WEST TISBURY

CONSERVATION COMMISSION

MINUTES OF MEETING

May 24, 2022

The meeting was held via Zoom in accordance with the Governor’s order suspending certain provisions of the Open Meeting Law, G.L. c.30A sec.20. Public participation will be via remote participation (Zoom) pursuant to M. G. L. Chapter 20 of the Acts of 2021.

**Present:** Fred Barron, Geraldine Brooks, Whit Griswold, Angela Luckey, Donna Paulnock, and Peter Rodegast

**Absent**: Michael Turnell

**Staff Present**: Maria McFarland

**Also present for all or part of the meeting**: Chris Alley and Joe and Lydia Santangelo

**Minutes:**

* The minutes of the meetings of March 8, 2022 meeting were approved as revised. Roll Call Vote: Angela -aye, Donna – aye, Geraldine – aye, and Whit – aye. Peter abstained. Fred joined the meeting after these minutes were approved.
* The minutes of the March 22, 2022 meeting were approved as revised. Roll Call Vote: Angela -aye, Donna – aye, Fred – aye, Geraldine – aye, Peter - aye and Whit – aye.
* The minutes of the April 19, 2022 meeting were approved as revised. Roll Call Vote: Angela -aye, Donna – aye, Fred – aye, Geraldine – aye, Peter - aye and Whit – aye.

**Continued Public Hearing**

**Map 1 Lot 38/SE79-439:** Continuation of apublic 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, Inc., on behalf of Joseph C. Santangelo, Trustee of the 55 Naushon Road Realty Trust for a project to install a set of timber stairs on a coastal bank, create two view channels and maintain an existing path through the Buffer Zone. The project location is **55 Naushon Road.**

Chris reviewed the changes to the site plan based on the first meeting and second site visit held on May 18.

* The wooden stairs will be replaced with a set of Sebago metal fabricated stairs of modular construction to allow for seasonal storage of sections above the top of the bank.
* The plan shows a cross section of the layout. They will come back with any changes as the design if finalized. Safety concerns dictate a landing. The general rule is a landing every 14 treads.
* View Channels: The limits view channels have not changed. They stop before the No-Disturbance zone adjacent to the top of the coastal bank. The 5 trees within the east view channel trees will be limbed rather than removed. Trees within the west view channel were confirmed by the Commission at the May 18 site visit. All trees to be removed shall be flush cut and debris removed by hand. No removal of shrubs or ground cover is proposed. Chris then explained that the project plan now shows that the area previously cleared by others totals2900 sq. ft.
* The existing 59 ft. long path to the top of the bank will be abandoned and allowed to vegetate naturally.
* The existing overgrown path to the new stairs is proposed to be maintained by hand trimming vegetation to a width of not more than 4ft.

They will do the work that is approved and if they need to come back for a modification of the plan.

Mr. Santangelo informed that meeting that he has a tentative/ verbal agreement with the owner of Map 1 Lots 39.1 and 39.2 to share the stairs in the location shown on the project plan and to remove the set of stairs immediately adjacent to the new stairs. The stairs would be shared with any subsequent owner of Lot 39.1. (There is a separate boardwalk and stairs on Lot 39. 2). The neighbor also plans to remove the stockade fence. The neighbor has reviewed the proposed plan with Chris Alley.

Mr. Santangelo has hired Sebago Dock to design and install the stairs. They will be aluminum with sand tone powder coated finish. It may need to have a landing part way down the stairway and will turn to the leg ( like a dog leg.)

Mr. Santangelo also stated that at some point he may want to revisit the number of trees needing to be limbed or removed. They are looking for a reasonable view rather than a full view. Maria explained that they could request a modification to the permit if the approved works does not result in the view they want.

Commissioners Comments/Questions

Geraldine noted that this type of design will be more resilient than the wooden stairs.

Geraldine then raised a question about the view channel work during nesting season. Maria explained that board has drafted time of year restrictions but they haven’t been adopted.

Geraldine also commented that the previously approved area of cutting can be allowed to be maintained to the existing height but not reduced in height.

There being no further discussion and no public comment, the hearing was closed. A motion was made by Fred, seconded by Peter to approve the project as revised and presented tonight. Roll Call Vote: Angela -aye, Donna – aye, Fred – aye, Geraldine – aye, Peter - aye and Whit – aye.

**Old Business:**

**Blackwater Brook Farm/ Runamuck Farm and Leonard-Peck Farm/ update**

Members met with Gary Makuch and Jiahau Wang of DEP to conduct site visits to Blackwater Brook Farm with Deb Farber and Anna Kalivas, representative of the Estate of Elizabeth Cottle, Runamuck Farm and the Leonard-Peck property.

Peter and Geraldine updated the board. Gary Makuch was constructively helpful. Deb Farber indicated she was willing to move the livestock out of the wetland to work with the USDA/ NRCS to obtain funding for improvements such as fencing.

Geraldine said it was great to have the estate’s representative present. Anna indicated that the estate is willing to do what needs to be done so that they don not lose the agricultural exemption. A drain in front of the barn that daylights into the pasture needs to redirected, removed or fixed. This would be something a Farm Plan could address.

Runamuck Farm: The property owner was unavailable to meet with us but gave Maria permission for the board to view the property from the fringes of the property. A causeway through a wet area was observed.

Leonard- Peck: Ms. Leonard- Peck did not grant permission for the site visit. Permission was obtained from an abutter to view the property from the abutter’s property. Visibility was not great.

Gary will send an individualized letter to Blackwater Brook and Runamuck Farms based conditions observed. The letter to Leonard- Peck will be to schedule a site visit directly with DEP.

The board’s role would be processing any permit applications that result from this event.

**Bylaw revisions review/ meeting with John Rockwell/ follow up**

Next steps were discussed. Maria suggested that the board schedule a working meeting to go over the proposed revisions made by John Rockwell and also to decide whether to have Mr. Rockwell review the view channel regulations which was part of the original request. Mr. Rockwell was unable to complete the view channel review within the budget the board set.

In order to use the remaining funds in the budget, there needs to be a quote from Mr. Rockwell and the work will need to begin before June 30 in order to encumber the funds. Otherwise, the review could be done after July 1.

Mr. Rockwell also recommended that these revisions be reviewed by Town Counsel. Maria was instructed to follow up with Mr. Rockwell.

**Administrative:**

**Map 22 Lot 2.2/SE79-135/44 North Road/ Certificate of Compliance:** A motion was made by Peter, seconded by Angela to approve the Certificate of Compliance for this project. Roll Call Vote: Angela -aye, Donna – aye, Fred – aye, Geraldine – aye, Peter - aye and Whit – aye.

There being no new business to discuss, the meeting adjourned at 6: 08 PM.

Respectfully Submitted,

Maria McFarland

Board Administrator