



Meeting Minutes - Edgartown
Conservation Commission
July 27, 2022 (4 pm)
865 2800 0835

Commissioners present: Peter Vincent (Chair), Jeff Carlson, Lil Province, Christina Brown, Geoff Kontje, Robert Avakian

Commissioners Absent: Max Gibbs

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

Public in attendance: John Lolly, Dales Janes, Chris Alley, Kirk Oswald, Darchi Schofield (TTOR), Abigail (MV Times), Alex Cervone (EDG Planning), Kristy Rose, Ron Domurat, Bruce McIntosh

PUBLIC HEARINGS:

4:00 Public Hearing SE20-1652 – Notice of Intent

Applicant: Robert Angevine / Cow Bay Corporation

Address: 100 Cow Bay Road (AP 12-21)

Representative: John Lolley, PE

Project: Proposed lifting of an existing beach cabana to replace rotting piers and deck with pressure treated wood. All activities are in the flood zone, barrier beach, coastal dune, and buffer zones.

Documents shared: aerial, engineering plans

John Lolly presented the project, which is very similar to one approved and executed a few years ago. Mr Lolly explained that the wind brings sand under the building which results in holding moisture and eventually rotting. The plan is to lift the building, dig it all out, replace the rotted beams, install concrete pedestals and set it back down.

Commissioners asked how the previous project went and Mr. Lolly reported that it went very smoothly because it was well thought out. The one issue they had was that they needed to remove the sand with man power because they couldn't get a machine in so there was a safety factor that they had to be very aware of. The previous cabana was reset and they have seen very little sand build up underneath the cabana since then.

It was noted that the area is within NHESP jurisdiction and they would need to file with them and get a response.

Action: A motion was made, and seconded, to continue this to August 24, 2022 to allow for a site visit and NHESP input.

Passed unanimously via roll call vote.

4:05 Public Hearing – Notice of Intent

Applicant: OZMV, LLC

Address: 55 Slough Cove Road (AP 44 -12.13)

Representative: Chris Alley, SBH

Project: Replacement of an existing single-family dwelling and the associated utility and site work, including a new septic system. All activities are within the local 200' buffer zone with the septic and small portion of the building falling within the 100' buffer.

Documents shared: aerial, site plan

Chris Alley explained the jurisdictional lines and the plans for the new house. The entire project falls within the 100' from the 100 year flood (local bylaw) and the leaching field falls in the 100' buffer zone (WPA) due to the established wells and the increased well to septic requirements in the katama/ coastal district (Edg BOH). Chris explained that he didn't include siltation fencing due to the distances of activity from the wetlands and the topography of the site, neither of which is conducive to producing and runoff issues.

There was discussion regarding the merits of a denitrifying system, property is limited to 4 bedrooms and based on the lot size it doesn't rise the the requirements of a denitrifying system.

Jane noted that a septic plan would have to be submitted with a landscape and lighting plan to follow.

Action: a motion was made, and seconded to approve the application as presented with the construction access and construction zone delineated on the plan.

Passed unanimously via roll call vote.

Continued Public Hearing:

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

Action: A motion was made, and seconded, to continue the hearing to August 24th to allow VLS to confer with the Shellfish Constable regarding construction access.

Passed unanimously via roll call vote

Discussion:

The Trustees Of Reservations Islands Director Darci Schofield presented the beach management draft plan

Materials shared: slide deck (on file with Con Com)

TTOR mission: to protect, for the public's use and enjoyment, places of exceptional scenic, historic, and ecological value.

Director Schofield spoke of the different studies and practices that went into developing the plan, especially the TTOR's *State of the Coast* report done by

the Woods Hole Group to model the impact of climate change and sea level rise on the beaches. The report showed that beaches of MV were especially vulnerable to storms and erosion. TTOR also utilized the model to predict future shoreline movement.

The plan has been presented to several stakeholder groups with plans to extend the outreach in coming weeks. Director Schofield states that July had been the start of a lot of public outreach and that TTOR had hired the consensus building group to assist in the outreach and stakeholder meetings and interviews. They plan for lots of engagement and are getting a lot of feedback.

The presentation included the analysis that was done to determine the number of parking spots that would be possible at each beach location. The proposed closing of the bay side access roads and the gut were discussed.

Public Comment:

Kirk Oswald spoke regarding the outreach and asked how the feedback has been and advised that there is a petition in support of Chris Kennedy's comments regarding the plan (newspaper article on file with Con Com). Mr Oswald spoke to the need for bayside access to Commonwealth waters and that the few proposed parking spots where families and people with limited mobility would then have to lug things across the beach are not adequate. He mentioned that the proposed dog guidelines and cutting off access to the Gut are both big issues. He also took issue with the draft's proposed OSV corridor and suggested that the proposal could be dangerous for cars passing on the ocean side.

Kara Shemeth spoke as a member of the public and expressed that the proposed removal of bayside access would significantly alter how she is able to utilize the beach with her young children as it provides a safe place for families. She thanked TTOR for the public outreach.

Conservation Commission Chair Peter Vincent spoke regarding the bayside access and felt it was limiting the recreational use of the property beyond what it should be and read Shellfish Constable Rob Morrison's letter regarding the draft plan's proposal to close bayside access into the record.

Director Schofield thanked the Commission and public for their input and hoped that we could come together as a community to solve these issues and ensure that the beach access is there for generations to come. She reiterated that TTOR welcomes feedback and innovative solutions.

Action: A motion was made, and seconded, to approve the meeting minutes of July 13th 2022.

Passed unanimously via roll call vote of eligible commissioners (Geoff Kontje abstaining)

Agent update: Jim Greene reported to Jane that the condition of the surf boat is so severe that he recommends bringing it to Gannon & Benjamin over the winter to get it restored.

Action: A motion was made, and seconded, to adjourn at 5:27 PM
Passed unanimously via roll call vote