

WEST TISBURY
CONSERVATION COMMISSION
MINUTES OF MEETING
August 7, 2018

Present: John Brannen, Prudy Burt, Binnie Ravitch, Peter Rodegast, Michael Turnell, and Tara Whiting

Absent: Whit Griswold

Staff Present: Maria McFarland

Also present for all or part of the meeting: Nick Briggs, Johnny Hoy and Reid Silva

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

The minutes of the June 26 meeting were approved. Binnie and John abstained.

The minutes of the July 10 meeting were tabled to the next meeting.

Public Hearings:

Map 3 Lot 76.1/SE79-387: 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 Schofield, Barbini & Hoehn on behalf of Patty B. Rocklage, Trustee of the Patty B. Rocklage Trust for a project at 22 Bridge Lane. The project consists of the construction of a master bedroom addition, new entry portico, and associated site work.

No testimony was heard. At the request of the applicant, the public hearing was continued to August 21, 2018 at 5:30 PM. All in favor.

Map 7 Lot 41/ SE79-388: 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 Vineyard Land Surveying & Engineering, Inc. on behalf of Tracey E. Briggs owner of property located at 4 Log Cabin Road. The project consists of the construction of an addition and reconstruction of a deck for an existing single-family dwelling in the Buffer Zone.

Nick Briggs and Reid Silva detailed the project. The wetland resource is a vernal pool subject to jurisdiction under the local bylaw. To the extent this area meets the definition of land subject to flooding, the project was also being reviewed under the Wetlands Protection Act. The addition will be 63 feet from the edge of the vernal pool.

The applicant plans to construct a 26'x30' addition with a full basement that will be located approximately 63 feet from the edge of the resource area.

The owners do not have a full set of architectural plans yet. They wanted to get permission from this board before proceeding.

At the site visit held on August 2, a question was raised about the possible existence of hydric soils in the area where the addition will be located. A Red Maple and some Clethra in this area are wetland indicators. Reid explained that Doug Cooper did soil borings in the vernal pool around, but not in the area of the addition. Nick said the area where the addition is going has never been wet to his knowledge. Reid will have Doug do soils testing in the area of the addition and submit a letter detailing his findings.

Commissioner's Comments/ Questions:

Prudy asked if the owner has gone to Board of Health about expansion of the septic system. Reid said they have not. The house has 3 bedrooms with a 4 bedroom septic system. Nick said they have not decided if there will be an additional bedroom.

Prudy asked the applicant to look at reducing the size of the addition if it was possible. Reid replied that there would not be a material difference if the addition was smaller citing that the construction of any size addition would have the same temporary impacts during construction.

Prudy said her concern is further encroachment toward the wetland will new landscaping. Reid and Nick both said there are no plans for new landscaping. Reid reiterated that the applicant did not need an interior lay out for the board to approve the addition. If the board isn't going to grant a permit for any size addition there is no need to spend money for elevation and architectural drawings.

Peter said the project is pretty well defined with a limit of 4 bedrooms. He said he was inclined to approve the project, but would like more information on the soils.

Tara asked if they were expanding the deck. Nick said no.

A motion was made and seconded to continue the public hearing on this application to August 21 at 5:50 PM. All in favor.

New Business:

Informal meeting: Tisbury Great Pond (TGP) 2018 Shellfish growing projects/Johnny Hoy: Over the past few years, Isaiah Scheffer, the Chilmark Shellfish Constable has taken West Tisbury's share of oyster seed to propagate on the Chilmark side of TGP. Isaiah is too busy so Johnny has stepped in to help get the oyster sets in place on the West Tisbury side.

Johnny described two methods of propagating oysters and the structures required. The question before the board is what type of permit application is required. Anchoring of grow boxes would trigger review for alternation to land under a salt pond. The board said they would want to see a Request for Determination of Applicability.

Water withdrawals/ Land Bank: Binnie and Peter were asked if they would take concerns about water withdrawals from Mill Brook for farmland leased or owned by the Land Bank to both the West Tisbury Land Bank Advisory Board and the Land Bank Commission. Binnie and Peter both agreed. Prudy said someone from the Mill Brook Watershed Committee could go to a Land Bank meeting to provide them with information learned during the Mill Brook Watershed study.

Tara said she and Prudy asked Michele Craddock at DER whether a model water withdrawal bylaw exists. Prudy asked Maria to locate an article about water withdrawals in a recent MACC Conservation Quarterly Newsletter.

Mill Pond/ Brandy Brow: When the Land Bank first did the easement over the Welles property to move foot traffic off of State Road the board said no signs would be allowed to identify the location of the path over Brandy Brow. Prudy said she has noticed people trying to figure out where to access the path. She purchased two trail markers and would like to place one on the pond side of Edgartown-West Tisbury Road and one at the beginning of the path.

Peter asked if the path could be relocated to start by the road. Tara reminded him that this area is often wet and holds runoff during storm events.

A motion was made and seconded to place a sign at the end of the path along the Mill Pond and one at the entrance to the path over Brandy Brow. All in favor.

Old Business:

Tiah's Cove culvert update: Brian Kelder of DER sent a report on his site visit. Jen and Kent are working on the bid documents for the design and permitting phase. No action was taken.

Map 15 Lot 1.2/ 204 Indian Hill Road: The property owner would like to remove the culvert in the field. Guidance from DEP indicates that the board can decide what kind of a plan the applicant needs to submit, but because this work would be within the actual resource areas including; bank, land under water and land subject to flooding, a Notice of Intent should be required. The board agreed. Maria will notify the property owner.

Tisbury Great Pond 2017 draft report/ comments: John submitted a list of comments and questions on this draft report. Prudy is still reviewing the draft. No action taken.

Map 1 Lot 50/SE79-358: Additional plantings for screening the pool at the request of the abutter: Tara reported that the builder is working with the abutter to add more Clethra in large containers to further help with sound attenuation from the pool. Maria has asked for the landscaping plan approved by this board on May 15, 2018 to show the location of the containers. No action was taken.

Administrative:

Correspondence:

- In: E-mail from Brian Kelder (FWE) dated July 30
- E-mail from NHESP re: 22 Bridge Lane
- Copy of Notice of Closing of areas of TGP to shellfishing
- Copy of MVC decision DRI34-M# Flat Point Farm form B Plan
- Letter from Ocean River Institute dated June 29, 2018re: work on clean water issues
- Final Draft Survey Results for the TGP Watershed Agricultural Source Nitrogen Load dated August 6, 2018

- Out: Letter to Cournoyer Nominee Trust dated July 20 re: 251 Indian Hill Road

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

Respectfully submitted,

Maria McFarland
Board Administrator
APPROVED