

WEST TISBURY  
CONSERVATION COMMISSION  
MINUTES OF MEETING  
April 18, 2023

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: Peter Rodegast, Mike Turnell, Geraldine Brooks, Fred Barron, Angela Luckey (5:20pm)

Absent: Donna Paulnock, Whit Griswold

Staff: Tara Whiting-Wells

Also present: Laurel Wilkinson, Adam Moore, David Small, Brandon Faneuf, Rob Aryee, David Horwich, Tom Shockey, Phil Regan, Bryan Collins, George Sourati, Christopher Lyons, Racheal (Sorrentino?) Carlos Montoya, Ernie Thomas, Noah Froh, Stephanie Mashek,

Mike moved and Fred seconded to approve the minutes of March 28<sup>th</sup> as corrected. Roll call vote: Mike-aye, Peter-aye, Fred-aye, Geraldine-aye.

**New Business:**

Peter did an informal site visit with Josh Scott for Zimmerman; when they submit the landscape plans they will include all tree trimming plans.

Tara updated on 40 Norton farm Rd; trench/solar installation without permits. Board agreed to write a letter to owner and Fuller Solar.

**Public hearings:**

**Continued:**

**5:20 Map 35 Lot 7/ SE79-448:** 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 Vineyard Land Surveying & Engineering, Inc, on behalf of Peter and Rachel Sorrentino for a project located at 71 Carl's Way. The project consists of the demolition of the existing single-family dwelling and guest house, and the construction of a new house, guest house, pool with decking and terraces, gardens, and septic system together with associated site work. Demolition work is within the Riverfront Area and the new construction is within the Buffer Zone to Land Subject to Coastal Storm Flowage.

Peter reopened this hearing. Phil Regan asked for a continuance to next meeting so they could go before the planning board first.

Geraldine moved to continue until the May 9<sup>th</sup> at 5:20pm<sup>th</sup>, Fred second. Roll call vote; Geraldine-aye, Fred-aye, Mike-aye, Peter-aye.

Angela joined.

**More New business:** May 7 Lot 78 31 Black Brook Crossing/Beford

RDA from 1989 to maintain a pond. Lenny Beford III asked about how to do maintenance work. Tara will get more information and bring to the next meeting.

Extension permit; Spaulding view channel. Geraldine moved and Mike seconded the motion to grant extension permit. Roll call vote; Geraldine-aye, Peter-aye, Mike-aye, Fred-aye, Angela-aye.

**5:40 PM:** Public Hearing under the requirements of G.L. Ch.131 § 40, as amended, and West Tisbury Wetlands Protection Bylaw and regulations to consider a **Request for Determination of Applicability** filed by Sheriff's Meadow Foundation. The project location is **60 Ephriam Allen Road, assessors Map 13 Lot 8.1**. The project involves the creation of a public trail connection from Cedar Tree Neck Sanctuary to Ephriam Allen Road. Also, the restoration of an existing stone wall to a height of 3'.

Adam Moore from SMF presented the plan. The purpose is to connect a trail in the vicinity of Ephriam Allen Rd to Cedar Tree Neck. There will be a section of rock wall rebuilt to a height of about 3'. Approximately 100' of wall and 150' of trail are in the buffer zone to the river front area. Part of the purpose is to deal with a trespassing issue. Trails will be mowed to a width of 3' and marked with blazed trees. The stone wall will be stacked by hand. There will be minimal removal of dead trees that are a hazard on the trail. Staging of material will be on the road.

NHESP survey has been done and Adam will send letter. They would like to get work done prior to Memorial Day.

Peter recused himself as he does work for SMF. Geraldine made a motion for a negative determination and Mike seconded. Roll call vote; Geraldine-aye, Mike-aye, Fred-aye, Angela-aye.

**Old Business:**

Almostendofthedirtroad: George Sourati came with a revised plan when was discovered that there were major deviations from the approved order of conditions. (examples, no pre-construction site visit, no limit of work, change of access point). At this time the septic tanks, chamber and denitrification system are all in place and stable.

-Noted changes; access is different but made the width smaller, grading smaller and reduced the limit of work area (was 8,917 now 6,497). Access will be driven over but the plants allowed to regrow or planted as needed. No irrigation on the property. Mike stressed to keep existing

topsoil and not import. Peter asked how it was that Tom Della Rocco ended up cutting an unpermitted route. Mike made a motion to approve the new plan and Geraldine seconded. Roll call vote; Geraldine-aye, Mike-aye, Fred-aye, Angela-aye, Peter-aye.

### **More New business:**

Agarwal, lots 3A & 3B Little Homers Pond, 43-9 & 43-10, review and vote to approve landscape plan;

Carlos Montoya talked a bit about the restoration plan and the names of the different habitats. Angela moved to approve the plan and Geraldine seconded. Roll call vote; Geraldine-aye, Angela-aye, Mike-aye, Fred-aye, Peter-aye.

126 Naushon Rd, Map 1 Lot 17. Unpermitted activity/work/clearing in a wetland. Peter (and others??) did a sight visit.

David Horwich (builder on behalf of parents, who are the owners) originally there was a permit for interior renovation so no need to come before CC. Mr. Horwich stated that there was so much rot found they demolished the whole house except for the foundation. Stated they did not do any clearing around the tennis courts but when doing removal of brush from the front of the house they got a large piece of equipment stuck in the 'wet' and had to use another piece to pull it out. They then put down seed/hay/silt fence. Peter asked for them to make sure the silt fence was hand dug in a few inches to help with erosion control. This was done and wood chips added on the upland side. (Not asked for). There are a lot of exposed and torn up pipes that need to be dealt with. Trailers on the property are pumped out by truck. There was discussion about newer clearing around the tennis court, noting fresh woodchips, but Mr. Horwich stated it was not them. He said they took possession in 2021. He does have a plan with all the wetlands delineated. He was directed to put it all together with an NOI.

### **?? Indian Hill Rd/Cottrell**

The CC had asked for the wetlands to be delineated with an overlay due to previous conflicting lines. Brandon Faneuf presented his plans. None of the three plans line up with each other and while this one was the most conservative, there is still work within the CC's jurisdiction. Peter asked for some clarification as to why the difference in plans/lines? Mr. Faneuf uses BVW delineation manual; he looked at vegetation and soils and/or observances of surface or near surface hydrology. (Fine textured soils/clay loam/terminal moraine). The finer the texture the more 'wet.'

There is an isolated wetland that is in a different place on this plan. Geraldine asked if the installation of pipe and filter fabric could have altered the location or wetland area? Mr. Faneuf did not think so. Mike had questions about the pipe as well as hydrology of Indian Hill Rd. Peter asked for Mr. Faneuf to send along notes for delineation. This will be picked up again at the next meeting (May 9<sup>th</sup>) with discussion about what paperwork needs to be filed. No work is to be done in these areas until then.

### **119 Old Thumb Point Rd**

Stephanie Mashek presented-the owner would like to convert a covered deck into a screen porch, perhaps have an addition at a later date. Advised to submit NOI.

David Small was there as they new elected member of the Parks&Recreation committee. There was a warrant article (P&R) that lead to much confusion at town meeting. He was there to get some information from the CC as to the history of the beach and the dune and work that can be done. Very brief recap but tabled. Ernie Thomas reminded everyone that the North Shore is a DCPC.

There being no new business the meeting adjourned at 6:45pm

Submitted by Tara J. Whiting-Wells