



Meeting Minutes - Edgartown Conservation Commission - January 12, 2022 (4 pm)

Commissioners present:

Peter Vincent (Chair), Christina Brown, Jeff Carlson, Max Gibbs, Geoffrey Konje
Staff: Jane Varkonda (Agent), Kara Shemeth (Admin)

Commissioners not in attendance: Lil Provence & Bob Avakian

Public in attendance: Chris Alley, Chuck Sullivan, Stephen & Karen Sissleman, Reid Silva, Tracey Smith, Douglas Hoehn, Sarah Campbell, Amy Denton, Sean Scannell, Dr. Anthony Kirincich, Jennifer DaSilva, Brian Murphy, Bruce Anderson, Anthony Mancina, James Cutler, John Denson

4:00 pm Meeting called to order

Action: Motion to approve the 12/29/21 minutes as drafted
Seconded and passed unanimously via roll call vote

4:02 pm

Public Hearing: NOI SE20-1628

Applicant: Vineyard Vibes, LLC

Representative: Tracey Smith, SBH, Inc. Chuck Sullivan (Architect)

Address: 9 Lessen Way (AP 13-22)

Project: NOI to replace an existing single family dwelling (SFD) with a new single family dwelling, pool and pool house.

Documents shared: Aerial of site, site plan, architectural plans.

Tracey Smith and Chuck Sullivan presented the site plan and architectural plans. The applicant is proposing to demolish an existing SFD and build a new SFD in a different location on the property. The septic system was installed in the early 200s and was designed for 14 BRs. Future plans include a bedroom above the existing garage. Half of the proposed house, the pool and driveway fall under the Con Com jurisdiction. The grading needed for the proposed project (elev 26' down to elev. 12') was a concern of the Commissioners. Question was raised as to why not bring the driveway in off of Eel Pond Way rather than Lenyson and avoid being in the 100 year flood. Applicant wants to utilize Lenyson because the existing driveway is there and it will be less congestion than the alternative. FFE 23' pool elevation is 13'. The amount of clearing necessary for the project was discussed. Chuck stated that to his knowledge the only clearing being requested currently would be to allow for the driveway and construction of the proposed structures. **A cross section of the pool and a dry well location was requested by the Commissioners.**

Comments from the public: Amy Denton (abutter): concerns about the leaching field and nearby wells. Tracey Smith responded that the leaching field is in the ground and covers the capacity of what is being proposed. The lot (2.59 acres) can handle 13 BRs but the system is designed for 11-12 BRs. There are currently 7 BRs in the proposed house and the Gym and Office are considered BRs by the BOH (for a total of 9). There is potential future expansion to add 1 BR above the existing garage. The Title V system was installed in 2001 and is considered in good shape.

John Denson (abutter): Concerns regarding the planting along Eel Pond Way to retain neighborhood privacy. Chuck Sullivan and the applicant stated that they would look to retain as much privacy as possible and likely plant more buffer.

Action: A motion was made and seconded to continue the hearing to the next meeting to allow for a site visit.

Passed unanimously via roll call vote

4:32 pm

Public Hearing: NOI SE20-1624

Applicant: Jeffrey & Jill Karp

Representative: Doug Hoehn, SBH

Address: 31 Edgartown Bay Road (AP 46-8)

Project: NOI for a new pier with tie off spiles and a float.

Documents shared: Aerial of site, pier/site plan

Doug Hoehn presented the plans and explained that the project has been approved by the Marine Advisory Committee (MAC). The Harbormaster advised that the two moorings that could be impacted by the location are easily moved. The plan presented reflects the 5' reduction in length approved by the MAC. The proposed pier is a 161' new pier with a 34' "T" and a 16' float. The lot is currently vacant and an application will be submitted shortly for a dwelling proposal. MAC notes are on file with the Con Com.

Action: A motion was made and seconded to

Passed unanimously via roll call vote 4-0 with 1 abstention (Gibbs)

4:40 pm

Public Hearing: NOI SE20-1625

Applicant: Andrew P. Houlahan, Tr

Representative: Doug Hoehn, SBH

Address: 18 Bayside South (AP 36-159.115)

Project: NOI for 6 spiles and a 4'x26' southerly extension from an existing pier

Documents shared: Aerial of site, pier/site plan

Doug Hoehn presented the plans and explained that the project has been approved by the Marine Advisory Committee (MAC). The proposed addition is a 4'x26' southerly extension. MAC notes are on file with the Con Com. The concept is for this to be a family pier for the owners of the three upland lots in Bayside to access the southern side of this pier and the owner of lot 5 would have sole access to the northerly side of the

pier. The six tie pile configuration will allow for three boats to tie up. The aerial was brought up to show the depth of water in the proposed area.

Action: A motion was made and seconded to approve the addition as presented subject to the usual pier conditions and approval of a written use plan. Passed unanimously via roll call vote 4-0 with 1 abstention (Gibbs)

4:55 pm

Public Hearing: NOI SE20-1626

Applicant: 79 Turkeyland Cove Road Nominee Trust

Representative: Doug Hoehn, SBH

Address: 79 Turkeyland Cove Road (AP 44-7)

Project: NOI to install 3 5'x7' guard posts and a generator and underground propane tank.

