

WEST TISBURY
CONSERVATION COMMISSION
MINUTES OF MEETING
July 21, 2026

Present: Ernie Thomas, Noah Froh, Robert Myhill, Chris Lyons, Whit Griswold

Absent: Peter Rodegast

Staff Present: Angela Luckey

Also **present for all or part of the meeting:** Jason Berlin (zoom), Lauren Lynch (zoom), Philippe Sommer (zoom), Mark Jenkins (zoom), Diana Gilmore, Reid Silva, Brian Athearn, Joseph A. Capece, George Sourati

Call to Order: Whit called the meeting to order at 5:04 pm

Approve Minutes – Minutes for Tuesday, July 7, 2026

Ernie made a motion to approve the minutes as amended, seconded by Noah

Roll call vote: Noah-aye, Ernie-aye, Chris-aye, Robert-aye, Whit-aye

New Public Hearing:

Whit opened the public hearing at 5:21 pm

5:10 PM/ of Map 39 Lots 7, 8, 9, 11: a public meeting 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, LLC, on behalf of Middle Point Bend, LLC, for a project located at **208, 216, 226, & 234 Middle Point Road** to install and maintain ¾" brown crushed stone and metal edging within existing roadways and driveways.

George joined the table to present the proposed project. This application came before the Board as a Request for Determination of Applicability (RDA) and the Board determined that the applicant needed to file a Notice of Intent (NOI) for the project.

Discussion:

- Proposed fill is minimal, except for one area near the entrance point where several inches of fill will be added to raise that area to the surrounding grade.
- Concerns raised about erosion at the bank and water runoff.
 - o Applicant is looking at erosion areas but that is not part of this project.
 - o Erosion is occurring at the access point for sand nourishment of the coir logs.
 - o Comment that gravel material might help with water issues and capture more water runoff.

Ernie made a motion to approve the application as presented, seconded by Chris.

Roll call vote: Noah-aye, Ernie-aye, Chris-aye, Robert-aye, Whit-aye

Whit opened the public hearing at 5:31 pm

5:30 PM/ of Map 13 Lot 11: a public meeting 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 Vineyard Land Surveying & Engineering, Inc., on behalf of Alexander Pyle for a project located at **14 Ephriam Allen Road** to trim and top selected trees, maintaining a view channel to serve an existing dwelling. A portion of the work is within the buffer zone to a bordering vegetated wetland.
Noah recused himself and left the room. Noah works for Sheriff's Meadow Foundation who is a direct abutter.

Reid joined the table to present the project. In the wintertime he had visited the property and stood on the side deck where he was able to see the Vineyard Sound through the trees. Applicant is looking to restore that view by trimming about 10 feet of vegetation from the top of the trees.

Discussion:

- Unknown number of trees or species requested for removal. Reid estimated about dozen trees and is presuming that the trees closer to the pond are Beetlebung trees, followed by Oak trees. Proposed trees look like they are right on the pond.
- Standing there today you would not know that they had a view of the water from the decks.

Questions and concerns raised by the board:

- Means of access, methods of trimming, and removal of cut vegetation.
 - Reid said work would require tree climbing, cutting by hand, and dragging the material out by hand. As for access to the pruning area, they would either ask neighbor to go through their property or enter from the top of the hill.
- Bylaw and Regulations around the presumption of significance with regards to the buffer zone.
 - Reid is not arguing the significance of the buffer zone, rather that the work being done will not adversely impact the interests of the Wetlands Protection Act. There is nuance in interpreting what is considered a significant impact, particularly regarding the concept of maintaining a view channel.

Applicant asked for a continuance.

- Board would like photographs from the perspective of the neighboring property (Hough's) to ascertain where the trees are and their proximity to the wetland area.
- Board would like a clear reasoning behind the assertion that the work being done will not adversely impact the resource area and buffer zone.

Ernie made a motion to continue the public hearing to August 4, 2026, at 5:40pm. Chris seconded the motion. Whit will be away for that meeting, but Ernie agreed to Chair the meeting.

Roll call vote: Ernie-aye, Chris-aye, Robert-aye, Whit-aye

Continued Hearing:

Whit opened the continued hearing at 5:50 pm.

