

WEST TISBURY
CONSERVATION COMMISSION
MINUTES OF MEETING
January 14, 2020

Present: Brian Beall, John Brannen, Whit Griswold, Donna Paulnock, Binnie Ravitch, Peter Rodegast, Michael Turnell, and Tara Whiting-Wells

Absent: Geraldine Brooks

Staff Present: Maria McFarland

Also present for all or part of the meeting: George Sourati, Lisa Strachan, and Kristina West

The meeting was called to order at 5:07 P.M. Tara Whiting-Wells, Chair presiding.

Minutes: The minutes of the December 10 meeting were approved as revised. Binnie abstained.

New Business:

Map 7 Lot 28/35 Cottle Road/ Emergency Certification: Maria reported that on Monday January 13, Chris Alley requested permission to install a new 1,500 gallon septic tank and 1,000 pump gallon pump chamber to abate an emergency public health situation created when the cesspool at this property collapsed. The owner is 90 years and cannot be relocated from her home. Members reviewed photos of the site. A Notice of Intent will be filed to cover the installation of the leach field. No special conditions are required as the area where the new components will go is lawn. The old pit will be properly abandoned.

A motion was made and seconded to approve the Emergency Certification with the work to abate the emergency completed no later than January 31, 2020. All in favor.

There was also a brief discussion about water quality sampling done several years ago in Blackwater Brook and conditions on farms that abut the brook. Maria will circulate the report.

Map 25 Lot 1.1 Martha's Vineyard Agricultural Society/2020 Event list: Kristina West, Executive Director of the Ag Society was present to go over the schedule.

This schedule was reviewed and by Brendan O'Neill, Jen Rand, Ron Rappaport, Kristina West, Tara, and Maria at a meeting on December 31. No actions were taken by this group.

The Vineyard Conservation Society board met to discuss the schedule on January 10 and Brendan forwarded the following:

- They were enthusiastic about the improved communications process, and thanked all parties for their efforts.
- There was general agreement that the proposed list looks reasonable.
- They urged parties to agree on a definition of events that excludes routine MVAS operations and governance activities like trustee and committee meetings.

A question was raised about creative ways to mitigate noise and light impacts on Panhandle neighbors: can the building itself serve as “screening” with parking and access on the north side?

The discussion centered around whether the meetings and activities that happen on a regular basis, including but not limited to meetings of the Ag Society Board meetings and various committees such as 4 H activities, Barn Buddies, Spinners and Weavers and the Horse Council, should be considered in the total number of events. Also discussed was whether weddings are a commercial activity or a private event.

Tara said she agreed with Brendan’s assessment that communication has been better. She went on to explain that, as a functioning agricultural society they already hold approximately 52 events (not including memorials) that do not require approval [by the Town or holders of the CR.] These are activities they are meant to do and they should get credit for expanding the agricultural activities, however, when one adds the additional 32 events on the 2020 schedule it makes the building a community hall. Aside from the Fair, the weddings and Artisan festivals are commercial events that are not allowed under the APR or zoning.

Tara referred to the Attorney Stephen Small’s letters that the Woods were in favor of a very limited number of events that are not high intensity. While there is no specific language in the APR, this is one of the uses that Bob and Jean Woods were concerned about.

John asked how the list compares to the 2019 list. Kristina replied that the 2020 list is almost identical to every list since 1998. The list was in place at the time of Stephen Small’s letter. Tara said the Woods letter was in response to the fact that the number of activities had increased significantly.

Kristina reminded the board that the Woods family placed the primary responsibility of approving uses under the APR to Vineyard Conservation Society. Tara noted that the Town, acting through the Conservation Commission as a co-holder of the APR has the right to comment on the list. Kristina pointed out that prior to 1998 there were approximately 60 events held that were reduced to 30 as a result of the 1998 discussions and correspondence. Since then, what has increased is the Society’s use of their property for Ag Society related activities.

John asked Tara what she would take off the list. Tara answered that she would remove the weddings and the artisans fair because they are commercial events.

