

WEST TISBURY
CONSERVATION COMMISSION
MINUTES OF MEETING
February 9, 2016

Present: Prudy Burt, Whit Griswold, Peter Rodegast (via conference call), Michael Turnell, Binnie Ravitch and Tara Whiting

Staff Present: Maria McFarland

Also present for all or part of the meeting: Geraldine Brooks, Brad Chase (via conference call), and Reid Silva

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

Continued Public Hearings/Meetings:

Map 34 Lot 10: 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 remove and treat a 8,250 square foot stand of Common Reed (*Phragmites australis*) within a saltmarsh located at 65 Carl's Way using the bundle, cut and wipe technique. The property is owned by George S. and Joan P. Thomas Trustees.

Peter Rodegast joined the meeting by conference call for this hearing. Reid Silva was present.

At the last meeting, Reid was asked to investigate the possibility of trying an alternative method of treating the Phragmites that would reduce or eliminate the use of herbicides. Reid said he thought the Thomas' would be amenable to whatever the Commission would like to try because either way the stand will be cut down to open up their view.

Members reviewed an email from Seth Wilkinson dated February 2, 2016 in which he addressed the pros and cons of cutting the Phragmites at a time when the water level in the pond is high enough so that the Phragmites would essentially be drowned by the salt water. The entire stand would be cut as low as possible under water in June with treatment with Rodeo of any portion of the stand that re-sprouts in late July or August. This method would reduce the amount of herbicide needed. Seth stated in his email that he does not think that the stand can be exclusively managed just by submerging the cut stems because of grade changes within the stand, and plants that are able to emerge from the water level for any significant portion of the growing season will continue to grow.

Reid said he doesn't know if it will work because of the hydrology of the pond.

There was a brief discussion about excavating the stand of Phragmites. Reid said that excavation is an effective way to remove the Phragmites below ground, but it significantly alters the wetland resources ecology and would require restoration.

Peter said there is an opportunity to experiment by cutting the entire stand under water and leaving one section untreated. Reid agreed to establish a control section of at least 1,000 square feet that will be managed solely by cutting and drowning.

There was no discussion of how the plants growing outside of the pond would be treated.

A motion was made and seconded to close the public hearing. All in favor. A motion was made and seconded to approve the project as modified and discussed. Peter, Tara, Whit and Prudy voted to approve the revised project. Binnie and Mike were not eligible to vote.

At the end of this hearing Peter ended his participation in the meeting.

Map 14 Lot 2/SE79-360: 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 establish a 50'x 75' building envelope in the second fifty feet of the Buffer Zone to accommodate a new 4-bedroom single family dwelling, and to abandon the existing well and cesspool and install a new well and 6 bedroom septic system to serve both the new house and an existing 2 bedroom house located at 38 Forest Road. The property is owned by Seven Gates Corporation and leased to Katherine and Theodore Dreier Jr. At the request of the applicant, a motion was made and seconded to accept the withdrawal of this application. All in favor.

New Business:

Map 32 Lot 48: 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 Schofield, Barbini & Hoehn Inc. on behalf of Geraldine Brooks and Anthony Horwitz, owners of property located at **16 Mill Road**. The project consists of the replacement of a previously existing fish ladder on the secondary spillway of Looks Pond Dam and to place boards on top of the primary spillway to increase water flow in the secondary channel. The project description and fish ladder design was submitted with the application by letter from the Division of Marine Fisheries (DMF) dated December 21, 2015.

Brad Chase of DMF was present via conference call and the property owner, Geraldine Brooks was present.

Brad said the fish ladder was designed and built to be a seasonal structure in case the property owner wanted to take it out, or if the spillway or ladder needs maintenance. He added that it can be left in place and used by fresh water species coming out of the pond outside of the time that migratory fish will use it.

The additional boards to be added to the primary sluiceway are also removable. Brad will draft an operation and management plan that will direct the property owner and herring warden on how to manage the board operation to help fish migrate in and out of the spillway without adversely affecting pond levels.

The fish ladder has already been built out of ACQ pressure treated wood and will be installed in mid-March by the DMF fish ladder crew. Brad will be on site with his crew on February 23 to make adjustments to an aluminum bracket that will sit in the spillway to hold the ladder.

There was a brief discussion about the use of pressure treated wood. The board is usually not in favor of its use, but in this application, it will be permitted.

A motion was made and seconded to issue a Negative Determination for the installation of a replacement fish ladder on the secondary spillway and to add new boards at the top of the primary spillway. A tarp will be used on site to collect any trimmings from the pressure treated wood. The operations and management plan will be submitted to the Conservation Commission for review and approval. All in favor.

Administrative:

Map 6 Lot 6 SB Vineyard LLC/SE79-301/Certificate of Compliance: A motion was made and seconded to issue a Certificate of Compliance for this project. All in favor.

CPC and Land Bank updates: Tara explained the details of a warrant article on a new playground at the elementary school. Binnie updated the members on the status of the management plan for the land added to the Manaquayak property.

Correspondence:

In: Letter from Federal Emergency Management Agency dated January 20, 2016 regarding final flood insurance rate maps

There being no new business to conduct, the meeting adjourned at 6:20 PM.

Respectfully submitted,

Maria McFarland
Board Administrator