



Meeting Minutes - Edgartown Conservation Commission
June 22, 2022 (4 pm)

Commissioners present: Peter Vincent (Chair), Jeff Carlson, Lil Province, Max Gibbs, Robert Avakian

Commissioners Absent: Geoff Kontje, Christina Brown

Staff: Jane Varkonda (Agent), Kara Shemeth (Admin)

Public in attendance: Tracey Smith, William Muller, Joseph Sieber, Christopher Imrey, Jodi Landau, Mark Jagodzinski, Ale Echandi, Jonathan Shuster, Casey Decker, Patrick Ahearn, Doug Hoehn, Sydney Cinalli, James Moffatt - Greenwater, Matthew Blumenthal, Alessandra Wingerter, Maryann Thompson, Matthew Blumenthal, Dave Bonnar, Sherrie Cutler, Chris Dunn, Patrick Taylor, Kris Horiuchi, Tyler Grant, Dan Gordon, Nancy, Bryan Collins, Reid Silva - VLSE, Jeff Karp, Mary Carty, Peggie Sweeney, Brian Carty

PUBLIC HEARINGS:

4:00 Public Hearing SE20-1649– Notice of Intent

Applicant: **The Witchwood Trust**

Address: 31 Edgartown Bay Road (AP 36-303.15)

Representative: Tracey Smith, SBH

Project: Unpermitted installation of an E one pump and underground septic connection within the buffer zone

Documents shared: Site Plan

Tracey Smith of SBH presented the site plan and explained that a contractor (Farris) has installed an e-one pump and directionally drilled to connect a new bathroom in the boathouse (which has historically had a bathroom that flushed into the harbor) without any permitting from either the Con Com or BOH.

Jane mentioned that the Tribe has been in touch and is very interested in this area for its cultural significance. It was noted that the system is not connected,

and will not be, until the proper permits are installed. Commissioners asked that Farris be sent a notice.

Public Comment:

Bill Muller (plumbing contractor) explained that he had been hired to do the plumbing and had hired Farris and explained the plumbing

Action: A motion was made, and seconded, to issue an Order of Conditions Passed unanimously via roll call vote

4:05 Public Hearing – Notice of Intent

Applicant: **Brian Purdy**

Address: 10 Fowler Way (AP 12 B - 135)

Representative: Casey Decker, MV Engineering & Design

Project: Lift and shift locations of existing guest house and main house to allow for new foundations for both and the upgrading of the septic system to be moved further from the resource area. All activities in the flood zone and buffer zone.

In recent weeks the approach to the project has changed from restoration to demolition and rebuilding, necessitating the need for new public notice.

Action: A motion was made, and seconded, to continue the hearing until 7/13/22

Passed unanimously via roll call vote.

4:10 Public Hearing SE20-1651 – Notice of Intent - Ecological Restoration

Applicant: **MA DCR**

Address: Manuel F Correllus State Forest Barnes Road (AP 23-1.1 and 26-1.1)

Representative: Jonathan Shuster, SWCA Environmental Consultants

Project: Implementation of an Invasive Plant Habitat Management Plan

Jonathan Shuster and Ale Echandi DCR Ecologist presented for DCR. Ale noted that the recent unauthorized trails in the State Forest brought to light a 2001 Conservation management permit that DCR had not met the condition of. Upon review of the plan, this plan was developed to complete the invasive species management goals of the previous permit while piggybacking on the trail restoration project. DCR is working with Sheriff's Meadow to identify invasive species for this project. Two isolated wetlands were identified and 2200 square feet of mitigation falls within BVW. 19 invasive species to be managed. There are rare plants and while treatment is occurring, a botanist will be on site to make sure the rare plants are identified and left unharmed. Specific details are contained in the appendices submitted with the application and on record with the Edgartown Conservation office.

Action: A motion was made, and seconded, to approve the project as presented.

Passed unanimously via roll call vote.