5:50 PM/ of Map 14 Lots 14 & 14.1/SE79-491: a public meeting 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 Vineyard Land Surveying & Engineering, Inc., on behalf of Corinne Field for a project located at **369 & 399 Reservoir Road** to trim and remove vegetation to maintain a view channel and to install a replacement domestic water supply well.

Discussion centered around view channel as the Board had already discussed the well locations at the previous meeting and felt comfortable with that work.

- Plan is to trim the trees to the right of the rock in the images shared by Vineyard Land Surveying. The images compare the existing conditions with 2006 conditions, in 2006 the branching did not extend as high.
- Speckled alder is the tree species, which is a native wetland plant with an aggressive growth habit. The base of the trunk is right on the edge of the water.
- Reid estimates that it is about 12 feet from the highest point of the current vegetation to the field edge. Goal is to find a degree of trimming that would not kill the tree. The tree is likely at risk of dying if it were cut back the full 12 feet, so Reid proposed an arc starting with removal of 4 feet to then be revisited after one growing season. Reid thinks the trees are currently around 30 feet tall.

Commissioner Comments:

- Concerns around the likelihood of killing the tree through over pruning.
- Interest in getting a certified arborist (i.e. someone from Polly Hill Arboretum) or the tree warden to comment on what extent of cutting would not be a risk to tree health. The Board would want Angela to go with the person assessing the tree to have a clear understanding of what would happen if tree were cut at 4 feet, 8 feet, etc.
 - Reid said he would connect with Jeremiah, the tree warden, or Ian from Polly Hill for a separate opinion.
- Regardless of amount being cut this location is within the wetland itself. The Board is hesitant to approve cutting within the wetland itself.
 - Reid believed that the Board had historically approved cutting within the 25' No Disturbance zone.

Ernie made a motion to continue the public hearing to August 18, 2026, at 5:10 pm. Robert seconded the motion.

Roll call vote: Noah-aye, Ernie-aye, Chris-aye, Robert-aye, Whit-aye

Philippe Sommer on zoom expressed that timeliness of the well approval was important with existing water concerns.

Ernie moved to retract his motion, seconded by Chris.

Roll call vote: Ernie-aye, Chris-aye, Robert-aye, Noah-aye, Whit-aye

At the July 7, 2026, meeting, there were no issues with the proposed well locations and related work specified during that meeting. Angela noted that the Trustees of Reservations holds a Conservation Restriction on the property. When she reached out to them, they said that they were in discussion with Seven Gates. The Trustees were invited to this continued meeting and had not provided additional comments since then.

Ernie made a motion to approve the NOI except for the brush and tree removal. The applicant will submit a new NOI if they would like to move forward with the tree trimming. Seconded by Noah.

Roll call vote: Noah-aye, Ernie-aye, Chris-aye, Robert-aye, Whit-aye

New Business:

Deer Processing Facility Discussion with Brian Athearn and MV Hunt Club President Joseph Capece

- Whit gave credit for their efforts in trying to help address tick concerns.
 - This matter came before the board because of an unpermitted expansion of a structure within the Riverfront Area. This is the structure where the deer processing facility is located and there are questions about operations within the Riverfront Area regarding processing and disposal methods. The board has not been to the property since the unpermitted expansion of the structure.
- The Building Inspector issued a stop work order for the construction of the building as there was no building permit issued.
- Joe Capece shared that he wants to work with the commission rather than be adversary and would like to follow proper procedures to make it work.
 - Joe has a background in wildlife conservation and management and is all for the cause of ensuring environmental protection.
 - The Deer Processing started organically with a group of hunters and then escalated when the tick crisis was highlighted and Tick Free MV and the state got involved. Everything has skyrocketed since then, resulting in the facility growing over time.