Doug Hoehn shared the site plan and explained that the applicant would like to construct two 5'x7' guard posts, one out by the road and within 100' of the 100 year flood and a second off the driveway in an already landscaped area, within the 100 year flood. A third guard post is already constructed (within the 100 year flood) and is seeking permitting in this application. These would be slab on grade. The applicant wishes to add an underground propane tank and generator to the existing field offices (SE20-1585).

Action: A motion was made and seconded to approve the application as presented. Passed unanimously via roll call vote.

5:01 pm

Public Hearing: Request for Determination of Applicability

Applicant: Woods Hole Oceanographic Institute

Representative: Sean Scannell, Epsilon Associates

Address: the waters of Edgartown

Project: deployment of buoys

Documents shared: powerpoint presentation

Sean Scannell made a presentation explaining that the buoys WHOI is looking to install would be deployed for 90 days at a time and are validation buoys that verify data consistency with the weather station. This will allow offshore buoys to have accuracy validation when the data from this project is analyzed. There was some discussion about the amount of impact the anchors will have and it was stated that it is anticipated that each anchor would temporarily disrupt 43 sq. ft. of Land Under Water.

Action: A motion was made and seconded to issue a negative determination with request that the applicant send any additional data/ information for the file as it becomes available.

Passed unanimously via roll call vote.

5:26 pm

Public Hearing: NOI Continuation

Applicant: JFS Realty Trust (Sissleman)

Representatives: Chuck Sullivan, Sullivan & Associates, Chris Alley, SBH, Inc.

Documents Shared: Aerial, Site Plan, Architectural Plans, plant list, aerials showing existing and proposed conditions.

Jurisdiction/ Resources: within the 100 year flood, coastal district

Address: 100 Edgartown Bay Road (AP 51 Lot 23)

Project: The project involves the construction of a replacement dwelling, garage, swimming pool, the upgrading of a septic system, and related site work.

Chuck Sullivan presented the updated plan that showed a profile section and trench drains along SW corner and NE corner property lines to manage drainage and added 8 infiltrators to manage roof run off. The soils are conducive to drainage in this area.

Commissioner's Comments/ Questions: is there any way this could be done without bringing all this fill in? Chuck Sullivan stated that it has to be done around the septic system, due to ground water and the first floor has to be 6'-6.5' out of the ground, to minimize the steps into the house and the elevation of the pool deck. It's not absolutely necessary but aesthetically it is beneficial and the end product will be much nicer since we need to build up around the septic anyway.

Is this a common solution to the elevation issues in the area or are houses beginning to be raised on stilts? Chuck responded that this is a lower area and the flood maps recently changed (2015/16), there are a few that are a bit out of the ground like this. What has happened at the Planning Board? The PB wants the Con Com to rule first. During this hearing the BOH approved a FAST system

Action: Motion to approve. No Second.

Action: A motion was made and seconded to continue till the next meeting (1/26) for the Applicant to come back with alternative solutions and to get input from the Planning Board.

Passed unanimously via roll call vote.

5:51 pm

Public Hearing: NOI Continuation

Applicant: Beach Trees LLC

Representative: Reid Silva, VLS, Bruce Anderson & Jim Cutler, Architects

Documents Shared: Aerial, Site Plan, Landscaping Plans with view sheds, rendering from the pond

Jurisdiction/ Resources: Great Pond, wetlands buffer

Address: 26 Crackatuxet Cove Rd (AP 44-33.4)

Project: The project involves the construction of a replacement dwelling, garage, swimming pool, the upgrading of a septic system, and related site work.

Reid Silva presented the proposed view channels and landscaping plan. **Jane Varkonda requested seeding rates and an updated planting list with the seeding**

source to ensure plantings are local. Bruce Anderson shared the rendering from the water.

Commissioners Comments/ Questions: Based on the rendering it looks like the views are largely unobstructed and there's no good argument for cutting any vegetation. Commissioners would be reluctant to entertain any cutting until the house/ terrace is completed and a site visit can take place to see if any cutting is necessary. Jim Cutler (Architect) agreed that this would be a very reasonable request.

Action: A motion was made and seconded to approve the application as presented with standard conditions and that no view channel work is done until construction is complete and a site visit can take place to approve any view cutting..
Passed unanimously via roll call vote.

Public Hearing: NOI Continuation

Applicant: Alexander/ Gammill

Continued

Walsh: Request for amendment withdrawn

Discussion: Kara (Admin Asst) suggested allowing Jane or Peter to sign Orders, Certificates of Compliance, etc until in-person meeting resume to allow for efficient, safe issuance of documents given the timelines that require permits be issued within 21 days of actions.

Action: Motion to allow Conservation Agent, Jane Varkonda, to sign Orders of Conditions, Certificates of Compliance, etc, that have been voted on by the Commissioners, until in person meetings resume. approve the 12/29/21 minutes as drafted
Seconded and passed unanimously via roll call vote

6:05 pm

Action: motion to adjourn

Passed unanimously via roll call vote