



Meeting Minutes - Edgartown Conservation Commission  
October 26, 2022 (4 pm)  
Zoom Meeting

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

Commissioners Absent: Christina Brown left at 5 (noted in minutes)

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

Public in attendance: John Harker, Rachel Lake, Patrick Johnson & Elizabeth Johnson (Avangrid), Holly Johnston (Epsilon), Hans Van Lingen (Park City Wind), Richard Andre (Vineyard Wind), Richard Price, Sean Buckley (Harvest Solar), Julia Livingston, Alan & Kristi Strahler, Chris Long, Penn Edmonds, Chris Alley (SBH), Michael Barclay, Erik Peckar, Alan Feldman, A. Khan, Luke Lefeber, Rachel (iPhone, George Sourati, David McCourt, James Holenko, William "Chuck" Sullivan & Nelson Giannakopoulos (SA), Brooke Kushwaha, Benjamin Hall, Jennifer Blum, John Kett (Reed Hilderbrand), Leslie Carter, Tom Tate, Becket "Josh" Kochin

**PUBLIC HEARINGS:**

4:00 Public Hearing – Notice of Intent SE20-1661

Applicant: Julie & Jeffrey Stueken

Address: 11 Boldt Farms Way (AP 21-71.5)

Representative: Harvest Sun Solar

Project: Installation of ground solar panels within 6 ft of a BVW

Sean Buckley presented the solar project for 11 Boldt Farms Rd, the site is quite compact and given the location of the leaching field, accessory structure, and property lines, the location presented, while close to the wetlands, is the best location and will have minimal impact to the ground. There is no excavation needed, the applicant would like to utilize the area underneath for storage so these ground units are slightly higher than the ones at Katama Farm.

**Action:** A motion was made, and seconded, to approve the application as presented with the following 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. An onsite meeting with the General Contractor and the Conservation Agent must take place prior to work beginning.

4. A Certificate of Compliance must be applied for within 60 days of the completion of the project.

Passed unanimously via roll call vote.

4:05 Public Hearing – Local Notice of Intent

Applicant: **Eastern Wall, LLC**

Address: 58 Oyster Watcha Road (AP 41-1.1)

Representative: Chris Alley (SBH)

Project: Proposed construction of a guest house and associated site work within Zone 2 of the EPAD and within 200' of a BVW.

Documents shared: aerial, site plan

\*Jeff Carlson recused himself as a Conservation Commissioner as he is a board member of the Oyster Watcha Homeowners Association and will be participating in the meeting in that role.

Chris Alley and Michal Barclay presented the site plan and reviewed the resource areas that had been flagged by Doug Cooper. Zone 2 of the Ponds District and within 200' of the wetlands, all proposed work is outside the 100' buffer. They explained that it is a one story guest house.

There was some question as to if this would be the 2nd guest house on the property and if this structure would even be allowed by the town if approved. Chris pointed out that a larger than 900 sq ft guest house had previously been approved on the property but never built.

There was discussion about the amount of glass and the Commissioners asked for a rendering from the pond. The applicants noted that they were not asking for view channels in this application, they don;t anticipate needing them and the view channels would trigger a state NOI as well as the local.

Commissioners asked about the brush cut path shown on the site plan, Michael confirmed that it was in fact there and maintained.

**Action:** A motion was made, and seconded, to continue the hearing to 11/9 for a site visit.

Passed unanimously

4:10 Public Hearing – Notice of Intent SE20-1659

Applicant: **Leslie M. Cory**

Address: 103 Edgartown Bay Road (AP 51-45)

Representative: Sourati Engineering Group

Project: Application to permit and maintain an existing boardwalk and the construction and maintenance of an addition to the existing boardwalk.

George Sourati gave a summary of the recent history of the property, it was recently sold and when the Certificates of Compliance were applied for it was discovered that the previously permitted boardwalk had been built but was shorter than it needed to be. Jane Varkonda and George met on site to determine the best place for the walkway to terminate and the Notice of Intent was filed to allow the new owners to maintain the existing boardwalk and add the additional portions necessary to cross the salt marsh. There was discussion about the construction and Commissioners asked that the applicant use butterfly brackets rather than posts into the marsh.

**Action:** A motion was made, and seconded, to approve the application with the following conditions (1,2,3 & 6 are 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. *An onsite meeting with the General Contractor and the Conservation Agent must take place prior to work beginning.*
4. *The boardwalk is to be 4' wide with 1" spacing between the deck boards. The lowest structural member is to be 33" above grade, all as shown on the attached plan.*
5. *There are to be no post holes, the posts will be installed using butterfly brackets.*
6. *A Certificate of Compliance must be applied for within 60 days of the completion of the project.*

Passed unanimously via roll call vote.

Note: Christina Brown left the meeting following her vote on this hearing.

4:15 Public Hearing – Request for Determination

Applicant: **AJP Real Estate GbR LLC**

Address: 99 Chappaquiddick Road (AP 30-66)

Representative: Sourati Engineering Group

Project: Upgrade of an existing leaching field below the 100 year flood elevation and 41 ft +/- from the edge of a dune.

Documents shared: aerial, site plan

George Sourati presented the project and explained that this is an existing 5 BR home, renovations were previously approved by the Con Com and are now complete. The leaching field has since failed and the proposed new field will be upgraded to current standards. The activity will take place between the house and the road and between the house and a coastal dune. The work will be contained to the established lawn.

Commissioners asked about the water table. The ground is at elevation 7' and water table is .5', there will be a 5' separation by utilizing low profile infiltrators.

**Action:** A motion was made, and seconded, to find a negative determination with standard conditions.

Passed Unanimously by Commissioners present.

