

WEST TISBURY
CONSERVATION COMMISSION
MINUTES OF MEETING
July 11, 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: Ernie Thomas, Mike Turnell, Peter Rodegast, Fred Barron, Geraldine Brooks, Whit Griswold, Chris Lyons and Angela Luckey arrived at 5:20 PM

Staff Present: Maria McFarland

Also present for all or part of the meeting: Kris Horiuchi, Marilyn Vukota, Rob Ayree, Peter and Rachel Sorrentino, Phil Regan, Tom Shockey, Reid Silva, Adam Bettencourt and George Sourati

Whit Griswold called the meeting to order at 5:00 PM.

The minutes of the March 14,2023 meeting were approved as revised. A motion was made and seconded to approve these minutes. Roll Call Vote: Peter – aye, Fred– aye, Angela - aye, Michael – aye, Whit – aye, Geraldine – aye, and Ernie – aye

Continued Public Hearing

Map 35 Lot 7/SE79-448. 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 demolition of the existing single-family dwelling and guest house, and the construction of a new house, guest house, pool with decking and terraces, gardens, and septic system together with associated site work. Demolition work is within the Riverfront Area and the new construction is within the Buffer Zone to Land Subject to Coastal Storm Flowage.

Reid began by saying that his plans were basically the same but more information had been added to the landscape plan. Maria asked for a calculation of the amount of alteration being done within the 50' buffer zone compared to what was already there. Phil had actually done the calculations and showed a color-coded diagram explaining it. The existing habitable space is 1362 sq.' and the existing deck and terrace is 607 sq.' within the buffer zone. The proposed habitable space within the buffer zone is 567' and the proposed decking is 1617 square feet. Angela pointed out that thought there's less habitable space, there may actually be more decking, but it was established that the net square footage was about 200' less.

Fred questioned this project and other projects pushing the limits of buffer zones and wondered if saying ok sets a precedent? Ernie pointed out that that was their jurisdiction, to see if these exceptions were allowable with provisions and doesn't believe it sets a precedent. Peter would have liked to see more total reduction overall. Mike would also like to see it scaled back and would like to wait for the ruling from the Planning Board.

Kris then shared the landscape plan and focused on the existing lawn areas in the wetlands, closer to the pond. They have done an inventory of the plant types in the wetland area since the last meeting and have a new proposal for management. They want to restore the lawn areas to wetland meadows. She is asking the board to approve a new restoration plan with the typical conditions, one of them being what can happen within the 25' buffer (no mow, no disturb) rather than just letting it go and doing nothing and letting it become whatever it will. Geraldine asked if they could do it by just seeding rather than planting

but Kris said many of the proposed plants do not seed well and they are also concerned about the invasive species that could establish without management.

Maria stated that they should not presently be mowing the area so that they could see how it grows in. She also said that a Determination issued to the prior owner had expired years ago and mowing should cease.

There was discussion about view channels and whether the view was from ground level or floor level in the house. There are no view channels designated on the plan but Kris said the idea was to maintain the view through the areas that are now being mowed and will be restored.

Peter suggested increasing the buffer between the pond and the house. But the other commissioners didn't think that was feasible.

After discussion it was decided to leave the landscape issues for another NOI and place some conditions, and just vote on the building part of the plan.

A motion was made and seconded to approve the NOI for construction of the house and other buildings as presented, including associated site work around the buildings but nowhere else on the property with conditions. Roll Call Vote: Peter – aye, Fred– no, Angela - no, Michael – aye, and Whit – aye . Vote was 3-2. Motion carried. Condition that the deck around the pool be made permeable.

Maria also brought up that the Sorrentino's dock permit had expired, and thought it was automatically extended because of Covid that was not so. The current permit expires July 23, 2023 and they will not be meeting again before then to vote. If it expires the Sorrentinos will have to refile. The board asked that they look into some of the advances in the technology in the last few years when they finally begin the dock project.

A motion was made and seconded to approve the extension of the dock permit for 1 year. Roll Call Vote: Peter – aye, Fred– aye, Angela - aye, Michael – aye, Whit – aye, Geraldine – aye and, Ernie – aye

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 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.

Michael said he had to recuse himself from the discussion as he works at this property. George Sourati shared his screen and explained that the revetment done in the 1960's hadn't been done properly and the bank has begun to settle slowly along with the vegetation. Some of the stones from the revetment have also rolled down onto the beach. They want to redo it, using some of the existing boulders and rebuild it on the bank where it should be not on the beach. They would also extend the protection further on the ends of the revetment. He also spoke about sand nourishment, but they had not yet received the report from Greg Berman and so suggested they continue the hearing until they had that report. He also spoke about the access to the beach for the project from an existing road to the beach from another lot so they would have to drive down the beach to

under the bluff. They could also cut a new construction road down the bluff at the project site that would be removed, restore and replanted after it was complete. Maria said that the Commissioners do have the ability to hire, at the applicants' expense, a Coastal Geologist. She has reached out to someone at ECL who they have worked with before. George said they were willing to pay that expense. They received a letter from Natural Heritage who do not like the beach access option. She encouraged the commissioners to read the bylaws pertaining to coastal projects. Geraldine asked why they didn't just move the cottage back from the bluff rather than the whole huge project and others agreed with her. Whit asked George to explain why they had chosen this solution.

A motion was made and seconded to start the process of hiring a coastal geologist and continue the hearing to July 25, at 5:20 pm. Roll Call Vote: Peter – aye, Fred– aye, Angela - aye, Michael – aye, Whit – aye, and Ernie – aye. Geraldine abstained

New Business

- Letter of Support/ NFWF grant application/letter sent 6/25 to meet deadline Greenlands/ Use of E-Bikes. See management plan. Is an E-bike a “motorized vehicle?”

Maria said the MVC had sent a form letter to sign off on and she and Whit took care of it. The discussion of the E-bikes was tabled till the next meeting.

- Certificates of Compliance/ Map 39 Lot 9/ 226 Middle Point Road/ Tabled to the next meeting
- Map 15 Lot 1 /274 Indian Hill Road/Cottrell: No discussion
- 40 Norton Farm Rd/solar violation: No discussion

Administrative:

Old Business

There being no other business to discuss, the meeting adjourned at 7:26 PM.

Respectfully Submitted,

Janice Haynes
Administrative Assistant
APPROVED
AUGUST 8, 2023