley Whitmore

The meeting was called to order at 5:02 P.M. Tara Whiting, Chairman presiding.

The minutes of the September 13 and 27 meetings were approved as revised. Peter abstained.

New Business:

Map 39 Lot 2.1: Conservation Restriction (CR) between Marjorie M. Yoars and the Trustees of Reservations

Marjorie Yoars, Kelley Whitmore and Chris Kennedy addressed the board.

Kelley explained that in 1989, the Trustees and neighbors entered into an easement agreement to bring electricity to Long Point that neighbors would have the right to tie into. In exchange for tying into the utilities, the property owner agreed to place restrictions on their property with respect to permitted uses.

Under the proposed CR presented tonight, Ms. Yoars will convey a 2 acre portion of Map 39 Lot 2.1 to the Trustees and the remaining land will be restricted under the terms of the CR in exchange for an easement that will bring electrical utilities to this property.

Chris Kennedy added that electricity was originally brought to Long Point Wildlife Refuge to serve the Superintendents house and the barn. He said some neighbors have made similar fee title donations to the Trustees in exchange for tapping into the utility lines. The Trustees are very aware of how electricity changes a community and that there are real concerns about having it.

With respect to the public benefit Chris told the members that there is a public trail on the eastern side of Middle Cove. The trustees allow duck hunters to set up blinds. Similarly, there will not be a public trail on the property being conveyed to the Trustees under this agreement, but the property will be open to the public for hunting, launching canoes/kayaks. It will also help to preserve the view from Long Point.

Ms. Yoars said the property is on the market.

The role of the Conservation Commission is to review the CR and to submit a document called a Municipal Certification to the Board of Selectmen which states the public benefits of the CR. In this instance, the public benefit is the preservation of a 2 acre parcel adjacent to Middle Cove that will remain undeveloped and provide a buffer to the cove. The balance of the parcel will carry restrictions on building and permitted uses.

A motion was made and seconded to sign the Municipal Certification. All in favor. (Prudy was not present for this vote.)

Old Business

Map 14 Lot 2/ Packer Lease Lot/Seven Gates: Tara and Maria reported on their October 19 site visit with Charlie Pachico. All of the fencing has been relocated outside the Buffer Zone, the trailer is gone and the road is no longer being used. Members viewed pictures showing the stream channel and bordering vegetated wetland. A letter of thanks will be sent to Seven Gates.

Map 7 Lots 32, 34, 76 and 81/SE79-372: Discussion with Reid Silva concerning revisions to the dewatering plan and the pre-construction site visit. Reid will submit a written revision to the plan. No action was taken.

Map 14 Lot 2/SE79-368/Drier/ Seven Gates: Reid was present to explain the requested change to this project. Previously, an 800 square foot guest house was approved as part of this Order of Conditions. The buyer of the property would like to change the plan to have a two-car garage on the first level of the guest house. Chuck Sullivan, architect has redesigned the guest house and parking around the guest house. Reid submitted a revised plan. All of the changes are within the limit of work line. The new building is slightly smaller. The proposed changes will not be any closer to the wetland edge. Reid will submit a revised letter stating what the reduction of square footage and change to the limit of work line.

A motion was made and seconded to accept the changes to the project plan without the need of a formal amendment to the permit or a new Notice of Intent. All in favor. (Prudy did not vote on this matter.)

Map 39 Lot 7/ SE79-354/ 208 Middle Point Road: In accordance with special condition # 5 of the Order of Conditions, George presented his clients request to revise this project to have the work to rebuild the existing revetment done from the top of the bank, rather than the beach. This change will require the temporary alteration of the No-Disturbance Zone. It was determined that this is a significant change to the project for which there not sufficient conditions in the permit. George will submit a formal request for an amendment to the permit. This will require a new legal ad and notice to abutters.

Tara also asked about the status of the plan to relocate the driveway. George said he has asked the owner but hasn't heard back. The deadline for submitting an application to move the driveway is February 7, 2017. Failure to do so may result in the imposition of fines.

Trustees of Reservation/ Art Installation at Long Point: Chris Kennedy informed the members that the Trustees have decided to postpone this project until 2018.

Mill Brook Watershed Study Update: Prudy is the Commission's appointee to the Mill Brook Water Shed Study Committee. Prudy submitted a draft outline of the report of the watershed study committee is working on and provided some highlights of the work that has taken place over the duration of the study. The overall purpose of the study is to collect data about Mill Brook.

Carl Nielsen ESS has completed all baseline water sampling and water flow sampling. Sheri Caseau of MVC did the storm water sampling. There are 6 digital data loggers in the brook that have been recording water level and temperature for the last 1.5 years. Prudy described a problem with the logger at State Road North Tisbury Bridge that caused a deficit of data on water flow. This has been rectified.

Prudy explained that they have been monitoring the water flow in Mill Brook in order to obtain data on where water withdrawals and diversions occur. For example, Morning Glory Farm withdraws water for the Green-Hickie Fields. There is a diversion dam in the woods that takes water to Parsonage Pond approximately 50 feet south of Scotchmen's Bridge Lane. There are several breeches and small ponds along this man-made canal. It has been 3 years since Parsonage Pond has held water year round.

Because the RFP for the study did not provide for analysis of the collected data, Bill Wilcox has volunteered to review the data collected by ESS, the MVC and as well as data from the study done by BioDiversity Works and provide his assessment.

During a brief discussion members expressed interest in a monitoring process for water withdrawals.

Prudy will send a copy of Bill's draft report and the final report when it is completed.

The members thanked Prudy for all her work on this committee. No action was taken.

Administrative:

Map 34 Lot 10/SE79-361/ Certificate of Compliance/ Thomas: Mr. Thomas is selling this property and has decided not to go forward with the project to remove a stand of Phragmites. A motion was made and seconded to sign a Certificate of Compliance stating that this project will not be done. All in favor.

There being no new business to conduct, the meeting adjourned at 6:30 PM.

Respectfully submitted,

Maria McFarland
Board Administrator
APPROVED