

WEST TISBURY  
CONSERVATION COMMISSION  
MINUTES OF MEETING  
September 27, 2016

**Present:** John Brannen, Whit Griswold, Binnie Ravitch, Michael Turnell and Tara Whiting

**Absent:** Prudy Burt and Peter Rodegast

**Staff Present:** Maria McFarland

**Also present for all or part of the meeting:** Dick Barbini, Laura Murphy, Kristine Patnugot, Reid Silva and Joe Van Nes

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

**Continued public hearings:**

**Map 35 Lot 6.2/SE79-373:** 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 for a project to install and maintain an elevated boardwalk through a bordering vegetated wetland and to install two 4'x8' molded fiberglass panels placed on helix pipe pilings to create a platform to be used to launch kayaks into Tiah's Cove. The project is located at 32 Plum Bush Point Road, Assessors Map 35 Lot 6.2 owned by David and Lisa Torrence.

Richard Barbini was present for the applicant. The hearing was continued last time because the board was waiting for the comment letter from the Natural Heritage and Endangered Species Program. The letter, dated September 23, 2016 did not set any conditions for approval.

Mr. Barbini reported that the unpermitted structure has been removed.

There was no public comment. The public hearing was closed.

A motion was made and seconded to approve the project as presented and shown on the project plan. The vote on the motion was unanimous.

**New Business:**

**Map 21 Lot 1/Trustees of Reservation/ Art Installation Proposal:** John Brannen gave a brief presentation about the meeting he attended at Long Point with Elizabeth Keary Soule of TTOR, Pedro Alonzo curator and representative of the artist and other TTOR staff regarding a proposal to install an interactive floating art exhibition 100 feet from the shore in Long Cove Pond designed by artist Doug Aitken. The exhibit would run from July to September 2017. Maria will be in contact with Chris Kennedy and Ms. Soule. No action was taken.

**Old Business**

**Map 14 Lot 7/SE79- Patterson/Seven Gates:** Members confirmed their approval of the relocated footprint for the pool and the landscaping surrounding it.

**Map 7 Lots 32, 34, 76 and 81/SE79-372:** Discussion with Reid Silva concerning a redesign of the culvert. Reid said it would take 8-10 weeks to obtain because it is a custom size.

Reid explained that the Commission approved a 5 ft. wide by 4 ft. tall pre-cast unit. The manufacturer doesn't stock this size; it is a custom fabrication. Reid would like to propose a revision. The board will have to decide if this revision is significant enough to require reopening the public hearing?

The culvert dimensions are the same, but instead of pre-cast it will be cast in place. The contractor will trench down the sides of the culvert, place 6 inches of gravel, form up an 8 inch wall on each side then pour each wall. The sides of the culvert wall will be 5 feet tall wall buried 2 foot below grade. Once the walls are poured the opening at the top will be braced covered with corrugated steel with and a 12 inch slab. The sides of the walls will be backfilled. Reid said this design will make it easier to create the substrate in the streambed.

The concrete truck will do the work from the road upstream and downstream from the culvert. The top of the road surface over the culvert will be removed.

The forms for the walls will not be put in place until the work area is dewatered. Reid isn't sure if they will hit groundwater. They have to dig down 3 feet and put in 6 inches of gravel using an offset arm excavator. The excavator will also work from the road. No equipment will be allowed in the streambed.

The top of the culvert is created using a corrugated steel form. A poured 12" slab acts as a bridge. The road surface sits on this slab. There are no changes to the headwall. The over dig will be minimal.

The time frame is a bit different. It will take 2 days for the concrete to cure. The amount of disturbance will be less with the cast in place. They won't have to pull out all the substrate. Currently, the substrate is three foot wide. The finished width will be 5 feet.

Reid said he will send the revised plan to Tim Chorey.

After a brief discussion, a motion was made and seconded to approve the new project plan and narrative without the need of new filing or re-opening the public hearing. All in favor.

Approval of Special Conditions: Members reviewed draft special conditions. At the last meeting it was suggested that Tim Chorey be asked to act as a monitor for this project. Maria checked with Tim. He said he cannot. Reid offered that Tim said he could come out when the contractor sets the substrate. Maria will try to confirm this. The special conditions were approved.

**Map 7 Lot 52/ 366 Lambert's Cove Road:** Joe Van Nes and Kristine Patnugot attended the meeting to discuss their written plan to restore the area where goat pens have been located at this property. Joe said he would like to leave the mixture of hay, woodchips and manure in place, cover it with topsoil and seed it. Macrobiotic growth shouldn't be disturbed. Joe said they have done work to grad the site to reduce the slope toward the wetland so there is less erosion when it rains. He said the carbon in the hay and woodchips will soak up the nitrogen from the goat waste. His idea is just to add topsoil. Joe said he wasn't going to do the work.

Maria reported that she has been in touch with Bill Wilcox of the Dukes County Conservation District regarding this property. Bill has been in touch with Mia Halter at the regional USDA office to see if she was available for a site visit. It was decided that that the person who inherited the property from Mr. Deeble should be contacted and brought into this discussion. Joe provided a

phone number for Mr. Steve Harding. It was decided that the Commission would reach out to the property owner concerning next steps. No action was taken.

Public Comment: Prior to meeting with Joe and Kristine, Laura Murphy asked about what was happening with the pond near the Deeble property. Members had an informal discussion with her covering the jurisdiction over this property and the steps the Commission has taken to mitigate the situation.

She asked about the town's responsibility to test the water in this pond. It was explained that the Board of Health doesn't have jurisdiction because there no public health issue. The property owners can have the water quality tested.

**Map 7 Lot 13/ SE 79-365/Medowski/Administrative Review:** Mr. Medowski is seeking permission to remove two trees that he did not realize would be in the way of the relocated shed and the new house when the project was approved.

Because the shed has to be placed more than 50 feet from the lot line and is approved to be 63 feet from the wetland edge, there is a large tree that will be about 2 feet off the shed.

There is also a large tree that apparently is going to hang over the porch of the new house. Maria has checked with the Planning Board and it is not one of the trees they looked at in making their determination that the site is wooded.

Tara and Maria did a site visit and gave him a verbal approval. Unless there are objections, no further action is required.

**OB Solar Array project update:** The public hearing on this matter has been postponed to October 20 at 7PM.

#### **Administrative:**

**Map 1 Lot 2/SE79-340/ Request for Extension Permit/Herget:** A motion was made and seconded to approve the request for an extension of the permit to November 15, 2019. All in favor.

#### **Correspondence:**

**In:** Map 1 Lot 50/ SE 79-270: Woods Hole Group/Monitoring Report dated September 21, 2016

**Out:** Map 1 Lot 26, 28 & 29/ SE79-370/Order of Conditions:

There being no new business to conduct, the meeting adjourned at 6:10 PM.

Respectfully submitted,

Maria McFarland  
Board Administrator  
APPROVED

