

WEST TISBURY
CONSERVATION COMMISSION
MINUTES OF MEETING
November 15, 2016

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

Absent: Prudy Burt

Staff Present: Maria McFarland

Also present for all or part of the meeting: Elaine Florio, George Sourati and Frank Viviano

The meeting was called to order at 5:10 P.M. Tara Whiting, Chairman presiding.

The minutes of the October 25 meeting were approved as revised. Michael abstained.

Continued Public Hearing:

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 plantings. A quorum of members eligible to vote on this matter, not being present, the public hearing was continued without testimony to December 13, 2016 at 5:10 PM.

New Public Meeting:

Map 7 Lot 51: 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 **Request for Determination of Applicability** filed by Frank Vivano and Laura Marshall, owners of property located at **334 Lambert's Cove Road, Map 7 Lot 51**. The project consists of the replacement of a failed well in the Buffer Zone.

Mr. Viviano explained his need to replace the failing well on his property.

Members discussed the need for the project plan to show the location of the new water line that will be trenched from the new well to the existing line. There will be less disturbance if the new line is tied into the existing pipe.

Silt fencing will be located on the downhill side of the trench. Mulch or woodchips can be used to stabilize the area until the grass can regrow. The trench will be located as far uphill as possible without the need to remove any trees. The applicant shall submit a revised plan showing the exact location of the water line. It will be as far from the wetland as practicable.

A motion was made and seconded to issue a Negative Determination that while this project is within the Buffer Zone to a resource area it will not alter the resource area and any disturbances to the Buffer Zone will be temporary. The vote on the motion was 5-0-1. Tara abstained.

Old Business

Map 39 Lot 7/ SE79-354/ 208: hold 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 an amendment to an Order of Conditions (SE79-354) issued to Middle Point Shaq, LLC for property located at 208 Middle Point Road **Assessors Map 39 Lot 7**. The applicant seeks an amendment to the Order of Conditions to perform a portion of the reconstruction of the revetment from the top of a coastal bank instead of from the beach.

George presented the revisions to this project. The reason for the change is that the pond never gets low enough in front of the stone revetment to do the work from the beach. The two fiber roll sections of the project will still be done from the beach.

The revised plan shows a 14 to 15 foot wide temporary construction road. The area shown in white on the plan is lawn. The areas shown in gray on the plan will be brush cut. Heavy mats will be put down for the trucks and excavators to drive on. The mats will only be put down where the construction is being done. They will start work at the furthest end and remove the mats as the work is completed.

George also submitted two sketches. One sketch shows the previously approved plantings in the Buffer zone and the other one shows the proposed additional plantings in the Buffer Zone. Areas that will be brush cut will be monitored for one growing season before deciding if new plants are necessary.

The project should take 4 weeks to complete if all goes according to plan.

Tara asked how the contractor will reach the groins that have to be removed. George answered that this work will take place from the top of the bank.

Maria asked if the contractor is doing all phases of the project including the section covered by the Wilkinson Ecological protocol. George confirmed that everything in the work protocol will be followed by the contractor.

Plantings for the 10 ft. wide area landward of the fiber rolls are the same.

Maria asked whether the top of the bank was re-surveyed. George explained that they have surveyed the top of the bank three or 4 times since the beginning of the project. George said there has been approximately 3-4 feet of erosion at the top of the bank in the last 2 years. He will submit a copy of this plan for the record.

Peter asked how the construction road will be prepped. Michael responded that the brush should be cut flush to the ground so the mats will lie flat.

Whit asked if George would serve as the project manager. George said the construction company will designate a manager. Ultimately Sourati Engineering will sign off on the finished project by submitting an as-built plan.

Special condition # 13 will be changed to reflect these changes.

Public Comment: None

The public hearing was closed. A motion was made and seconded to approve the requested changes to the scope of work for the project. New special conditions include the widening of the construction access road at the top of the bank, permission to brush cut and place mats. All in favor.

OB Solar Array project update: Maria informed the board that the MVC will meet on this project on Thursday November 17. The Land Use Planning Committee voted 5-0 to recommend not approving this project. No action was taken.

Administrative:

Map 14 Lots 1 and 2/ SE79-80: Dreier/ The Certificate of Compliance for a 1992 project to dredge a pond between the Dreier property and the Seven Gates beach. The Certificate was approved and signed.

There being no new business to conduct, the meeting adjourned at 6:25 PM.

Respectfully submitted,

Maria McFarland
Board Administrator
APPROVED