

WEST TISBURY  
CONSERVATION COMMISSION  
MINUTES OF MEETING  
September 25, 2018

**Present:** John Brannen, Prudy Burt, Whit Griswold, Peter Rodegast, and Tara Whiting

**Absent:** Binnie Ravitch and Michael Turnell,

**Staff Present:** Maria McFarland

**Also present for all or part of the meeting:** Greg Barron, Kris Horiuchi, Sarah Murphy and Jude Villa

The meeting was called to order at 5:15 P.M. Tara Whiting, Chairman presiding.

The minutes of the August 7 meeting were approved as revised Whit abstained.

The minutes of the August 21 meeting were approved as revised.

There were no public hearings.

**New Business:**

**Mill Brook Watershed/CPC application of eligibility:** Members discussed working with the Selectmen to develop a CPC application of eligibility to fund a project based on the recommendations in the Mill Brook Watershed Study. Prudy would like to know if CPC funds could be used to pay for the Tiah's Cove Road culvert replacement. Prudy will attend the Selectmen's meeting tomorrow to discuss projects with the Board of Selectmen. Maria will ask Jen if Reid Silva of Vineyard Land Surveying and Engineering has submitted a cost estimate for the design and permitting phase of this project.

**Old Business:**

**Map 3 Lots 3.4 and 3.6/ SE79-386/ Goethals/Sheriff's Meadow Foundation/ Boardwalk:** A request to change footings to diamond piers has been withdrawn.

**Map 32 Lots 89 & 88/ SE 79 353/ Barron-Murphy:** Kris Horiuchi, the property owners landscaper, presented a request for amendment to the Order of Conditions under special condition # 28 to create a view channel from the newly constructed house to the pond.

Members conducted a site visit on September 20. The location of the view channel has been added to the landscaping plan.

She proposes pruning primarily Clethra to heights varying between 3 to 6 feet above grade.

A motion was made and seconded to approve this request including annual maintenance as noted on the as built plan without the need of a formal amendment to the Order of Conditions. All in favor.

Kris also reviewed the changes to the project in anticipation of the issuance of the Certificate of Compliance. Changes Kris explained that the terrace designs were simplified, the footbridges were repaired rather than replaced, and the underground propane tank is located outside the Riverfront Area. The request to issue a Certificate of Compliance was tabled to allow the property owner time to complete this additional clearing and to remove several additional Russian Olive near the second footbridge and on the meadow lot that were noticed at the site visit.

**Map 43 Lot 2 / SE 79-381:** Jude Villa, the property owner's landscaper, was present to request approval to clear within the first 50 feet of the Buffer Zone as set forth in special condition # 12 after clearing of outer Buffer Zone did not produce desired view.

The additional work includes the following:

- Cut down all poison ivy to the ground and remove all invasive vines in the trees.
- Cut all dead branches off and cut small lower branches approximately 1" caliber on scrub oaks
- Flush cut one scrub oak measuring approximately 2.5"-3" caliber that contains several dead branches and obstructs the view
- Flush cuts small cluster of scrub oak measuring approximately 1" caliber
- Flush cut one large scrub oak measuring approximately 12" caliber

Jude said that there is one tree within the No-Disturbance Zone that needs limbing, but otherwise most of the work in this zone is removing poison ivy vines. All work will be done by hand and debris removed from the buffer zone. No stump grinding will be done and no understory will be cleared.

Members made it clear that they would not allow a request to extend this permission to the remaining length of the view channel within the inner buffer zone.

A motion was made to grant permission for the above work in the first 30 feet of the view channel easterly of the path as shown on the approved project plan as revised to January 25, 2018, but does not extend to the remainder of the view channel within the first 50 feet of the Buffer Zone as shown on this plan. Work may proceed to open the view as originally approved in the remainder of the Outer Buffer Zone, but no work is permitted in the rest of the Inner Buffer Zone without written permission from this board. A formal amendment to the Order of Conditions is not required. All in favor.

**Mill Pond Dam vegetation:** In 2007, the board issued a Determination of Approval for clearing vegetation on both sides of the Mill Pond Dam embankment. On September 20, members met with Kent Healy on site to look at additional clearing Kent would like to have done. It was agreed that this would be revisited after the Highway Department does the pruning Prudy previously flagged.

**Water Withdrawal Bylaw:** Maria spoke to the Marion Town Clerk/Conservation Commission staff person to get more information on why the warrant article for a bylaw in Marion failed.

She is waiting for a response. Most other Town bylaws on water withdrawals deal with public water supply systems and limiting lawn watering during droughts.

Members discussed wording covering diversions for private use and/or for agricultural purposes and the need to obtain a permit

Maria will prepare a draft for review at the next meeting.

**Administrative:**

Map 32 Lot 89/ SE79-351/ Barron- Murphy/ Certificate of Compliance/ Phragmites Project: A motion was made and seconded to approve this Certificate of Compliance. All in favor.

**Correspondence:**

In: Letter dated August 8 from Solid Earth Technologies re: Helical Pier foundation systems

Out: Orders of Conditions: Map 3 Lots 3.4 and 3.6/ SE79-386, Map 3 Lot 76.1/SE79-387, and Map 7 Lot 41/ SE79-388

There being no further business to conduct, the meeting adjourned at 6:20PM.

Respectfully submitted,

Maria McFarland  
Board Administrator  
APPROVED