

Minutes of a Conservation Commission - 14 April 2021

Members present: Geoff Kontje, Christina Brown, Jeff Carlson, Lil Province, Peter Vincent - Chairman

Absent: Bob Avakian

Staff: Lisa Morrison, Jane Varkonda

MV 100 Oyster Pond Road - NOI for pool, fencing, and related site activities, 100 Oyster Pond Road. (Friedman property) [PV abstaining]. Reid Silva was present for the applicant. Proposal involves constructing a 16 x 36 swimming pool. There is a very small building envelope that is outside of the shore zone. About 30% of the pool will overlap an existing granite patio, which will be removed. Construction access will be from the east side of the property. Steve Stimson is the landscape architect. Pool equipment will be located in the basement. Septic system is located north of the house. Agent noted that a cross-section of the pool should be submitted, along with the depth to ground water, and a fencing plan. After a brief discussion Brown made a motion to continue the hearing to 28 April and schedule a site visit. Unanimously approved by roll-call vote by all those voting.

79 Turkeyland Cove - NOI for the construction of a field office, driveway, and underground utilities. Application is under the local bylaw only. Doug Hoehn was present for the applicant. The proposal is for two 10 x 36 modular units that will be attached by 12-foot wide foot deck. The units are for the secret service and will include a 1/2 bath, electricity, and tie-in to existing septic. The units will be fit in between existing pine trees in the rear portion of Zone 2 of the EPD. No formal parking area is proposed. Each unit will be placed on 8 posts, and there will two support posts for the deck. A previously approved 18 x 24 shed will be moved to another location to accommodate the units. In order to blend in, the units will be shingled on the sides and roof. The roofs will be flat.

Vincent commented that he thought trailers were prohibited by zoning. Hoehn responded that the units will not be on wheels. A special permit from the planning board is also required as the units are classified as non-minor accessory structures.

The units will not be visible from the public view, as they are located behind the main house and 700-feet from the pond. Hoehn said that he doesn't have elevations yet, as the final design has not yet been agreed upon.

Province made a motion to continue the hearing until 28 April for a site visit. Carlson seconded the motion. Unanimously approved by roll-call vote. Brown said she would like to see a sketch of the proposed units.

Starbuck Neck Realty Trust (Kushi) NOI renovations/additions to an existing residence, construction of a replacement garage/carriage house, pool & cabana, and related site activities. Doug Hoehn was present for the applicant as were Patrick Ahearn and Matt Blumenthal from Ahearn's office. Vincent asked why the town's easement was not shown on the site plan. Hoehn replied that it was an oversight and he would revise the plan. This is the former Foster property and is adjacent to Swartz and Israel. The current house and garage/guest house are nonconforming and a portion of the existing main house encroaches onto the Swartz property. Proposed new construction will conform to setbacks.

Patrick Ahearn said that the plan is to move the existing house back onto existing lawn. The property will have just one dwelling unit; no guest house is proposed. Ridge height will be at 26-feet. Ahearn said that there will be some architectural changes, but the renovated house will have a similar footprint and volume. Pool and cabana are located at the 100-foot line.

Ahearn noted that the former building inspector did not count these Starbuck Neck properties as being in the coastal district, even though GIS shows them in the coastal district.

Brown commented that there didn't appear to be any trees between the house and the water. Ahearn responded that no work is proposed in the 100-foot zone.

Kontje said he so no reason for a site visit and made a motion to approve the project as presented with the standard conditions. Carlson seconded the motion. Unanimously approved by roll-call vote. Revised plan with town easement is to be submitted prior to the issuance of an order of conditions.

Leland Path Dock LLC [Continuation] - NOI for pier off Litchfield Road. Reid Silva of Vineyard Land Surveying was present for the applicant. Hearing was continued for additional comment from MAC and the Shellfish Committee. Silva said that they have revised the plan and extended the fixed portion of the dock 10-feet, from 115 to 125-feet. This will take the pier into deeper water and increase the separation between the float and the underlying bottom, as requested by the Division of Marine Fisheries. Extension was approved by MAC.

Vincent asked about the gangway. Silva explained that it is hinged on one end with wheels on the other so that it can connect the fixed portion with the float as the tide rises and falls. The gangway and floats will be removed seasonally, along with their anchors.

Kontje asked how the dock will be accessed and whether or not there will be parking. Reid replied that the pier will be shared by three properties on Lelands Path, but there has been no mention of parking. He said that the pier will be used mostly by small boats to get out to allow people to get out to their moorings. The pier will be limited to boats 16-feet or less.

The agent commented that the location of the pier meets the definition of a barrier beach, and piers are not allowed according to pier permitting guidelines. She commented that the access to the pier seems to be across Sheriffs Meadow property. After some brief discussion Province made a motion to continue the hearing to the next meeting, 4/28, to explore the access and barrier beach issues. Brown seconded the motion. Unanimously approved by roll-call vote.

Guittar - 93 Edgartown Bay Road. NOI for the construction of a 10-foot by 36-foot pool and deck. George Sourati was present for the applicant. A report of the site visit was given. There will be no construction south of the pool. Per the Building Inspector the fence is allowed in the shore zone provided it is under 6-feet in height. A dry well will be added to the plan. Carlson made a motion to approve the project as presented. Kontje seconded the motion. Unanimously approved by roll-call vote with standard pool conditions.

32 Ocean View Avenue - NOI to extend pier, add float, and relocate spile. [Province abstaining.] Kara Shemeth was present for the applicant. A revised plan dated 29 April 2021 was submitted. Per the Division of Marine Fisheries request the 6' by 20' float was moved eastward allowing for 3 feet between the bottom of the pier and the bottom of the harbor. The float will be removed during commercial scalloping season. Plan has been approved by MAC, Shellfish, and the harbormaster.

Bo Riely asked if there would be enough room for a boat between the relocated float and the 'L.' Shemeth said that 13.5 and 14 feet would work for Mr. Sullivan's boat.

Kontje made a motion to approve the project as presented. Carlson seconded the motion. Unanimously approved by roll-call vote by all members voting, with standard conditions.

Agent's Report: ATT has decided that the existing silos at Katama Farm would not hold up if antennas were placed on them. They plan on tearing one silo down and building a new one. All the wireless equipment will be located inside the silo. Proposed silo will be 30-feet higher than the existing. AT&T will be formally applying in the near future.

The Trustees have requested another extension to the end of May or until a new lease is executed, whichever is earlier. Extension would be under the same terms: TTOR will continue to pay monthly rent, keep up their insurance, and allow the town reasonable access. Varkonda noted that the RFPs are due April 26th. Province made a motion to approve the request. Kontje seconded the motion. Unanimously approved by roll-call vote.

Orders of conditions for North Water Street Properties, Lungren, and Levin were approved, as were minutes of 10 March, 15 March, and 24 March. Extension permits for Smith and Houlahan were also approved.

There being no further business, the meeting was adjourned at 5:30 p.m.

Approved: _____