Binnie did not agree that weddings are a commercial event but rather private events. Tara disagreed and responded that is it not a community event and because a rental fee is charged, it is commercial.

Kristina said there has been a lot of discussion about what the Woods family wanted. She pointed out that the Woods did not specifically say any weddings. The events happening in 1998 are still happening except that the Family Planning Art Show is no longer being held at this property. The Ag Society will replace the art show with an event to be determined. (The original list included a large scale concert which has been removed as the request of VCS.)

Kristina told the board they held a meeting in November with a group of neighbors. These meetings will continue.

John asked who decides what events qualify under the APR. The Ag Society determines if the event is agricultural or community.

Peter said the events on the list are consistent with past practice and he encouraged Kristina to continue communicating with the neighbors. Binnie added that she would like the Society to explore the suggestion made by VCS regarding screening.

A motion was made that the current list is the baseline and that the board encourage the Ag Society to explore expeditiously the concept of sound proofing and parking placement [as suggested by VCS]. The vote on the motion was 5-1. Tara voted no. Motion carried.

Map 25 Lot 1.1/ Martha's Vineyard Agricultural Society Pinewood Derby event: The Boys Scouts requested use of the Ag Hall to hold their annual Pinewood Derby. This event is usually held at the Chilmark Community Center, but the building is not available this year. By email dated December 27 VCS determined that the use of the building by the Scouts "appears consistent with APR intent... to allow the conduct of educational community activities for the enjoyment to residents of MY and for others." No action was taken.

Climate Change: The board received a letter from Kate Warner of the Climate Advisory Board regarding projects recommended as a result of the West Tisbury Community Resiliency Workshop in 2018. Peter said he thought it was a great initiative. Binnie said the Land Bank discusses this issue frequently. Discussion was tabled to a future meeting.

Old Business:

Tiah's Cove Road Culvert: Tara told the board that the Selectmen went out to bid on the culvert replacement and received 3 bids. Maria will find out when the Division of Ecological Restoration plans to open another round of grant funding for such projects. No action was taken.

Administrative:

2019 Annual Report: A motion was made and seconded to approve the Annual Report with revisions. All in favor.

The following Certificates of Compliance were reviewed and approved:

Map 6 Lot 7/ 255 John Cottle Road: WT2016-02
DEP File Nos 79-377 and 384
Map 43 Lot 2/130 Watcha Club Road/ SE79-381

Revisions to Bylaw regulations on view channels: Discussion tabled.

Water Resource Withdrawal application: Members reviewed a second draft of an application.

Issues discussed:

- Method of measuring flow and amount to be withdrawn
- Wording changes to include purpose, single purpose event or for a specific time period
- How to determine drought conditions
- Follow up information on actual amount taken
- Type of data being collected

Draft regulation: Maria used the framework of the wetlands bylaw regulations to provide a rough draft of a regulation document. No action was taken on this draft.

Buffer Zone regulations: Maria explained that the new MACC guidance document on buffer zones included a model regulation for buffer zones. Maria suggested editing the current bylaw to incorporate language from this model.

View channel regulations discussion tabled to the next meeting.

Map 35 Lot 1.9/ 99 Pond View Farm Road: Tara and John will go to the Board of Health hearing on the septic system for this property to encourage the Board of Health to ask that an Innovative Advanced technology system be installed.

Correspondence:

- In:** Emails regarding Pinewood Derby from Kristina West, Brandon O'Neill and Jen Rand
Email from Brendan O'Neill/ VCS comments on Ag Society Schedule
4 Letters from TRI/Housing rehab program
Letter from Climate Change Committee dated January 12
- Out:** Map 5 Lot 2.3/ SE79-408/Order of Conditions
Map 6 Lot 7/SE79-410/Order of Conditions
Map 3 Lot 7/ SE79-411/ Order of Conditions

There being no further business to conduct, the meeting adjourned at 6:45 P.M.

Respectfully submitted,

Maria McFarland
Board Administrator
APPROVED