

DRAFT

WEST TISBURY
CONSERVATION COMMISSION
MINUTES OF MEETING
August 15, 2017

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

Absent: Mike Turnell and Peyton Wallace

Staff Present: Maria McFarland

Also present for all or part of the meeting: Kent Healy, Reid Silva and Jo-Ann Taylor

The meeting was called to order at 5:05 P.M. Tara Whiting-Chairman presiding.

The minutes of the July 12 and 25 meeting were tabled.

James Pond/SE79-364: 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 the West Tisbury Board of Selectmen and Herring Warden for a project proposed at James Pond and Map 6 Lots 13 and 20. The project consists of work associated with breaching the barrier beach at James Pond including dredging the associated meander for the purpose of restoring a fish passageway, placement of fiber rolls and salt marsh planting

Reid submitted a revised plan showing the location of the proposed 235 foot long channel and the area to be planted with beach grass. Reid described the channel as being 2.3 feet wide at the base and 9.2 feet at its widest point. The amount of dredged material would be approximately 99 cubic yards; just under the trigger for a water quality certification.

The plan also shows a cross section of the channel. Using an elevation of minus one foot Reid calculated that there would be a foot of water at man low tide.

This location will allow a machine to work from the north side.

The equipment will work from Susie Trees property in the marsh.

Commissioner's Comments/ Questions:

John asked how long this might last. Whit said that one huge storm could close it off.

Binnie asked about plantings. Prudy replied that Greg Berman's idea of using coir logs is off the table. The plan is to put the soils on the bank and planting with dune grass. If not planted the spoils would be spread out over the area. Reid noted that the dredged material is not going to be fine sand but a combination of organics and muck as well as sand.

Spoils will go behind a higher dune so they may not be a need for plantings. Reid will put the area to be planted on the project plan.

It was suggested that Mike Turnell identify the plants in the area so that new plantings will be the same.

The detail of any planting plan has to be submitted to NHESP for approval.

Whit talked with David Merry about the cost of a project like this one. David has a piece of equipment with a 12 foot reach. Whit said in a telephone conversation with David that David estimated that the work would take about 4 hours to move 100 cubic yards of sand and muck. David said it would take 4 hours. The cost of the machinery is \$110 per hour. Reid said he thought David's estimate might be low and that it would take a day or 2 to get set up before work began. Everyone agreed that estimate was probably too low.

The access will be over several properties adjacent to the pond. Whit has organized a meeting of the riparian owners for next week.

Maria will ask Jen whether the town needs to send a letter to the riparian owners who have verbally agreed to provide equipment access over their properties. Whit will draft a letter of approval for the neighbors to sign.

Maria raised the issues of liability and restoration of people's property.

Funding for the actual work was discussed. The warrant article covered surveying and engineering work but not construction work. Whit asked if the project could be privately funded. Tara said she didn't see why not.

Maria will check the wording of the warrant article that authorized the monies to pay for the services of Vineyard Land Surveying to see if any money left over after paying Reid can be used for construction costs.

A follow up letter to NHESP has been drafted. Brad said the condition that no work is done between April 1 and October 1 is too restrictive.

Appendix A needs will have to be amended to reflect what Reid presented tonight and sent to DEP for approval of this project as an Ecological restoration project:

Prudy asked whether the depth loggers and staff gauge she gave to Whit and referred to in Appendix A are in place. She thought Cody already have a depth logger in the pond. The staff gauge isn't up yet. She suggested that Cody Coutinho to help Whit with that.

A motion was made and seconded to continue the public hearing on this matter to September 12, 2017 at 5:10 PM. All in favor.

New Business:

Tisbury Great Pond/Draft Report TMDL/ Kent Healy: Kent submitted a copy of his written comments on the draft report and gave the board a brief summary of the history of openings and his role in studying the hydrology of the pond. Members have not fully reviewed the draft report so they did not have any specific comments on the draft report. Comments and a letter to DEP will be discussed at the next meeting.