- He recognized that the proper permitting process was not followed but would like to remedy that.
- Ideal situation for MV Hunt Club is to reduce the operations once another processing facility is up and running. State designated their facility as an acceptable processing facility to process deer to donate for the Share in the Harvest program and that is when the extension happened. To create a sterile environment, and a more legitimate processing facility, they poured a concrete floor and mirrored a standard commercial kitchen design.
- The Ag Society is working on a larger facility and creating a deer processing station there. They have a meeting with the Select Board to discuss that.
- Whit confirmed that the Building Department is involved and they will need to see the Board of Health as well. As far as the Conservation Commission is concerned, they would need to apply for an after-the-fact Notice of Intent. They can contact Angela on how to move forward with that application filing.
- Brian said they have installed water catchment basins and the only thing they really run water for is to wash their dishes. The catch basin catches that water and then “they can do whatever they want with that”. There is no runoff into the creek, and he no longer has animals which has improved the issue of erosion on the banks. It is all manicured and he is maintaining the area as grass to keep the ticks back. Brian lives right on the creek. He tests the water quality on the property and says that there is Giardia coming in and going out.
- Board inquired about Brian’s attitude and aversion around cooperating with the Conservation Commission and other town departments with regulatory duty and authority to ensure Brian follows the regulations and procedures. His initial impression was that the Conservation Commission was asking them to come in to shut down their operations, rather than having an open discussion.
- Lauren Lynch from the Ag Society weighed in. Island Grown Initiative (IGI) is the other state designated processing facility, but they do not want to be processing deer for donation as the kitchen is primarily used for cooking. The Ag Society will be going before the Select Board next week to discuss the feasibility of a processing facility at the Ag Hall to reduce pressure on the Hunt Club. That way the facility can return to being primarily for Hunt Club members as opposed to state deer permits
 - State biologist Martin Feehan works on deer research and instrumental in expanding the Share the Harvest program. The island was doing this before it became a statewide initiative.
- Brian says he appreciates how the Conservation Commission has approached this discussion.

Outreach to tick spraying companies informing them of our bylaw and regulations.

- Brian and Joe inquired about this discussion item on the agenda, asking about how the Conservation Commission is approaching spraying and expressing concerns about their impact on the ponds.
- Conservation Commission is being as strict as they can in applying the West Tisbury Wetlands Bylaw and Regulations which prohibit the application of tick sprays within the Commission’s jurisdiction.

Time will be reserved for topics that the Chair did not reasonably anticipate.

- Approval of Comp Time accrual for Angela.
 - Noah made a motion to approve Comp Time with a maximum of 30 hours accrued at a given time, seconded by Ernie
 - Roll call vote: Whit-aye, Robert-aye, Chris-aye, Ernie-aye, Noah-aye
- Inquiry about beach stairs at 134 Pond View Farm Road
 - Angela shared pictures submitted by Pete Lynch, who would be doing the work

- Board had additional questions about what work is being proposed and whether initial steps had been permitted. Would likely require some form of filing to permit the installation of new beach steps.
- **Calendar:**
Board will decide during August 4th meeting whether it is necessary to reschedule the first hearing of September or if one meeting that month is sufficient.

- **Administrative:**

Certificate of Compliance for 29 Naushon Road

- Bulkhead was replaced with an approved revetment in 2000, and Certificate of Compliance (COC) was granted. Board reviewed images from Angela's site visit.
- Chris made a motion to approve the COC, seconded by Noah
- Roll call vote: Noah-aye, Ernie-aye, Chris-aye, Robert-aye, Whit-aye
- Board signed COC

Administrative Annual Evaluation notice – due August 5th

- In previous years Whit did the evaluation for the Board Administrator
- This evaluation serves as a mechanism to evaluate the administrator's work.
- Briefly reviewed questions and Whit said he is happy to go through it and incorporate any other commissioner comments. Then Whit will meet with Angela before the August 4th meeting and submit to HR.

Draft Education Mailing Document

- Notes on first draft:
 - Print on yellow paper to stand out more.
 - Simplify further.
 - Thoughts around formatting so it can be mailed out as is as a trifold.
 - Addition of "you are receiving this because you are within..." so it is clear.
- Idea of running something in the paper.

- **Correspondence:**

NHESP Correspondence for Map 39 Lots 7,8,9,11 NOI

VCS Monitoring of 629 Old County Road

- One place clearly cut about 20 feet into the shrub layer and 5 feet wide. The cuts look old and there was no trimming into the wetland and no other evidence of trails.
- Board was content with Sam Look's reported conditions at the property.
- VCS will continue to do annual visits for CR monitoring purposes and if there are changes going forward, she will let the Board know. Angela will respond to Sam Look.

Building Department Violation Letter re: 200 Lamberts Cove Road

Ernie made a motion to adjourn, seconded by Chris

Roll call vote: Whit-aye, Robert-aye, Chris-aye, Ernie-aye, Noah-aye

Respectfully Submitted,

Angela Luckey
Board Administrator