4:30 Public Hearing –Notice of Intent SE20-1640

Applicant: **Park City Wind LLC** (Hans van Lingen)

Address: the waters of Edgartown

Representative: Pat Johnson (Avingrid) Holly Johnston (Epsilon Associates)

Project: New England Wind 1 Connector - Application to install two offshore export cables beneath the ocean floor within Edgartown's offshore waters.

Documents hared: slide deck (available at Conservation Commission Office)

Patrick Johnson went over the recent history of the wind projects in MA and explained that their project will utilize the same cable corridors that Vineyard Wind is using to currently lay their cables. This project will be further south of the island than the Vineyard Wind one. Patrick reviewed the 2021 laws passed in MA to reduce carbon emissions and explained how critical these wind projects are to meeting those goals and to providing people with affordable renewable energy. The project is primed to produce 800 megawatts, it will have no carbon output, reduce carbon emissions by 1.6 million tons/year (equivalent to removing 310,000 cars from the road) and add significant job creation to the Island and state economy.

Holly Johnston presented more in depth information regarding the ongoing permitting and review at the national and state level as well as specifics about the corridor. The offshore site is 19 miles from Vineyard 2 offshore export cables that will make landfall in Barnstable after passing through Edgartown waters within the offshore export cable corridor (OECC) . A corridor has been defined to minimize impacts to the resources area and to optimize the cable alignments and maximize cable burial. The OECC is the same as Vineyard Wind with some widening to accommodate flexibility and anchoring.

Approximate width of the corridor is 3800' but each cable is only 10" with the trench being 3' wide. Installed by simultaneously digging and laying the cables. Cables are planned to be spaced at 50-100 meters between cables, these and the exciting Vineyard Wind cables. The cables will be laid at a speed of 100-200

meters/hr and are. Where there are sand waves on the bottom, some prep work may be needed to ensure success. Other companies pursuing future offshore wind projects will also be laying their cables within this established corridor potentially 3 additional cables west of these resulting 7 total cables within this corridor (see section 4.1 of the NOI for the specific installation methods).

Holly noted that cable laying activities pose little threat to North Atlantic Right Whales as the vessels involved move at very slow speeds, typically less than 1 knot/hr. Projects such as this are helping fight climate change which in turn will mitigate risks posed by climate change to the whales and other sea life.

**Comments/ questions from Commissioners:** The applicant was asked about the life expectancy of the cables, the applicant advised that the project life is expected to be 30-35 years. They also asked for clarification on the ownership of the corridor, Holly stated that this is state and federal land and that via permitting companies are able to lay their cable within the OECC. She also stated that the width of the corridor reflects the need for the ships to anchor within the designated corridor to work. There was discussion of the sand waves and Holly noted that the cable is to be installed in the stable seabed and they do not expect that the cables becoming uncovered once in the stable seabed. The cables post-construction geophysical surveys will map the actual location of the cables and there is real-time monitoring of the cables which allows the company to know about potential areas where the cable becomes uncovered and rectify it immediately.

**Comments/ questions from the Public:** Ben Hall voiced concerns regarding the Avingrid delay of 2 years that was recently noted in the news. The applicant clarified that there is a 1 year delay but it does not change their permitting schedule.

Other aspects of the project are still on the original schedule, this delay relates only to the acquisition and installation of turbines so that they can obtain higher output turbines, pushing the offshore component from 2026 to 2027 when it will come online. The new turbines will produce 17-20 megawatts per turbine as opposed to the currently available ones that produce 13 megawatts (Vineyard Wind). This will result in only a slight delay in cable installation. Mr. Hall also raised concerns that the applicant mentioned 4700 Green Jobs and he asked if any of these would be on the vineyard and if Park City Wind would be utilizing the service facility being built by Vineyard Wind in VH as one of their hubs. Richard Andre addressed the concern about the utilization of the VH hub. This project's operations, while closely associated with Vineyard Wind, will not be based on the Island. Avingrid will base its operations in Bridgeport CT, aspects of both projects will be serviced from both locations but Vineyard Wind is solely based in VH as operations are too big to have both out of VH.

Alan Strahler, Chair of the Edgartown Energy Committee noted that the Committee supports this project and noted that the Edgartown Select Board is also in support of the project and its investment in the community.

**Continued Hearings:**

Notice of Intent MV Land Bank - Caleb Pond - 28 Litchfield Road (AP 30-233)  
The Applicant asked that the application be withdrawn without prejudice.

**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 presented a proposal that got rid of the utility shed and added a mechanical room enclosed behind the chimney of the guest house and the side of the external bedroom. There are also some smaller mechanical rooms in existing spaces in the structures. Everything will be up off the ground and there will be no additional structure.

Commissioners felt this was a much better proposal than previously presented as it eliminates the structure in the dune.

Jane noted that the application came in just today and that the applicant needed to submit a new copy of the first few pages of the Notice of Intent and the changes

**Action:** A motion was made, and seconded, to continue the hearing to 11/9 to allow the applicant address the clerical changes needed to process the application.

Passed unanimously

**Action:** A motion was made, and seconded, to continue the NE Wind Connector hearing to 11/30 to allow Commissioners to review the material.

Passed unanimously via roll call vote.

**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

**Action:** A motion was made, and seconded, to approve the 8/24 minutes.

Passed unanimously

**Action:** A motion was made, and seconded, to approve the 9/14 minutes.

Passed unanimously

**Action:** A motion was made, and seconded, to approve the 10/12 minutes.

Passed unanimously

**Agent update:** the CPC application for restoration of the historic rescue boat is being heard tomorrow 10/27/2022.

**Action:** A motion was made, and seconded, to adjourn the meeting at approximately 6:22PM