

WEST TISBURY
CONSERVATION COMMISSION
MINUTES OF MEETING
December 8, 2020

Present: John Brannen, Geraldine Brooks, Whit Griswold, Angela Luckey, Donna Paulnock, Binnie Ravitch, Peter Rodegast, and Tara Whiting-Wells

Absent: Michael Turnell,

Staff Present: Maria McFarland

Present for all or part of the meeting: Emma Green-Beach, Virginia Jones, and Sheri Caseau

Whit Griswold called the meeting to order at 5:06P.M. 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.

Minutes: The minutes of the November 27 meeting were approved as written. Roll Call Vote: Geraldine, John, Tara, and Whit voted in favor. Binnie and Peter abstained.

Public Hearings

Map 3 Lot 68/20 Longview Road//SE79-TBD: a public hearing under the requirements of G.L. Ch.131 § 40, as amended, and West Tisbury Wetlands Protection Bylaw and regulations, to consider a **Notice of Intent** filed by Schofield, Barbini & Hoehn, Inc., on behalf of Timothy D. Sweet & Rachel E. Vanderhoop for approval of the conversion of a grass strip to a 12'wide driveway with a pervious surface,, installation of underground utilities, trenching for a new waterline from the main house, and encroachment into the Buffer Zone during construction to serve a new accessory apartment.

At the applicant's request, the public hearing was opened and continued without taking testimony to December 22 at 5:10 PM by a motion made, seconded and approved by a roll call vote: Binnie, Geraldine, John, Peter, Tara, and Whit voted in favor.

New Business:

Map 18 Lot 1/ Margaret K. Littlefield Greenlands: At the request of Caleb Slater, the board considered whether to establish a formal policy on hunting in Greenlands. The Commission, as manager of Greenlands has never established a written policy.

Prior to the meeting, members received a packet of material that included a 2003 request from the Commission to the Board of Selectmen seeking guidance on this issue along with a copy of a 1974 Town bylaw prohibiting the discharge of firearms on town property without permission from the Board of Selectmen. State law prohibits hunting within 500 feet of residential areas. Hunting is not mentioned as a permitted activity in the management plan for Greenlands, nor is it mentioned in the definition of passive recreation used by the Division of Conservation and Recreation.

Maria reported that she spoke to the Dana Street, President of the Great Plains Homeowners Association to see if she has had any calls with complaints or concerns about hunting in Greenlands She was told that people do hunt in Greenlands and in the three years she has been president, she has not received any calls about hunting. At Ms. Street's suggestion, Maria also spoke to Dana Rezendes who is an avid hunter. He confirmed that people do hunt in Greenlands.

Members had a brief discussion regarding lead shot, how Chilmark handles hunting, and how to establish a procedure for approval. A motion was made and seconded to approve hunting in Greenlands during bow season with no restrictions and to approve hunting in Greenlands during shotgun and black powder seasons, subject to approval by the Board of Selectmen with the restriction that lead shot not be used. Roll Call Vote: John, Peter, Tara, and Whit voted yes. Binnie and Geraldine abstained. Vote count: 4-0-2. Motion carried.

Tisbury Great Pond: An informal discussion scheduled with Emily Reddington, Executive Director of the Great Pond Foundation (GPF) and Chris MacIssac to discuss collaboration on great pond issues was postponed at Emily's request. Prior to tonight's meeting, Sheri Caseau asked to be on the agenda for this meeting to provide an update on her 2020 work, but was asked to wait until the December 22 meeting because of the previously scheduled meeting with Emily Reddington. Emma Green-Beach also wanted to be present for the discussion with Emily. The board proceeded to talk with Sheri and Emma.

Sheri told the board that sampling took place during the summer as planned and included pre-and post -openings. She is hoping to have the data from SMAST back in time for the meeting on the 22nd but SMAST. SMAST is a state certified lab but they are slow to deliver data. Once the MVC has the data it is transparent and readily available. Rather than more data collection, she would like turn the attention to approval of projects for mitigation such as placing dissolved oxygen monitors and salinity and temperature monitors in situ in either Deep Bottom or Town Cove.

Sheri gave examples of mitigation projects happening down-island. These include a pilot project that is testing the nitro tanks in Vineyard Haven that has received provisional approval from DEP and a project is the installation of a Permeable Reactive Barrier (PRB) in Lagoon Pond.

She suggested that a PRB could be considered for placement in Deep Bottom Cove near the Whitestone (formerly Red Pony) horse farm if they cannot work with to limit their nitrogen output in other ways.

The MVC has applied for a grant study pond openings to see how effective the openings are. (Longer openings are highly recommended in the Estuaries report as an acceptable mitigation measure that would count towards reducing the TMDL.)

Geraldine asked Sheri for more information on the nitro tanks. Sheri explained that they are nitrogen reducing septic tanks developed by John Smith. These tanks are chambers filled with wood chips and limestone. They have been reducing the nitrogen by 80-90%. The nitro tank project was funded by a clean energy grant effort between the MVC and the Town of Tisbury.

The Tisbury Board of Health recently regulations changed their regulations to require the installation of an A/I system for new construction, renovations or septic system failure for properties town-wide.

