

WEST TISBURY
CONSERVATION COMMISSION
MINUTES OF MEETING
July 25, 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: Whit Griswold, Geraldine Brooks, Ernie Thomas, Michael Turnell and Angela Luckey arrived at 5:20 PM

Absent: Fred Barron and Peter Rodegast,

Staff Present: Maria McFarland

Also present for all or part of the meeting: Bryan Collins, Adam DeBettencourt, Fausta Hammarlund, Nooni Hammarlund, Chris Lyons, and George Sourati

Whit Griswold called the meeting to order at 5:03 PM.

Minutes: A motion was made by Michael, seconded by Geraldine to approve the minutes of May 23, 2023 meeting as amended. Roll call vote: Geraldine -aye, Michael-aye, Whit- aye and Angela – aye. Ernie recused himself as he was not a Commission member. A motion was made by Ernie, seconded by Michael to approve the minutes of June 20, 2023 as amended. Roll call vote; Roll call vote; Geraldine - aye, Michael-aye, Whit- aye and Angela – aye.

Public Hearings

Map 3 Lot 49/SE79-454: 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, Map 3 Lot 49**. The 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.

George presented this project. The septic system and well have been installed. The original Order SE79-393 has expired. This is a slightly different configuration to the foot print that George explained and he showed new plans. A new porch will be added to the south side which will be 50' from the edge of the wetlands and because of the slope, they are looking to add another 6' off the porch which will be retained by an earthen berm.

Commissioner's Comments/ Questions:

Michael asked about the drywell to the walk out basement and George explained how it would work. The drainage system is designed for a 25-year storm.

Geraldine asked about the material of the driveway which will be crushed stone. She said that she liked the scale of the house and felt it fit well into the existing neighborhood. Everyone agreed that it all looked fairly straight forward.

A motion was made and seconded to approve this NOI with conditions. Roll Call Vote: Angela– aye, Ernie -aye, Geraldine-aye, Michael – aye and Whit – aye.

Continued Public Hearing

Map 6 Lots 6, 7.2 and 7.4/SE79-454 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 Sourati Engineering Group, LLC, for a project to remove an unpermitted revetment from the 1960's and replace it with a 267' rock revetment, flanked by 50' arrays of fiber rolls and gabion baskets on the north and south ends of the revetment to protect an existing circa 1930 cottage at **271 John Cottle Road (Map 6 Lot 6) owned by Paul's Point Area Realty, L.L.C.** Sand nourishment is also proposed. Access to the site will be via an existing driveway on **245 John Cottle Road (Map 6 Lot 7.2), owned by Harrowby Property Co, LTD, and 257 John Cottle Road (Map 6 Lot 7.4) owned by Dunster Realty, L.L.C.** A 690 ft temporary construction access road on the beach is proposed between the existing driveway at 257 John Cottle Road and the site of the proposed shore protection.

Maria said they had received the pier review proposal sent by ECR but had not yet gotten Greg Berman's report, so there is not a lot to discuss. They need to decide tonight whether they want to hire ECR. The report will take about 2 weeks and the client is willing to pay for it.

A motion was made by Ernie, seconded by Angela to hire Cameron Larsen and Stan Humphreys of ECR, at the applicant's expense, to review the project in accordance with the third-party peer review proposal dated July 25, 2023. Roll Call Vote: Angela- aye, Ernie -aye, Geraldine-abstained, and Whit - aye. Michael has recused himself from commenting on this project.

A motion was made by Geraldine, seconded by Ernie to continue the public hearing to August 8, 2023 at 5:20 pm. Roll Call Vote: Angela- aye, Ernie -aye, Geraldine-abstained, and Whit - aye

New Business

Greenlands/ Use of E-Bikes: Not everyone had read all the info sent but after some discussion they decided to table the discussion to the next meeting.

Old Business

DCSC Case No. 2174CV00030 Doane, Robert A et al vs. Eppel, Nancy B et al/ waiver of fees. Maria explained that the Town can pursue collecting Doane/Eppel lawsuit fees and said that counsel has advised them not to pursue the matter. A motion was made by Geraldine, seconded by Michael to waive the Doane/Eppel lawsuit fees. Roll Call Vote: Angela- aye, Ernie -aye, Geraldine-aye, Michael - aye and Whit - aye.

Map 38 Lot 7.1/Stanfield/ 140 Sarita Walker Road/ SE79-49: additional trenching in roadway: George explained that they had recently approved the barn to be built and they were also building a guest house that is outside the Commission's jurisdiction. The contractor needs to install 2 electric transformers and he showed the locations on the plan. One portion of the trench between the two transformers (about 120') is below the 100-year flood line by about 1 foot, right on the edge of the road. A motion was made by Michael, seconded by Ernie to approve this work without the need to formally amend the Order of Conditions. Roll call vote; Geraldine -aye, Michael-aye, Whit- aye and Angela - aye.

126 Naushon Rd (demolition): Appeal before the ZBA on 6/22 resulted in the ZBA rescinding the 2-year hold and reduced it to 20 days. Maria reported that the NOI was filed and the hearing will be on August 8.

Map 15 Lot 1/ SE79- 274 Indian Hill Road/Cottrell: The Commission did a site visit, but the applicant was not present tonight. Chris will file an NOI for any new work that the owner plans to do. The Commission will need to decide if they will allow him to leave the drainage pipe and the filter fabric down that is in the buffer zone. No action taken.

40 Norton Farm Rd/solar violation:– The property owner has not filed an NOI yet. Peter and Geraldine went out there and there were many questionable things going on there. No action taken.

Administrative:

Map 3 Lot/ 49/ SE79-393: A motion was made by Ernie, seconded by Michael to issue a Certificate of Compliance for the construction of the house that was never started but that the septic system was installed. Roll Call Vote: Angela– aye, Ernie -aye, Geraldine-aye, Michael – aye and Whit – aye.

Map 39 Lot 9/ 226 Middle Point Road/ SE79-428/Renovation, SE79-431/ plunge pool and 2nd story addition, and SE79-450/ Septic system upgrade. A motion was made and seconded to approve all three Certificates. Roll Call Vote: Ernie – aye, Angela– aye, Geraldine - aye, Michael – aye and Whit – aye.

56 Sumner Circle/SE79-426/ Map 7 Lot 130 / Lee: Maria did a site visit. Members viewed the site visit photos. The retaining wall and drainage looked good. Members who also visited the site agreed. A motion was made and seconded to approve the Certificate of Compliance. Roll Call Vote: Ernie – aye, Angela– aye, Geraldine - aye, Michael – aye and Whit – aye.

Meetings: Whit asked about the status of in-person meetings? Maria would prefer not to just yet and wants to wait until after the Paul’s Point project as it will increase the price the property owner will have to pay for the consultant to come to the island. No action was taken.

There being no other business to discuss, the meeting adjourned at approximately 6:23 PM.

Respectfully Submitted,

Janice Haynes
Administrative Assistant
APPROVED 11/8/2023