

WEST TISBURY
CONSERVATION COMMISSION
MINUTES OF MEETING
May 24, 2016

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

Absent: Tara Whiting

Staff Present: Maria McFarland

Also present for all or part of the meeting: John Abrams, Ryan Bushey, Josh Scott and **Reid Silva**

The meeting was called to order at 5:06 P.M. Whit Griswold, Vice Chairman presiding.

Minutes: The minutes of the April 26 meeting were approved as revised. All in favor. Minutes of the May 10 meeting were tabled to the next meeting.

Continued Public Hearings/Meetings:

Map 14 Lot 2/SE 79-368: 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 Vineyard Land Surveying & Engineering, Inc., for a project to construct an addition to the existing dwelling, construct a new guest house, install a septic system, well and waterline, reconfigure the existing driveway and landscaping and maintain the existing view channels. The project location is 38 Forest Road.

Peter recused himself from voting on this project because of a conflict of interest.

John Abrams and Ryan Bushey were present to review the changes to the project plan that were discussed at the last meeting.

Revisions to the notes on the plan:

The height of the vegetation within the bordering vegetated wetland has been changed from 24" to 36". The area they are asking to maintain at 3 feet is now mowed.

The height of the vegetation on each side of the view channel to the north of the house was measured and is noted on the plan to be 6.5 and 7 feet.

The NHESP letter did not have any comments.

Commissioners' Comments/Questions:

Whit asked if the large trees in the existing view channels would be removed. John answered that within the view channels they are asking the board to allow the understory to be maintained by mowing and if new owners want to remove trees, they would have to come back to the Commission for approval.

Michael asked if the widths of the view channels are noted on the plan. They are.

It was pointed out that the applicant is asking for permission to allow the previously mowed BVW outside the view channel to be maintained at a height of 3 feet once it grows back to that height.

It was agreed that the BVW outside of the view channel in the area shown in red hatch marks on the project plan could be maintained to the height of the stone wall.

Binnie said she didn't have a problem with the project except that until the house is built it isn't certain that these are the right view channels. John Abrams agreed but added that a new buyer would most likely design a new house to take advantage of the view channels the applicant is asking to have approved. If they want to create new view channels a new owner would have to re-apply for a permit.

Whit said it was a thorough job and a reasonable request. The house probably has been there for a long time. If it was a new development he would feel differently

The public hearing was closed.

A motion was made approve the project as it is revised.

Discussion on the motion: The plan will be revised to indicate that the height of the vegetation within the BVW will be maintained to the same height as the stone wall.

Prudy asked about the existing path to the pond. The plan will be revised to show the existing path to the pond and the path to the beach.

The applicant would like to revise their request to maintain the height of vegetation in the BVW from 36" to the height of the stone wall and they would like permission to maintain a 3 foot wide path to the pond.

The motion was seconded. Discussion continued.

Prudy asked how the existing studio will be accessed. Reid said he will amend the project plan to show the existing path to the studio and asked for permission for this path to be maintained.

There being no further discussion, the vote was taken. Binnie, Michael and Whit voted to approve the project. Prudy voted no.

After the vote Prudy stated that she appreciated all the work the applicant did and that it will be some improvement, but she was uncomfortable approving the view channels before a new house was built.

There will be a special condition that the studio shall not be improved or expanded. Notes on the project plan will be incorporated as special conditions in the order.

No pruning or cutting of trees in the view channels or the resource areas are approved. Conditions will be approved on June 14.

Public Comment: None

Old Business:

Map 35 /Lot 6.3/ SE79- 345/Segal:

Josh Scott, landscaper for Phyllis Segal was present to request an amendment to special condition # 16 of the Order of Conditions and finalize maintenance provisions.

In the owner's opinion work in the outer Buffer Zone to open up the view was not sufficient to re-establish the view. In November 2015, the applicant requested permission to prune trees in the No-Build-

Zone. At that time, Peter suggested that as mitigation for work in the No-Build Zone, the property owner be required to put in some native plantings.

Josh asked the board to approve this work and the plant list. If approved, this area will be surveyed and shown on the project plan. The plant list includes:

- (3) #5 Ilex verticillata
- (11) #3 Viburnum dentatum
- (15) #3 Clethra alnifolia
- (3) #5 Aronia sp.
- (3) #5 Baccharis halimifolia
- (5) #3 Viburnum nudum var. cassinoides

A motion was made and seconded to issue an amendment to the Order of Conditions to amend special condition s# 16 to allow pruning of trees to a height of 6 to 8 feet within the No-Build Zone section of the view channel. Mitigation for this alteration will be the planting of species listed above. Also to finalize the long- term maintenance provisions as set forth in the Revised Phase Three work description dated November 23, 2015 as required by special condition # 19. Binnie, Michael, Peter and Whit voted to approve and Prudy voted no.

Josh will have the project plan revised. Maria will draft the amendment which will be recorded before the work can be done.

Map 7 Lot 13/SE79-365/ Medowski/ 367 Lambert's Cove Road: Special Conditions were reviewed and approved.

Map 11 lots 39 and 109.1/SE 79-367/ 40 Pepperbush Way/Land Bank: Special Conditions were reviewed and approved

Map 7 Lot 69/WTCC2016-01/ 52 Longview Road: Special Conditions were reviewed and approved

Map 1 Lot 50/SE79-358/Beach Pebble Road/Landscaping/restoration: A follow up site visit was conducted on May 19. Mr. Tate was informed that the fill needed to be pulled back to original grade to expose the root mass. The restoration areas were measured and remarked in the field by board members. Another site visit will be held on June 9.

Map 14 Lot 8 /Seven Gates/ Plan/Packer leased field: Members reviewed the plan that was revised to show the setbacks for the Riverfront Area and the Buffer Zone to the BVW. The fence is entirely within with the Buffer Zone. Prudy requested that Seven Gates be asked to move the fence back outside of the Riverfront Area. Peter thought that was a little far and suggested that it be moved outside the Buffer Zone. The driveway and trailer are also in the Buffer Zone.

A motion was made and seconded to send Seven Gates a letter stating that now that the wetland resource areas have been delineated on a plan it can be seen that the fencing and driveway are too close to the resource area and need to be moved outside of the 100 foot Buffer Zone to the bordering vegetated wetland. Mr. Packer's trailer should also be removed from the Buffer Zone. The letter will give a September deadline. The vote on the motion was unanimous.

Town Properties/BOS revised draft of Rules and Regulations: Prudy will attend the Board of Selectmen meeting. No action was taken.

Administrative:

Map 34 Lot 10.1/SE79-329/Yale: Certificate of Compliance was approved and signed.

Correspondence:

Out: MVRHS/ Athletic field letter dated May 16, 2016
Map 34 Lot 10.1/SE79-366/Yale/Order of Conditions
TRI Resource Letters all dated May 17, 2016 for Map 3, Lot 37. 16/28, 11/86, 16/198

There being no new business to conduct, the meeting adjourned at 6:55 PM.

Respectfully submitted,

Maria McFarland
Board Administrator
APPROVED