Sheri added that she is talking about this type of project with the Chilmark Pond Association. They are also looking into creating a Chilmark Pond watershed district possibly based on the Tisbury model.

Ginny said she would like any information provided to the Planning Board and Shellfish Committee. John said this could be discussed at a meeting of all the relevant town boards.

Emma will send a copy of the Phragmites Study she worked on that was done for the EPA. The study was done to evaluate the use of Phragmites as a potential nitrogen mitigation strategy.

Whit asked Sheri if every town has to have a 208 Plan.

Sheri explained the purpose of the 208-equivalency plan. DEP requires each city and town to have a comprehensive wastewater management plan if it wants to receive state funding for mitigation projects to comply with TMDL requirements. Each down island town has its own 208 Plan because they town as its own wastewater treatment plant. The up island towns do not need wastewater treatment plants, so DEP will accept what is called a 208 Equivalency Plan. In addition to being eligible for grant money, having an equivalency plan would allow the up-island towns to join a coalition of cape towns, which have been able to tap into the money generated by the collection of the short-term rental taxes.

DEP will accept mitigation measures such as the I/A systems, longer pond openings and experimental projects like Phragmites removal as ways to meet the TMDL requirements.

Whit asked who develops the plan and what would the towns provide. Sheri said the commission has a lot of initial data already and will work with the towns to develop the plan and if necessary, the MVC and towns can bring in a consultant. It was agreed that the details of getting this plan completed and need to be clarified.

Emma suggested that the Chilmark and West Tisbury look into developing a Tisbury Great Pond watershed management committee that would work on implementing the recommendation of a 208 Equivalency Plan.

After this discussion, Sheri and Ginny left the meeting.

Tara said she does not want to work with the MVC on Tisbury Great Pond anymore. She sees the MVC as a generalist and feels the town needs the expertise of the GPF. She is hoping that the meeting with Emily Reddington will take the town in a different direction. John said he is not interested in a 208-equivalency plan and does not want to work with Adam Turner on it.

Whit said he is snowed by the approach of the GPF, but he is not sure if they are the right experts. He continued that there has been a lot of improvement in Edgartown Great Pond, but they different systems. For instance, Tisbury Great Pond is fed by two fresh water systems. He understands the frustration however, it seems like the equivalency plan is necessary if the towns are going to get funding for remediation projects. Whit said he would call Adam Turner.

Emma asked if she could point out a few things about the GPF that members may not be aware of.

The GPF was not solely responsible for fixing Edgartown Great Pond. The foundation paid for the use of a dredge to work in the pond and the town of Edgartown upgraded their wastewater treatment plant, which stopped a huge plume. The foundation has done monitoring, but she is not aware that they have any tools that are different or unique. Their approach and communication is different. They talk about a robust water quality-sampling program but she has only seen the temperature, salinity and dissolved oxygen date. She concluded by saying that to her knowledge, neither the Town of Edgartown nor the MVC has seen the foundations nitrogen data.

Old Business

MVRHS/ Athletic Field: A motion was made and seconded to approve the letter to the MVC drafted by Geraldine stating the board's opposition to the use of artificial turf for the Regional High School athletic field. Roll Call Vote: Binnie, Geraldine, John, Peter, Tara, and Whit voted in favor.

Invasive Species removal/Pear Tree Cove/ Tisbury Great Pond: Maria discussed the proposal submitted Keith Gazeille of Solitude Lake Management. The scope of work for a hand-pulling project the Parrot Feather (*Myriophyllum aquaticum*) states that the Parrot Feather would be manually hand-pulled including root system to the extent reasonable possible. They would install floating fragment barrier around work site to prevent fragments from potentially migrating out of the cove. The contract price of \$4,100 includes a crew of two Aquatic Specialists for one-day (6-8) hours of hand pulling effort. : Included in that price is \$850 for preparing and filing a Request for Determination of Applicability required performing the work specified in the contract.

The town would be responsible for providing information required for the permit application process, preparation and filing of the legal ad, and presenting the application. The town would also be responsible for, providing a suitable upland disposal site for the removed plant material.

Maria said that she could prepare the application. What is not clear is how they propose to access the site. Maria will check with Keith to see if the price includes bringing a boat with them and if it does, to let him know using a boat is not feasible, and ask that he reduce the cost accordingly. The board will have to decide if they want to put forth a warrant article. No action was taken.

Administrative:

Bylaw regulations revisions: Approval was tabled to the next meeting.

Map 7 Lot 153/SE79-417/Septic Upgrade/ Certificate of Compliance: Tabled to the next meeting

FY2022 Budget: A motion was made and seconded to approve the FY 2022 Budget and Budget Submission Sheet as presented. Roll Call Vote: Geraldine, Peter, Tara, and Whit voted in favor. (Binnie and John left the meeting before this was discussed.)

Correspondence:

In: Solitude Lake Management/ Services Contract/ Proposal/ Pear Tree Cove Parrot Feather infestation
Response from NHESP dated November 24, 2002 regarding t the State Forest
Email from Caleb Slater dated December 2, 2020 regarding hunting in Greenlands

There being no further business to conduct, the meeting adjourned at 6:37 PM.

Respectfully submitted,

Maria McFarland
Board Administrator