



Meeting Minutes - Edgartown Conservation Commission
November 30, 2022 (4 pm)

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

Commissioners Absent: Christina Brown

*Robert Avakian left the meeting at 4:52 PM

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

Public in attendance: Adam Kahn, Alan Strahler, Beckett "Josh" Kochin, Brooke Kushwaha, Caela Howard (Avangrid), Charlie Blair, Andrew Nilson, Chris Alley, Chris Long, Chris Scott, Elizabeth Johnson (Avangrid), Erik Peckar, Evan Ridley, Hans van Lingen (Avangrid), Heather Weitzner, Helen Parker, Holly Johnston (Epsilon), JBR Parker, John Brittan, John Harker (Avangrid), John Kett (Reed Hilderbrand), John Stevens, Julia Livingston, Juliet Mulinare, Kristi Strahler, Leslie Carter, Michael Barclay, Patrick Johnson (Avangrid), Richard Andre, Richard Price, Sarah Nevin, Steve Ewing, Tom Tate

PUBLIC HEARINGS:

4:00 Public Hearing – Notice of Intent **SE20-1664**

Applicant: **Edgartown Reading Room, Inc.**

Address: 1 Cooke St (AP 20D-331)

Representative: Chris Alley (SBH), Chris Scott

Project: Proposed replacement of an existing private sewer pump station and associated plumbing on land subject to coastal storm flowage and within 100' of a resource area.

Documents shared: site plan

Chris Alley explained that the current pump station has failed. The proposal is to install a new H-20 watertight manhole with new pumps, reconnect the new pumps to the existing plumbing in the Reading Room and connect to the existing 2" forced main. The only unknown is how much of the forced main will need to be replaced. Based on discussion with the Edgartown Water Department they do not want to connect to any deteriorated pipe, ideally they

will not have to replace a lot of pipe but worst case scenario, the pipe could need to be replaced as far back as Cooke St.

Chris Alley explained that the applicant will coordinate with the commercial fishermen who use the area so as not to disturb their schedules and anticipate it being a morning's worth of work to pull and replace the pumps and then a few hours to chase the pipe to reach a good section. There won't be a need to stockpile any spoils or leave any trenches open. The Wastewater Department has been involved at each step so they will be working with the applicant to get any inspections done quickly.

Jane inquired if hitting groundwater would be an issue, Chris Alley noted that it was possible but the H-20 could be set in a wet hole. It was noted that the Commission would need a construction narrative and they would need a revised plan to show the main more accurately in the center prior to closing the hearing

Commissioners opted to give the applicant till the end of the hearing to modify the plan and draft the construction narrative.

Public Hearing –Notice of Intent SE20-1663

Applicant: **The Town of Edgartown**

Address: 1 Morse St (AP 20-286)

Representative: Andrew Nilson (Childs Engineering)

Project: Proposed North Wharf Waterfront Upgrades consisting of rehabilitating the existing granite block seawall by driving sheet pile in front of existing wall, replacing the timber walkways and fender system directly adjacent to the wharf, and repairing the parking lot. The purpose is to maintain the usage of the wharf by rehabilitating the seawall that supports the Harbormaster's building, parking lot, and travel lift system for the marina.

Documents shared: aerial, photographs,

Andrew Nilson reviewed North Wharf and its history. He noted that it is a 3 sided seawall constructed with dry set, irregular sized stones. It is the hub of the Edgartown Harbormasters activities as well as allowing access to the finger piers and fuel dock.

An existing conditions inspection was completed in 2018 by Childs Engineering and revealed quite a few areas of deterioration and the structure was given a "poor" rating. Childs Engineering proposes to encase the existing seawall within a new steel sheet pile bulkhead directly in front of the existing bulkhead with lightweight concrete material filling the space between with a concrete cap installed flush with the ground (all plans on file with Conservation Commission). Ideally the construction will take place November 2023 to April 2024, MEPA, Army Corps and Chapter 91 are all permitting steps that will need to take place once an Order of Conditions is issued.

Action: A motion was made, and seconded, to approve the application with standard waterfront conditions.

Passed unanimously via roll call vote.

Public Hearing – Notice of Intent SE20-1662

Applicant: Chappaquiddick Beach Club

Address: 36 & 37 Chappaquiddick Road (AP 30- 2, 5)

Representative: Chris Alley (SBH)

Project: Connection of existing plumbing at 36 Chappaquiddick Road to an existing septic system at 37 Chappaquiddick Road within land subject to storm flowage.

Documents shared: site plan

Chris Alley explained that several years ago the Chappaquiddick Beach Club upgraded their septic system, accounting for the flow from the staff building but the connection was never made. This application proposed to install a new pump under the existing structure and directional boring underneath Chappaquiddick road and connecting to the existing system.

