

WEST TISBURY  
CONSERVATION COMMISSION  
MINUTES OF MEETING  
February 21, 2017

**Present:** Prudy Burt, Whit Griswold, Peter Rodegast, Peyton Wallace and Tara Whiting

**Absent:** John Brannen, Binnie Ravitch and Michael Turnell

**Staff Present:** Maria McFarland

**Also present for all or part of the meeting:** Chris Alley, and Josh Scott

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

**Continued Public Hearing:**

**Map 13, Lots 5 and 8/SE79-376:** 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 on behalf of Ephraim Road LLC, owner of 64 Ephraim Allen Road. The project consists of clearing 48 trees and the selective pruning of 18 trees on property owned by Sheriff's Meadow Foundation at 66 Ephraim Allen Road (Map 13 Lot 5) to establish a view easement for the benefit of Map 13 Lot 8.

This public hearing was continued until today because the comment letter from the Natural Heritage and Endangered Species Program was not received before the February 14 hearing. NHESP has 30 days to review and comment on projects. This application was not received by that agency until January 26. In consultation with the DEP circuit rider and after reviewing 310 CMR 10.59, it was determined, that the Commission does not have to wait for this letter from NHESP in order to proceed with its review because no work is proposed with an area of Estimated Habitat.

Members reviewed the project narrative submitted by Beetlebung Tree Care.

The area between the blue/orange trail and the green hatched area shown on the plan is outside the buffer zone. Downed material will be winched/hailed out of this area.

Josh and Chris confirmed that no trees in the resource area will be cut down. These trees will be pruned. Wheeled equipment referenced in the narrative means wheelbarrows and a log arch.

Prudy asked how many trees are coming down within the 50 foot No-Build Zone. Chris replied that they would have to survey the area to answer the question. Josh said the 18 trees are within the 25 foot No-Disturbance Zone. Chris said it was less than 18 because at least two of them are growing horizontally into this area.

Prudy noted that the view easement only allows for cutting trees above a certain height and there is no language for cutting below that height. Prudy asked if the applicant has permission from Sheriff's Meadow Foundation to do work outside the view easement.

Chris will submit a copy of the email between NHESP and Sheriff's Meadow regarding permission from the owner. Permission has been granted.

Prudy suggested that this work be done in 2 phases. Phase 1 would be all work outside the buffer zone and within the outer buffer zone. A site visit would then be done. Phase 2 would be any tree removal or pruning within the first 50 feet of the buffer zone. A site visit will allow the board to better understand how these projects work in the field.

Josh said they would be working with Sheriff's Meadow Foundation to determine which trees are taken down or pruned. Prudy said there are two levels of approval; by Sheriff's Meadow under the view easement and by the Commission under the Order of Conditions.

The board was willing to close the public hearing without the NHESP letter because there is no work in an area of Estimated Habitat covered by 310 CMR 10.59.

There was no public comment.

The public hearing was closed. A motion was made and seconded to approve the project as presented. Special conditions will include a site visit after the tree work is done outside the buffer zone and the second fifty feet of the buffer zone. Slash will be handled as set forth in the Beetlebung Tree Care narrative. There will be an ongoing maintenance provision. All in favor.

**New Business:** Whit said he is working with a group of people who are concerned about the environment. At a recent meeting this group discussed the Plymouth nuclear plant. He asked if there is a way that the board could send a letter of support to the Plymouth Conservation Commission if the opportunity to do so came up. The sense of the board was that they would be happy to send a letter of support if Whit asked.

**Old Business:**

**Map 39 Lot 7/208 Middle Point Road/SE79-354/ NHESP # 07-22660:** Members discussed a letter from George Sourati dated February 16 requesting an amendment to the Order of Conditions to provide for an extension of the NHESP time of year restriction. George said the contractor has approximately 4 more weeks of work. Members did not feel the request warranted the reopening of the public hearing or the issuance of an amendment. A motion was made and seconded to approve a two week extension of time to April 15 if the pond does not open prior to March 15. All in favor. A letter will be sent.

There being no new business to conduct, the meeting adjourned at 5:50 PM.

Respectfully submitted,

Maria McFarland  
Board Administrator  
APPROVED