

WEST TISBURY  
CONSERVATION COMMISSION  
MINUTES OF MEETING  
August 23, 2022

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:** Fred Barron, Whit Griswold, Angela Luckey, Peter Rodegast, and Michael Turnell

**Absent:** Geraldine Brooks and Donna Paulnock

**Also present for all or part of the meeting:** Jeffery DuBard and Reid Silva

Whit called the meeting to order at 5:05 PM.

**Minutes:** The minutes of the June 28, 2022 meeting were approved as revised. Roll Call Vote: Angela – aye, Donna- aye, Michael-aye, Peter- aye, and Whit-aye.

**New Public Hearing:**

**Map 3 Lot 9-22.64/Bartimus Luce Road/SE79-442:** a public hearing under the requirements of M. G.L. Ch.131 § 40, as amended, and the West Tisbury Wetlands Protection Bylaw and regulations to consider a **Notice of Intent** filed by Vineyard Land Surveying & Engineering, Inc., on behalf of Timothy L. Stewart and Elisabeth S. Rockwood, Trustees of the Sunset Realty Trust for a project to construct a 172 sq. ft. dining room addition, and a 175 sq. ft. deck addition to an existing single-family dwelling within the last 5 feet of the Riverfront Area.

The applicant is doing a modest addition to the deck and dining room. The area is lawn and there is no slope towards the stream. The project is outside the 100 ft. buffer zone to the top of the coastal bank. The septic system upgrade shown on the plan is outside the Commissions jurisdiction.

**Commissioners Comments/ Questions:**

Fred asked if there was a way to design this to keep the deck out of the Riverfront Area altogether. Reid said the deck is 168 square feet, just big enough for a table and couple of chairs. Maria noted that additions to a residential structure on a lot that existed before the Riverfront Area regulations went into effect in 1997 is essentially an exempt activity under the state regulations. It is not exempt under the bylaw, hence the need to file a Notice of Intent.

Angela asked about the need for a construction limit of work. Reid said he will add one on the coastal bank side of the house. Peter noted a few setback numbers on the plan that need to be corrected.

There being no public comment, the public hearing was closed. Peter made a motion, seconded by Michael to approve the project as presented with the standard conditions. Roll Call Vote: Angela – aye, Michael-aye, Peter-aye, and Whit-aye.

**Continued Public Hearing**

**Map 35 Lot 1.9/99 Pond View Farm Road/ SE79-440:** a public hearing under the requirements of M. G.L. Ch.131 § 40, as amended, and the West Tisbury Wetlands Protection Bylaw and regulations to consider a **Notice of Intent** filed by Vineyard Land Surveying & Engineering, Inc., on behalf of Blue Heron LLC for a project to create and maintain a 4' wide mown path, install a 4'x4' ramp, 29' elevated boardwalk, 64'. fixed piling pier, 5' ramp and a 10' seasonal floating dock in Town Cove on Tisbury Great Pond. The project location is 99 Pond View Farm Road.

The quorum for this hearing is Donna, Fred, Peter and Whit. There being no quorum present, and with the consent of the applicant, a motion was made and seconded to continue this public hearing to September 13, 2022 at 5:25 PM. Roll Call Vote: Angela – aye, Fred -aye, Michael-aye, Peter- aye, and Whit-aye.

**New Business:**

**Map 18 Lot 1/ Margaret K. Littlefield Greenlands:** The board received a request from Pat Farrar of Woodwell Research Center to perform survey work done originally in 1999-2000 by David Foster and Glen Motzkin. They will be identifying noninvasive plants, measuring trees, and taking soil cores. The study will be used to estimate carbon stocks in vegetation and soil, investigate changes in carbon stocks and biodiversity over time, and supplement 2021 Lidar data to develop management plans for increased biodiversity and carbon storage on the Vineyard. There are no wetlands on this property. As managers of this town owned conservation property Maria recommended the board vote to approve this work in case any neighbors call the office with questions. The work will be done on August 29. Greenlands was purchased by the town in 1982 in order to preserve this 365-acre parcel that sits over the islands the sole source aquifer from development. Angela asked if she should abstain from a vote of this because Biodiversity Works is working with them on a neighborhood project. Disclosure of this relationship is sufficient. A motion was made and seconded to approve this request. Roll Call Vote: Angela – aye, Fred -aye, Michael-aye, Peter- aye, and Whit-aye.

**Map 15 Lot 7/SE79-438/ Del Prete:** This matter was not posted on the agenda so it is being taken up under “ new business that the chair did not reasonably anticipate” as a courtesy. The original plan showed a pool and patio area but no planting beds and minimal detail.

Kristen Reimann, landscape architect for the Del Pretes, was present to ask the board to review and comment on the proposed landscaping plan required to be submitted under special condition #15 of the Order of Conditions. This condition states that “the applicant has agreed to reduce the amount of hardscape around the pool and to set the pool fence closer to the patio.” The proposed plan shows that the size of the pool has increased by 203 sq. ft. placing it 8 ft. closer to the wetland. The pool enclosure, impervious hardscape, and pool enclosures have decreased in size while the deck has a small increase. Generally, the board felt the proposed change from bluestone patio to decking was an improvement that would have less impact, but they did not like that the pool was larger and closer to the wetland.

The board debated as to whether the changes are de minimis but no decision was made. Kristen was asked to look at moving or changing the orientation of the shed to allow for pulling a larger pool to the east and to look at reducing the size of the parking area which is on the wetland side of the property. Kristen will resubmit this plan with a written request for review and formal determination as to whether the landscape plan represents de minimis changes to the project or are sufficient to require either a formal amendment to the Order of Conditions or the filing of a new Notice of Intent.

**Old Business:**

**Bylaw revisions view channel edits review:** The board briefly discussed setting a date to do this review, but no decision was made.

**Blackwater Brook Farm/ Runamuck Farm and Leonard-Peck Farm/ update:** Maria said she has not seen the letters Gary Makuch of DEP said he would send out the owners of the farms he saw on his site visit in May. She will follow up with him.

**Administrative:**

**Map 22 Lot 4.1, 4.2, 4.3, 4.12 and 4.14/ SE79-218/Stillpoint Meadows Road/Certificate of Compliance:** A motion was made and seconded to approve this Certificate of Compliance. Roll Call Vote: Angela – aye, Donna- aye, Fred -aye, Michael-aye, Peter- aye, and Whit-aye.

**Map 5 Lot 2.3/SE79-408/Obed Daggett Road/Certificate of Compliance:** A motion was made and seconded to approve this Certificate of Compliance. Roll Call Vote: Angela – aye, Donna- aye, Fred -aye, Michael-aye, Peter- aye, and Whit-aye.

**Site visit day: Members agreed to change the site visit day to the first and third Thursday of the month.**

There being no new business to discuss, the meeting adjourned at 6:38 PM.

Respectfully Submitted,

Maria McFarland  
Board Administrator  
APPROVED  
SEPTEMBER 13, 2022