Jane noted that technically the land under and around the structure in question is a swamp and therefore a protected resource.

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

Continued Public Hearings

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.

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

Chris Alley noted that this project currently has an application before the Planning Board and asked that this be continued to the next meeting to allow the Planning Board to rule. Commissioners asked that the trees shown in the rendering in front of the proposed guest house be located and shown on the revised plan and submit in writing their commitment to protecting the trees.

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

Passed unanimously via roll call vote of eligible commissioners (Jeff Carlson abstained as an abutter)

Notice of Intent **SE20-1640**

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

Address: the waters of Edgartown

Representative: Holly Johnston (Epsilon Associates), Pat Johnson (Avangrid)

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

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

Pat Johnson of Avangrid noted that they had made an extensive presentation at the prior meeting and asked if they could field questions from the Commissioners. There were questions regarding the corridor width (3800 ft wide), Holly Johnston noted that the cables are 10" in diameter, trenching is a meter wide with 50 to 100 meters between cables. The 3800 wide corridor is due to all activity needing to be encompassed within it. These activities include anchoring of ships and dredging activities. Pat Johnson noted that their lease areas would result in 7 cables eventually coming through this corridor.

Questions from Commissioners: What wind speed to the turbines shut down and what is the highest wind speed they can sustain (applicant will obtain answers and get back to the Commission)

The applicant explained what cable protection is and explained that detailed as-built surveys will take place to accurately map all the cables. Any boulders that are moved from the cables path would be noted and made public so fishermen are aware of any new locations. There was also discussion about the science and engineering involved in sandwaves and sandwave dredging and it was noted that ideally the cables will all be in stable sea bed and not in sandwaves but there are contingency plans for cable installation if they do run into sandwaves during installation.

John Harker (Avangrid) went over the outreach to local groups including fishing communities and noted that they don't anticipate any loss of fishing grounds. Caela Howard (Avangrid) has been working as the fisheries liaison and has been working with local fishermen since 2019 and spoke of the feedback they've received and the discussions they've had with local groups.

Questions were posed about the timeline for laying the cables and Liz Johnson noted that the timeline was 9 months with the portion in Edgartown's waters being 30% of the length. Commissioners had questions regarding the ongoing disruption as cables are laid every few years.

Regarding the decommissioning of the cables; they could be retired in place or removed, whatever methodology is used would be covered by bonds and would be determined closer to the cables end of life (30 years).

Commissioners noted that there is a lot of information to go through and that they would likely have more questions.

PUBLIC COMMENT: The Chair then opened the floor to questions and comments from the public. Helen Parker spoke of the previous application from Vineyard Wind that was denied by the Commission. She spoke of the marine degradation the cables will cause and urged the Commission to deny the application. Brooke Kushawa asked about the recent delays and Pat Johnson explained that it doesn't change their permitting timelines, just the purchasing timeline.

Action: A motion was made, and seconded to continue to 12/28
Passed via roll call vote (Peter, Max, Lil, Geoff, Jeff)

Minutes

Action: A motion was made, and seconded to accept the minutes of 10/26/22
Passed via roll call vote of eligible Commissioners

Action: A motion was made, and seconded, to accept the minutes of 9/28/22
Passed via roll call vote of eligible Commissioners

Chris Alley shared the updated Reading Room Plan and construction narrative

Action: A motion was made, and seconded, to approve the application as modified
Passed via roll call vote of remaining commissioners

Discussion Item:

22 Bayside (Waldron) – landscaping/ view corridors

John Kett from Reed Hilderbrand explained that there are currently two issues at hand, the unapproved landscape plan/ landscaping and the view corridors. John shared renderings of the home with the water and the revised corridors (as opposed to channels) with no changes to the number of trees removed.

The Agent noted that the honey locusts are deciduous trees and will not shield the house like the existing evergreens do. Commissioners noted that the large oak in question will hold its leaves longer than the honey locusts and is an established mature tree. John Kett reiterated the importance of the view for his client and that the oak impeded that.

Action: A motion was made, and seconded, to allow the Honey Locusts to stay
Passed

Action: A motion was made, and seconded, to approve View 1 with P1 To remain and to approve View 2 excepting the large Oak and the Cedar, those are to remain.
Passed via roll call vote with 3 in favor (Carlson, Kontje, Vincent) and 2 opposed (Gibbs, Province)

The landscaping plan and view corridors were a condition of the Order of Conditions previously issued. There is no avenue for appeal of this decision

Conditions for SE20-1659 (Corey boardwalk) and SE20-1661 (Stueken solar) approved (previously voted on)

Action: a motion was made, and seconded, to approve the payment of Juliet Mulinare 's invoice for services regarding the Fisherman's Landing Committee

Passed unanimously via roll call vote

With nothing further to discuss the meeting was adjourned at approximately 6:40 PM