

WEST TISBURY
CONSERVATION COMMISSION
MINUTES OF MEETING
January 8, 2019

Present: Prudy Burt, Whit Griswold, Peter Rodegast, Michael Turnell and Tara Whiting

Absent: John Brannen and Binnie Ravitch

Staff Present: Maria McFarland

Also present for all or part of the meeting: Deb Hancock, Doug Hoehn, and Reid Silva

The meeting was called to order at 5:05 P.M. Tara Whiting, Chairman presiding.

The minutes of the December 11 meeting were approved as revised. All in favor. Michael abstained.

The minutes of the December 12 meeting were approved as written. All in favor. Michael abstained.

Continued Public Hearings:

Map 39 Lot 2.1/SE79-392: 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 Schofield, Barbini & Hoehn on behalf of Thomas and Christina Shropshire owners of 147 Middle Point Road Assessors **Map 39, Lot 2.1**. The project consists of the creation of two view channels by selective clearing, maintenance of an existing path to Thumb Cove, and construction of a set of stairs to the beach accessory to the construction of a new single family dwelling to be located outside the Commission's jurisdiction.

Peter Rodegast recused himself from the public hearing because of his relationship with South Mountain Company who is working for the applicant.

Due to the lack of a quorum of members eligible to hear testimony and vote on this project, a motion was made and seconded to continue the public hearing on this application to January 22 at 6:00 PM. All in favor.

Map 35 Lot 6.15/SE79-390: 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 Jon McNeill for a project at 160 Plum Bush Point Road owned by Philip W. Spalding, Trustee of Spalding Investment Realty Trust. The project consists of landscaping and creation of view channels within the Buffer Zone accessory to a new single family dwelling to be constructed outside the Buffer Zone, construction of a 34' raised boardwalk through a Bordering Vegetated Wetland and an 80' long seasonal pier with fixed pilings and seasonal ramp and float.

Reid reviewed a new plan with the board. The boardwalk and dock have been removed and the view channels have been reconfigured. The plan now shows a better defined house footprint and lawn area. The new plan shows a meadow in the Outer Buffer Zone. Discussion centered on the process to create the meadow.

The lot the McNeil's are planning to buy is a portion of the original lot #15 on the subdivision plan. In 2013, a plan with two building envelopes was submitted to NHESP for review and approval. When Reid submitted the project plans to NHESP for this lot, he did not realize he needed to show both lots on his plan so the letter from NHESP has been delayed.

A westerly portion of the meadow is within Priority/Estimated Habitat, but not in the Buffer Zone. The easterly portion of the meadow is within the Outer Buffer Zone but not within Priority/Estimated Habitat.

The applicant is proposing to brush cut the entire site, tag trees to be cut within the view channels and the meadow subject to approval of the Commission. If the Commission approves the trees to be cut, the applicant proposes to then rotovate the lawn and meadow area. No trees would be cut until the house is constructed. They are proposing to do this work before they excavate for the foundation. Approximate 5,700 square footage of the buffer zone would be altered to create the meadow.

Commissioners Comments/ Questions:

Prudy questioned the need to alter 5,700 square feet of outer buffer zone before there is a house. She is not in favor of approving brush cutting, rotovating and tree cutting before the house is constructed.

Reid asked what the negative impacts to the resource areas by creating a meadow. He pointed to other lots along Plum Bush Road that have cleared the buffer zone right to the edge of the wetlands.

Prudy replied that in her experience meadows turn into fertilized lawn.

Peter offered that the board could agree to the lawn area and brush cutting the outer buffer zone, but not the rotovating. Michael, Tara and Whit agreed with Peter's suggestion. Peter and Michael both suggested reducing the size of the meadow. Michael is concerned about importing soils that could transport invasives. It was noted that brush cutting without rotovating will allow the introduction of meadow species.

Reid responded that he did not understand what the impacts to habitat, ground water and the pond would be by allowing the changing from a wooded habitat to a meadow habitat.

At the request of the applicant, a motion was made and seconded to continue the public hearing on this application to January 22 at 5 00 PM. All in favor.

New Public Hearing:

Map 3 Lot49/SE79-393: a public hearing under the Wetlands Protection Act G.L. Ch.131 § 40, as amended, and West Tisbury Wetlands Protection Bylaw and regulations to consider a **Notice of Intent** filed by Sourati Engineering Group on behalf of Nooni and Shira Hammarlund owners of property located at **60 Stone Bridge Road**. The proposed project consists of the construction

of a single-family three-bedroom house and associated site work including installation of a well, sewage disposal system and utilities on Lot 49. The proposed work is located within the Buffer Zone. At the request of the applicant, a motion was made and seconded to continue this public hearing without taking any testimony to January 22 at 6:15 PM. All in favor.

Old Business:

MVAS/ APR meeting: Maria will follow up with Jen on the status of the list of events to be submitted to VCS, the Town and Town Counsel. No action was taken.

Water withdrawal bylaw: Maria will check with Ron. After meeting with Tara, Prudy and Cindy, Ron recommended having an attorney who specializes in water rights look at the bylaw language.

Administrative

The following Certificates of Compliance were reviewed, approved and signed:

Map 3 Lot 49/ Hammarlund SE-244/ (2004) House never built
Map 6 Lot 14.1/ Graham: SE79-63- (1990) House and restoration of unauthorized work
SE 79-73 (1991) Invasive species work
SE79-108- (1993) Work on dam
SE79-109 (1993) Invasive species removal; amendment to
continue restoration work done in 1997

Correspondence

In: Proposed Capital Improvement Plan Projects at the airport Environmental
Notification Form
Transportation Improvement Project plan for continuous traffic count
stations
Out: Letter to BOS re/ MVAS/Signs on Panhandle Road
Tiah's Cove Road Culvert Replacement Order of Conditions

There being no further business to conduct, the meeting adjourned at 6:15PM.

Respectfully submitted,

Maria McFarland
Board Administrator
APPROVED