

WEST TISBURY
CONSERVATION COMMISSION
MINUTES OF MEETING
April 21, 2020

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

Absent: Michael Turnell

Staff Present: Maria McFarland

Also, present for all or part of the meeting: Reid Silva

Tara Whiting-Wells, called the meeting to order at 5:11 P.M. This meeting was held remotely via Zoom.com in accordance with the Order Suspending certain provisions of the Open Meeting Law, G.L. c.30A sec.20.

Donna and Brian will vote as needed in the absence of a quorum.

Minutes: The minutes of the March 10 meeting were approved with revisions. John and Geraldine abstained. The minutes of the March 24 meeting were approved with revisions. All in favor.

Continued Public Hearings:

Map 35 Lot 7/SE79-421: 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 creation of a 3' wide brush cut path and the construction of a 54'L x 3'W elevated boardwalk through a bordering vegetated wetland and saltmarsh, and an 80'L x 3'W seasonal pier consisting of a 56' pier, an 8' ramp, and 16' float. Members eligible to vote on this matter are Whit, Peter, Tara, and Donna.

Due to restrictions on gatherings during the COVID-19 pandemic, a site visit has not been possible. With consent from the applicant's representative, a motion was made and seconded to continue the public hearing to May 12 at 5:10 PM. Whit, Peter, Tara, and Donna voted in favor of the continuance.

Map 35 Lot 1.2/SE79-413: 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 Lewis and Sherri Wexler for a project located at 122 Pond View Farm Road. The project consists of the relocation of a seasonal dock to a location 56 feet from the southerly lot line. The seasonal dock consists of a 3' x 4' elevated pad affixed to the bank by two steel pipes, a 3 x 16' ramp and two (2) 4' x 16' floats. Binnie, Peter, Tara, and Whit will vote on this matter.

Reid stated that the original proposal was to relocate the current structure is a seasonal bottom anchored system to the new location. However, after the review by the Division of Marine Fisheries and discussions with Ray Gale, the Shellfish Constable, the project has been redesigned to a removable ramp, and float anchored with galvanized steel posts for pilings. The pilings for the float will be fitted with collar stops positions to keep the float 24" off the substrate at low pond.

Reid also explained to the board that the segments of the structure have been rearranged to accommodate the topography. The overall length will remain 48', but one section has been removed and an 8' ramp has been moved to the end in order to overhang the float.

Reid did not provide definite specifications for the materials to be used for this structure. He said he would recommend aluminum or fiberglass for the decking with a float made out of Polyethylene encased in plastic. This will apply to all segments of the structure except the pad at the top of the bank.

Commissioner's Comments/Questions:

Whit asked about the setback to the lot line noting a discrepancy between original and current plan. Reid explained that the redesign dictated the location. In addition, the owner wants to keep the dock further away from the spit. It has been moved 10 feet closer to the south and is now 41' from the lot line.

Peter asked about the abutter to the south and if the placement was too close to the lot line. Reid replied that the neighbor to the south does not have a dock and the littoral rights of abutters will be addressed in the Chapter 91 licensing process.

Geraldine asked if the board was happy with the response to the silt fencing. Maria detailed the steps the homeowner and landscaper have taken. These steps include silt fencing to slow the erosion and planting of approximately 15 viburnum. Prior to the meeting, Reid submitted an email with photos showing the location of "mitigation" plantings. It was noted that the silt fencing was in place, but needs to be extended to the north and properly trenched to prevent sediment from running underneath the silt fence.

Tara asked about width of the path to the new dock. Reid answered that it is approximately 6 feet wide. The permit will require the width of the path be reduced to 3 feet wide and the old path abandoned. Tara said that the use of woodchips should be discontinued. Reid replied that he does not think the new path will get enough light to grow grass so woodchips or water bars may be necessary.

Peter suggested that the path be seeded and mowed with a requirement that the condition of the path be monitored so that any erosion can be corrected as needed. The path should be no wider than 3 feet and be maintained in a manner that does not cause erosion. This may include the installation of water bars.

Reid requested a waiver for work in the No-Disturbance Zone to install the pad and path. A roll call vote was taken. Binnie Ravitch – aye, Peter Rodegast – aye, Whit Griswold – aye, and Tara Whiting-Wells – aye.

The public hearing was closed. A motion was made and seconded to approve the project as presented at this meeting. A roll call vote was taken. Binnie Ravitch – aye, Peter Rodegast – aye, Whit Griswold – aye, and Tara Whiting-Wells – aye.

New Business:

Electronic Signatures: Due to the closure of town hall because of "COVID-19", the board discussed the adoption of electronic signatures in accordance with Mass General Law Chapter 110G-Electronic signature.

A motion was made and seconded to adopt the use of E-signatures for all Conservation Commission permits that go into effect as of April 21, 2020; and to authorize the Conservation Commission Board Administrator to sign any other documents, excluding permits, on behalf of the Conservation Commission.

Roll call vote: John Brannen- aye, Geraldine Brooks- aye, Whit Griswold - aye, Binnie Ravitch- aye, Peter Rodegast - aye, and Tara Whiting-Wells – aye. Motion carried unanimously.

Old Business:

Map 6 Lot 2.1/ 143 Obed Daggett Road: The board met with Adam Moore for a final review of the amended and restated conservation restriction between Songwind Nominee Trust and Sheriff's Meadow Foundation (CR).

Peter recused himself from the discussion on this matter.

The revised CR increases the acreage from 3.85 acres to 12.9 acres. It contains a provision that allows for the construction of a tennis court with a pervious access road and tennis storage shed. The plans attached to the document show that the road, tennis court, and shed would be located outside the buffer zone.

A motion was made and seconded to issue a municipal certification to be given to the Board of Selectmen detailing the reasons the amended and restated conservation restriction is in the public interest.

Roll call vote: John Brannen- aye, Geraldine Brooks- aye, Whit Griswold - aye, Binnie Ravitch- aye, Peter Rodegast - aye, and Tara Whiting-Wells –aye. Motion carried unanimously.

Correspondence:

In: Map 1 Lot 50/ SE79-270: Monitoring Report 20

Out: Map 5 Lot 1/ SE79-401 Approval of minor changes to Cedar Tree Neck parking and caretaker house plan.

TRI letters dated April 7

Tiah's Cove Road Culvert: Grant application filed on April 3, 2020.

There being no further business to conduct, the meeting adjourned at 6: 05 PM.

Respectfully submitted,

Maria McFarland
Board Administrator
APPROVED