The conversation turned to a discussion about overall management of Tisbury Great Pond and in particular the response (or lack thereof) to the algae bloom that occurred in June and to develop a plan to get fast and accurate identification of samples if/when it happens again. Maria was instructed to set up a meeting with all interested parties for the September 26 meeting. No action was taken.

Kent was asked if he would mention this meeting to the Riparian Owners at their August 19 meeting. At a meeting earlier this summer Will Whiting, Alan Moore and Kent were elected as Commissioners.

FEMA Hazard Mitigation Grant Application: Jo-Ann Taylor of the MVC was present to introduce the Dukes County Multi- Jurisdiction Hazard Mitigation Plan Update dated October 2015 prepared by the MVC in conjunction with the emergency managers and planning team of Dukes County. The plan has been endorsed by the Board of Selectmen. A copy of the plan is available at the Conservation Commission office.

Jo-Ann explained that drought and wildfires present the greatest risk to West Tisbury and have been identified as a priority in this plan.

She detailed a proposal put forth by the Division of Conservation and Recreation that would rehabilitate an old fire pond near the deer checking station off Barnes Road within the State Forest. The project is to clean up the old depression and add a clay liner that will hold water. A dry hydrant could be installed that would allow a firetruck to pump. The pond would be clearing up and lined with clay. Other improvements might include stocking the pond and putting in a fishing pier.

So far, West Tisbury is the only town to show interest in this project. The Town of West Tisbury would be the grant applicant. The grant application deadline is October 16, 2017. The MVC will be the lead on filing the grant application.

This project has preliminary support from the Division of Conservation and Recreation. There is federal funding available (75%) and funding from DCR (25%)

Commissioner's Comments/ Questions:

Peter asked if the towns are looking at any other projects on the table. Jo-Ann said not at the moment but other possible projects include maintenance of the Priester's Pond, Mill Pond and Looks Pond dams as well as culvert replacement projects at stream crossings. It was noted that the dams are already been monitored and maintained with oversight by Kent Healy, the dam safety inspector. The Conservation Commission has a grant application pending for a culvert replacement project at Witch Brook on North Road.

Prudy asked what the capacity of the Pond would be. Jo-Ann said she would have to find out. :

Jo-Ann was asked to find out if Sheri Caseau will be commenting on the Tisbury Great Pond TMDL draft report and if she is taking water samples in Mill Brook.

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The Commission offered to write a letter of support for the project at the appropriate time. No action was taken.

Map 36 Lot 28/ TTOR/ Goats at Long Point: Members looked at a map showing an area north of Long Pond that TTOR would like to have cleared by goats. Maria reported that TTOR was told to have the wetland boundaries delineated so that it could be determined if a permit was required. No action was taken.

Old Business:

Tisbury Great Pond/ Algae bloom sampling locations: Members discussed issues with the sampling and testing of those samples during the algae bloom at the end of June. Maria will set up a meeting with any interested parties/stake-holders for the September 26 meeting.

Map 14 Lot 2/ SE79-368/ 38 Forest Road/Laager: After review and editing a motion was made and seconded to approve the special conditions on the amended Order. All in favor.

Culvert Replacement Municipal Assistance Grant Opportunity: There was no update on the grant application.

Administrative:

Map 1 Lot 50/SE79-270 and SE79-352/ Certificates of Compliance: This property is being sold. A title search showed that the original Certificate of Compliance for Order of Conditions SE79-270 was never recorded and that there were a couple of errors in the Certificate for SE79-352. A motion was made and seconded to sign new Certificates of Compliance for each of these permit. All in favor.

Correspondence:

In:

Cover letter dated July 25, 2017 and draft TMDL report from DEP

Copy of letter from Kent Healy to Patti Kellogg, Environmental Analyst at DEP re: TMDL draft report

Out:

Map 7 Lot 170/ Determination/ Smith/ deck, porch & ramp

Map 7 Lot 13/ Determination/ Medowski/solar panels

Map 7 Lot 15/ Certificate of Compliance/Morse

There being no new business to conduct, the meeting adjourned at 6: 40 PM.

Respectfully submitted,

Maria McFarland

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Board Administrator