



Meeting Minutes - Edgartown Conservation Commission
October 12, 2022 (4 pm)
Zoom Meeting: 828 0335 4703

Commissioners present:, Max Gibbs, Jeff Carlson, Lil Province, Geoff Kontje, Robert Avakian, Christina Brown

Commissioners Absent: Peter Vincent (Chair)

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

Public in attendance: Russ Hopping (TTOR), Darci Schofield (TTOR), KAREN Osler, Thomas Humphrey (MV Gazette), Alexis, Victor Colantonio, Hillary Dyroff, Judy Murphy, Tom & Becky Ross, Dylan Sanders, Cliff Meehan, Malissa Osler, Rachel Self, David McCourt, Chris Alley (SBH), William "Chuck" Sullivan, Nelson Giannakopoulos, Kris Hourichi, James Hagerty (Town of EDG)

Jane Varkonda noted that there were several errors in the TTOR application that would need to be dealt with prior to the Commission reviewing the application and that a new NOI would be filed and the application would be held at a later date.

PUBLIC HEARINGS:

Public Hearing – Local Notice of Intent

Applicant: **Zeev & Yael Pearl**

Address: 8 Jacob's Neck Road (AP 42-1.5)

Representative: Cliff Meehan

Project: Removal of an existing porch and outdoor shower and construction of a new, screened porch and new outdoor shower within the 200' wetlands buffer zone.

Documents shared: Site plan, architectural plans, aerial

Cliff Meehan presented the proposed work which involves removing one screened porch and adding a new one on the water side of the main house. Other areas of work include relocating an outdoor shower and a covered entry on the landward side of the structure. All work will take place within the established lawn, no vegetation is proposed to be removed at this time and all

work is outside the 100' buffer but within the local 200' buffer. Mr. Meehan confirmed that the homeowners association had approved the work.

Action: A motion was made, and seconded, to accept the application as presented with standard conditions:

1. *All work must comply with the conditions of this order. For any change in approved plans or work, the applicant shall file a new Notice of Intent or inquire, in writing, of the Commission whether the change is substantial enough to require a new filing.*
2. *It is the responsibility of the applicant, owner, and/or successor(s) to ensure that all conditions of this order are complied with. Copies of this order shall be supplied to project manager and contractors.*
3. *Because of the property's proximity to the resource area no herbicides, pesticides, or fungicides shall be used on any portion of the property. This condition shall be considered ongoing and shall not expire with the issuance of a certificate of compliance. Applicant shall abide by the Board of Health regulations for the application of fertilizers.*
4. *An pre-construction site meeting shall take place between the General Contractor and the Conservation Agent*
5. *Any siltation fencing must be installed by the contractor and inspected by the Conservation Agent prior to work beginning.*
6. *No additional exterior lights, other than those mandated by the building code, are permitted at this time. Should the applicant wish for additional exterior lighting, a lighting plan shall be submitted to the Commission for review. All exterior fixtures must be 'Dark Sky' compliant, of low wattage, and fully shielded to shine only downwards.*
7. *A Certificate of Compliance must be applied for prior to the issuance of a Certificate of Occupancy from the Town of Edgartown Building Department.*

Passed unanimously

Public Hearing –Notice of Intent

Applicant: **Trustee of Reservations** - Norton Point to the Gut SEE NOTE ABOVE

Victor Colantonio asked questions regarding the connection of the application to the DCPC and commercial activities. Jane Varkonda clarified that the application only pertains to activities within the resource area and buffer zones and does not deal with commercial activities but any permits regarding such activities would come after an Order of Conditions is issued by the Conservation Commission. She further noted that the granting of an Order of

Conditions only allows the ability to determine where trails are located and how the resource is managed.

Public Hearing – Local Notice of Intent WITHDRAWN

Applicant: **David Malm**

Address: 24 Katama Bay View Road (AP 46-18.1)

Representative: Doug Hoehn, SBH

On behalf of the applicant, Doug Hoehn requested via email that the application be withdrawn so that they may address concerns raised by the BOH.

Continued Public Hearing– Notice of Intent **SE20-1658**

Applicant: **The McCourt Martha's Vineyard Trust**

Address: 85 Chappaquiddick Road (AP 30-63)

Representative: Sullivan & Associates

Project: Seeking approval for modifications (additions & deletions) to a guest house complex and to establish a location for housing of utilities along with associated site work.

Eligible commissioners: Geoff, Jeff, Peter, Max, Lil

Chuck Sullivan requested a continuance to the next meeting so that the five eligible Commissioners would be in attendance.

Action: A motion was made, and seconded, to continue the application to the next meeting.

Passed unanimously

Unanticipated Item: Rubin View Channels

Kris Horiuchi shared the plan (on file with Con Com) and explained the proposal to have the two crossing view channels. Commissioners that had been on the site gave a report and it was noted that while the channels cross, which is usually discouraged, in this case, they cross within the limit of work and to not create a giant channel. Kris explained that the plan was to take out some dead trees, which will be reviewed with Jane. Some pitch pines are slated to come out with oaks proposed to be limbed up and the vegetation will have a contiguous understory with some trimming to bring the vegetation down but not in a manner that gives a “buzz cut” look.

Commissioners asked for the plan to show the view channels extending to the water and for there to be spot grades and any topo/ elevations that are available. It was confirmed that since the view channel goes over a neighboring property (owner approves of this), another NOI would need to be filed for that property if vegetation is to be cut on that property.

Action: A motion was made, and seconded, to approve the proposed view channels with the understanding that the application will follow the guidelines laid out above.

Passed unanimously

Pagoda Tree update: A forestry expert will be evaluating the tree and the parking situation has not improved and the office has been informed that the homeowners plan to continue to park there despite the concerns raised by the Commission.

With nothing further to discuss the meeting was adjourned at approximately 4:52 PM