

WEST TISBURY
CONSERVATION COMMISSION
MINUTES OF MEETING
April 27, 2021

Present: Geraldine Brooks, Whit Griswold, Donna Paulnock, Peter Rodegast, and Michael Turnell

Absent: John Brannon, Angela Luckey, and Binnie Ravitch

Staff Present: Maria McFarland

Present for all or part of the meeting: Doug Finn, John Previant, and Barbara Smith

Whit Griswold called the meeting to order at 5:04 P.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 April 12, 2021 meeting were approved as revised. Roll Call Vote: Donna, Geraldine, Peter, and Whit voted in favor.

Public Meeting:

Map 7 Lot 170/13 Scotty's Lane: a public meeting 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 Barbara Sunderland Smith, Trustee for the Barbara Sunderland Smith Revocable Inter Vios Trust for a project to install wooden steps over existing stone steps and install a handrail and to place up to 5 8' wide timbers in the buffer zone and resource area.

Members reviewed site visit photos and the application that was submitted. The proposed work is on two separate areas of inland bank. The first area is a section of unvegetated shoreline that slopes down to the water, and the second area is the top and face of a bank.

Sundy Smith described the first area as one that slopes down toward the shoreline of Seth's Pond where they keep their boats. Currently they have a series of pressure treated wood timbers going down to the shore. The area has never had any ground vegetation and is full of rocks and tree roots. There are two large trees on either side of the path. They would like to make the walk down to the boats safer. They would like to replace the wide timbers with 2'.5' or 3' wide timbers on the bank where it isn't as steep and put in some groundcover.

John Previant described their plan to replace the steps on the face of the bank. There is a concrete slab that sits on the pond bottom that is under water at high pond. He would like to anchor a piece of 3" x 10" rough cut wood to the concrete slab. From the slab he would be put 2 uprights that would allow him to attach the stringers of the stairs. He would use eight 2" x 4" board for the stairs. John said the area where the boats are kept is too mucky to walk into the water so they want to continue accessing the pond for swimming in the location of the old set of stairs. On the stairs, the stringers would be 8 feet and the step width would be less than 2 feet. The slope might be gentle enough to use a ramp instead of risers, but he won't know until he starts working on it.

Commissioner's Comments/Questions:

Donna and Michael attended the site visit. Donna said Sundy's description of the site was accurate. What they are proposing is similar to what is there now, but the access could be safer.

Michael suggested using Clethra or other wetland plants to slow down any erosion. The path location could be changed to a less steep section of the bank. With respect to the stairs, Michael didn't know how the stairs would be anchored.

Geraldine asked about the use of weed blocker. Sundy described the material as black paper that drains but is used to keep weeds from coming up.

Geraldine asked Michael about using Bearberry. Michael said they could try it, but he didn't know how it would do. It is a shady wetland area so the plants should be appropriate to the site.

Peter said the existing timbers act like water bars. He suggested they be shorter, possibly 3' wide.

Technically this work is in two resource areas so it is hard to determine which provision of the Determination of Applicability applies. It is not work in the Buffer Zone. Maria suggested a few minor conditions could be put in a cover letter. She noted that there isn't enough of a description of what is being proposed. It seems too open ended.

Peter recommended they a narrower path with plantings on either side for erosion control.

Michael said planting should be done in the existing soil. No soils should be added to avoid introducing invasive species.

Geraldine said a landscaping plan or a better sketch plan should be submitted

Public Comment: Doug Finn, an abutter said he supported the project.

A motion was made by Michael, seconded by Geraldine to continue the public meeting on this request to May 11 at 5:10 PM to give the applicant time to submit a more detailed sketch plan with a plant list including type, number and size of plants. Roll Call Vote: Donna-aye, Geraldine-aye, Michael-aye, Peter-aye and Whit-aye.

New Business:

Map 3 Lot 17/Goodwin/Septic plan/exempt under state regs/ bylaw paperwork: Members reviewed a plan for a septic system upgrade and discussed the level of paperwork to be filed if any. Maria and Whit will do a site visit next week to determine if this work can be handled with by Administrative Review. No action was taken.

Map 3 Lot 91/ Lamberts Cove Beach Path: Whit updated the board on an incident at Lambert's Cove Beach. The EMT's were hampered getting an ATV down the path by some large posts that were installed by Park and Rec to hold up some winter fencing in the path. As of today, the posts were still in place. Maria was instructed to ask Park and Rec remove the posts as soon as possible.

Also, Maria informed the board that Park and Rec would like to lower the crest of the dune with a bobcat. Maria explained a bit of the history of this practice that was stopped in 2012. In 2013, the board issued an Order of Conditions which provides for grading the path with hand tools.

A 2019 guidance document prepared by Greg Berman, Coastal Processes Specialist at the Woods Hole Sea Grant provided recommendations for reconfiguration of the path and fencing. Maria will remind Peggy Stone to discuss this report with the Park and Rec Board and incorporate the reconfiguration into a project proposal.

Park and Rec is planning to take out all of the existing fencing and replacing it with posts and marine grade rope that would serve as a hand rail along the path and along the toe of the dune to remind people to stay out of the dunes. (This work alone could be covered under the existing Order.)

Peter asked about the profile plans Vineyard Land Surveying has been doing for the last few years that shows how much the dune slope has changed. He noted that the issue is more the slope approaching the path and the path itself rather than the height of the crest of the dune. The profile survey will show how much the slope has changed and how much steeper it has become.

The dune is within Priority Habitat so any work on the dune with heavy equipment would require approval from NHESP.

Maria was instructed to let Park & Rec know that that a new Notice of Intent is required for any work on the dune that is not already covered by the ongoing conditions of the 2013 Order.

Old Business:

Map 7 Lot 28.1/Cottles/Blackwater Brook Farm: There has been no response from the owner of the property regarding the letter sent to Alan Cottle. Whit will speak to Alan again.

Administrative:

Members: Appointment of Vice Chair tabled to the next meeting.

Correspondence:

In:

Out: Map 3 Lot 72/Cottles/ Lumberyard
Map 7 Lot 28.1/ Cottles/Blackwater Brook Farm
Map 7 Lot 2.8/Johnson
Map 36 Lot 2/ Jones
Map 3 Lot 2.1 /SE79-328

There being no further business to conduct, the meeting adjourned at 5:45 PM.

Respectfully submitted,

Maria McFarland
Board Administrator
APPROVED
MAY 11, 2021