

Minutes of a Conservation Commission Meeting – 12 December 2018

Members present: Peter Vincent – Chairman, Geoffrey Kontje, Christina Brown, Jeffrey Carlson

Absent: Stuart Lollis, Lil Province, Bob Avakian

Staff: Jane Varkonda, Lisa Morrison

Cape Poge Preserve (Dyroff) NOI for the installation of a grey water system, 40 Road to the Gut. Matt Dyroff and Doug Cooper were present. (Former Pacello house). The property is in disrepair. The camp was built in the 1940s by Phil Norton. The previous owner, Cecca, designed a greywater system that was approved by the Board of Health. The applicant would like to restore the plumbing system and install a composting toilet. The system would have infiltrators and a plastic tank. Ground water is about 5-feet below the surface. The system will only be used on a seasonal basis.

Mr. Dyroff noted that the work will be done by hand. The tank will be going in an area that was the site of a giant wood pile. The infiltrators and tank are small enough to fit in the back of a pick-up truck. No heavy equipment will be required.

Nonpotable water will be supplied to the system via cistern. Energy from the windmill will be stored in lithium batteries.

After consultation with the agent, a planting plan will be developed and the disturbed areas replanted with native vegetation such as beach grass and *rosa rugosa*. Mr. Dyroff said that he is slowly removing mountains of debris from the property.

Kontje made a motion to approve the project as presented. Brown seconded the motion. Unanimously approved with standard conditions.

Outerbanks Nominee Trust NOI for the removal of vegetation from brackish pond, Katama Road/Faulkner Drive. Doug Cooper was present for the applicant. The pond was created in late 80s from a former salt marsh that was cut off from Edgartown Harbor. The applicant would like to initiate a weed removal program

similar to the one started by Mr. Melrod. The pond is co-owned by Melrod and Outerbanks Nominee trust. Melrod is allowing access across his property.

The proposal involves utilizing a floating back hoe with a paddlewheel. A mechanical rake will remove the weeds and deposit them in a designated area to dry out. Flexible plastic pads will be used underneath the machine when on land to minimize disturbance to bank. The entire process should take just a few days. They would like to start as soon as possible, and will be done by early spring.

The weeds can be composted as they need to be under water in order to propagate.

The existing lawn goes all the way down to the edge of the pond.

Kristen Fauteux from Sheriff's Meadow Foundation asked the species of the weed. Mr. Cooper said that he will find out and let the Commission know at the next meeting. The agent asked for a full-size site plan.

After some further discussion, Kontje made a motion to continue the hearing to the next meeting and schedule a site visit. Carlson seconded the motion.

Unanimously approved

Sheriffs Meadow Foundation Request for determination of applicability for annual mowing and removal of nonnative and invasive vegetation, Navy Way. Kristen Fauteux was present for SMF. Ms. Fauteux said that the property is considered 'Riverfront' under the wetlands protection act because of its proximity to Herring Creek. Ms. Fauteux said that she is working with an abutter to remove autumn olive, Japanese black pine, porcelain berry, and other invasive nonnative species. They would also like to remove excessive dead wood, which is becoming a fire hazard. Most of the work will be in the 100 to 200 buffer zone. Carlson made a motion to issue a negative determination. Kontje seconded the motion. Unanimously approved. Standard conditions: all work to be done by hand.

Getz NOI for pool house, fire pit, patio and related site improvements on Wilbur Lane. Doug Hoehn, Fred Fournier, and Stephen Poge were present for the applicant. A report of the site visit was given. Project is in the local jurisdiction

only: the 200-foot zone just clips the site. Pool house, fire pit, and patio are in the Commission's jurisdiction, but are 170 feet from the wetlands at their closest point.

Fournier reported that an abutter mistakenly did some planting on the Getz property. Kontje made a motion to approve the project as presented. Carlson seconded the motion. Unanimously approved with standard conditions. Snow fencing, hay bales or other siltation barrier is to be used during construction to ensure that there is no erosion of material into the wetland.

Mann NOI for addition to an existing residence, North Water Street. Most of the property is either in the flood zone or within 100-feet of it. Mr. & Mrs. Mann were both present. The addition has been approved by the historic district. A row of evergreens will be planted along the side lot line. The property is on both town water and town sewer.

Michele Casavant, attorney for abutter Twanette Tharp – who was also present – was concerned about the total number of bedrooms on the property. She said that it is her understanding that the property is limited to four bedrooms.