4:15 Public Hearing SE20-1596 – Request for an Amended Order of Conditions

Applicant: **Starbuck Neck Realty Trust**

Address: 7 Starbuck Neck Road (AP 19A-9)

Representative: Doug Hoehn, SBH

Project: Request for an Amended Order of Conditions to incorporate changes required by the Edgartown Historic District Commission to the previously approved plans.

Documents shared: Site Plan

Doug Hoehn presented the site plan and pointed out the portions that were revised by the Historic Commission.

Action: A motion was made, and seconded, to approve the updated plans and issue an amended Order of Conditions.

Passed unanimously via roll call vote.

Continued Public Hearings

SE20-1643 - 191 Katama Road Nominee Trust – 191 Katama Road (AP 29-125.22)

Doug Hoehn (SBH), James Moffett (Architect), Kris Horiuchi (Landscape Architect)

Doug Hoehn explained the project, tearing down an existing house and rebuilding. There are several areas that overlap Coastal zone was measured 100' from the back of beach grass due to the bank being less than 15' tall. Several flood zones, and their 100' buffers, and 200' local bylaw setbacks cover most of the property. Noted were the 5700 sq ft of terraced deck.

Concerns were raised by Commissioners regarding the proximity of the limit of work (LOW) and pool to the top of the coastal bank as one portion the LOW crosses over the top of bank and the plan calls for “impacting” and then “restoring the bank”. Commissioners were also concerned with the amount of glass on the front of the house facing the harbor.

Action: A motion was made, and seconded, to continue the hearing until 7/13
Passed unanimously via roll call vote

SE20-1650 – SSL Inc – 2 North Neck Road (AP 15-6)

Reid Silva explained that the property was almost at the end of North Neck with the house dating back to the 1920s-30s. There are two major components: 1. Removal of the existing concrete wall and replacing it with a revetment (400-500 tons of stone).

2. Stabilizing the existing road. Proposing a gravel sand mix which is compatible with what's there. Access is by barge, Reid addressed each of the points raised by the DEP (on file with Conservation Commission).

Max Gibbs noted that the Shellfish Department would need to be consulted to ensure the shellfish beds are not disturbed.

Action: A motion was made, and seconded, to continue the hearing until 7/13 to allow the Shellfish Department to comment and for a site visit.

Passed unanimously via roll call vote

SE20-1648 – Karp – 31 Edgartown Bay Road (AP 46-8)

Documents shared: revised architectural plans, additional renderings, articles regarding pickleball noise, photos of the site

Mary Ann Thompson presented the revised architectural plans and noted that they had reduced the glass by 31% and created the requested renderings. The renderings illustrated how the proposed structure would have a good amount of screening from existing trees. The proposed design calls for trim and shingles that weather to gray to allow it to blend even more into the landscape.

Commissioners noted that the end of the property nearest Fishermen's landing had been subject to unpermitted cutting.

Joe Sieber (30 Katama Bay View Road) had three major areas of concern. The first was the quality of the renderings along with questions regarding the scale and the measurements of the plans and Pickleball court. Mr. Sieber spoke at length about the need to protect the historic views and vistas from the road and read a neighbor's letter into the record. He also spoke about the detrimental effects of pickleball on neighborhoods and nature.

Doug Hoehn responded that many of the concerns brought up have no bearing on the wetlands protection act nor the Edgartown bylaws.

Action: A motion was made, and seconded, to approve the project as presented with standard conditions.

Passed unanimously via roll call vote

SE20-1647 – 89 Turkeyland Cove Road Nominee Trust (AP 44-5.2) - due to a lack of eligible Commissioners, this application is to be continued.

Action: A motion was made, and seconded, to continue the hearing until 7/13
Passed unanimously via roll call vote

Action: A motion was made, and seconded, to approve the meeting minutes from 6/8/22 with minor spelling corrections.
Passed unanimously via roll call vote

Agent update:

Whale tail, etc. the boat needs work.

Action: A motion was made, and seconded, to adjourn **ADD TIME**
Passed unanimously via roll call vote