A neighbor of the Manns from Katama, Sam Stancotti, said that he has known Mr. Mann for 30 years and found him to be a competent engineer. He said that in his opinion Mr. Mann has gone out of his way to try and appease the neighbors. He said that Mr. Mann presents facts not suppositions.

Ms. Tharp asked if a landscape or lighting plan had been submitted with the notice of intent. The agent responded that such plans are often submitted after construction is complete.

Mann replied that they are not planning any significant changes to the landscaping in the area of the addition. The hydrangeas will be removed during construction and then replaced. Portions of the brick walkway and lawn will also be relocated.

Ms. Casavant asked if the existing lighting on site had ever been approved. She said she counted 40 plus lights that were not down lit or dark sky compliant. She

also remarked about the planting of a row of arborvitae without a permit. She requested that the Commission not move forward with this project until the property is in compliance.

Mann replied that the arborvitae replaced other plantings that were higher and that the lights down to the dock are currently not operating. Ms. Mann noted that there are a couple of lights on the hydrangeas but all the other up lights have been taken down.

The agent gave a brief report of the site visit. She noted that two of the members who went on the site visit, Lollis and Province, did not have any specific concerns about the addition.

Kontje made a motion to approve the addition with the understanding that a landscaping and lighting plan will be submitted after construction. The only exterior lighting currently permitted would be that mandated by the building code. Carlson seconded the motion. Unanimously approved.

Mann - NOI to install pool, construct detached bedroom, landscaping and fencing. [Original application included the construction of a cabana/garage which was eliminated from the application along with the outdoor shower.]

Mann noted that when he purchased the property a 10 to 15 foot high privet hedge ran most of the way across and down Morse Street. The hedge was removed last year. He said that he is more than willing to open up the front of the property that faces Water Street, but would like to preserve some privacy at the rear of the property. Mann said that he is also proposing a solid 6-foot high fence along a 47-foot portion of Morse Street to help with noise abatement as well as privacy.

Mann noted that his neighbor, Barbara Jordan, has 6 foot fence along her property.

Mann said that the pool he is proposing is 18-feet by 38-feet and will be 5-feet at its deepest. The bottom of the pool will be 4.3 feet above mean low water. The pool will have a saltwater filtration system and will be located outside the 100

year flood zone. All pool equipment will be fully enclosed and sound proofed. Any water drained from the pool will be directed to a dry well or trucked off site.

Casavant submitted a brief outlining a number of objections to the project. [See file]. Among her concerns were: loss of historic view to the water that is already impeded by the planting of the arborvitae, the fact that the detached bedroom would change the historic nature of the intersection of North Water and Morse streets. She argued that the location of the pool in the middle of downtown Edgartown is not appropriate and will have a negative impact on the neighborhood. She noted that the neighbors across the street will be looking down at the pool from their windows. She noted that few pools in the downtown area were located in the side yard; they were usually sited in the rear of the property to limit their impact

Casavant said that she counted a total of 7 bedrooms on the property. She said that even a conservative count would be a minimum of five bedrooms.

Casavant cited a letter written by the harbor master which noted that Morse Street is heavily traveled and safety and visibility are concerns. Casavant said that the plantings and fencing will impede the visibility of traffic turning onto Morse Street. She also noted that there was no place to turn around on Morse.

Casavant asked that the proposal be referred to the Martha's Vineyard Commission because it exceeds the allowable lot coverage.

Tharp commented that the proposed detached bedroom will negatively impact the historic streetscape. She noted that the structure looks like a Motel 6 and has faux windows.

Mann replied that there is no recorded view easement across his property. Sasha Mann noted that the lot coverage after completion of the project would be no more than 24%; the Tharp properties have lot coverages of 49.8% and 39.4%.

She said that 60% of the property will be green space. Ms. Mann said that she believed her neighbors were conducting a personal vendetta and that many of the statistics quoted by Ms. Casavant were completely untrue.

She said that the proposed detached bedroom has 385.7 sq. ft. of livable floor space, not 498.6 as alleged by Casavant.

She said that the letter from the harbormaster was prompted by the rumor mill and noted that her neighbors' fences and hedges were higher than what they were proposing.

Vincent suggested that both the police and fire department be contacted regarding the safety situation on Morse Street.

After some further discussion, Kontje made a motion to continue the hearing until after the Historic District Commission reviews the proposal. Carlson seconded the motion. Unanimously approved.

The HDC is scheduled to meet on the proposal on 21 February. Hearing continued until 27 February.

The Commission voted not to send the application to the MVC as a discretionary referral.

The agent asked that the top of the bank be added to the site plan.

There being no further business, the hearing was adjourned at 7:30 p.m.

Approved: _____