



Meeting Minutes - Edgartown Conservation Commission
January 11, 2023 (4 pm)

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

Commissioners Absent: none

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

Public in attendance: Alexis Colantonio, Dylan Sanders, Becky Ross, Chris Kennedy, Casey Decker (MVE&D), Chris Alley (SBH), Chris Scott, Darci Schofield (TTOR), Deb Butler, Doug Hoehn (SBH), Hans van Lingen (Avangrid), Jonathan Kirby, Matthew Goodfriend, Michael Luft-Weissberg, Noah Mercer, Reid Silva (VLSE), Scott McCarthy, Tim Webster,

PUBLIC HEARINGS:

4:00 Public Hearing – Notice of Intent **SE21-1669**

Applicant: Jeffrey & Julie Stuecken

Address: 11 Boldt Farms (AP 27-71.5)

Representative: Ken Abbott (SBH)

Project: Proposed construction/ installation of a pool, cabana, and pool enclosure fence & related site activities

Documents shared: site plan

Ken Abbott presented the proposed project and reviewed the resource area and distances to the project. The property was recently reviewed under a solar array application. The cabana will have a bathroom that is to be connected to the existing septic system.

Commissioner Comment: Commissioners asked for a dry well to be added. The issue of groundwater was raised and Ken noted that they had dug down 12' and had not hit ground water, the pool is not proposed to be that deep so groundwater is unlikely to be an issue.

Public Comment: none

Action: A motion was made, and seconded, to approve the project with standard conditions and with the addition of a dry well

Passed unanimously via roll call vote

4:05 Public Hearing – Notice of Intent **SE21-1670 & SE20-1671**

Applicant: MV Regency Group LLC

Address: 71 Butlers Cove (AP 53-7)

Representative: Doug Hoehn (SBH)& Stephanie Pierce (Landscape Arch.)

Project: The construction and maintenance of a 182' long, elevated wooden boardwalk across a wetland (SE16-70) and the creation of a Comprehensive Land Management Plan and a 3' wide path to the beginning of a proposed elevated wooden boardwalk (SE20-1671).

Documents shared: site plan (L-100), aerial with plan overlay (L-101), proposed comprehensive land management plan

Stephanie Pierce reviewed the proposed boardwalk and showed an aerial of the property explaining the boardwalk area and how it straddles a brackish marsh and a bordering vegetated wetland. The area is full of poison ivy and dense thickets and a nearby area has been subject of a phragmite management plan in recent years. The applicant would like to install a 182', 3.5' wide boardwalk until the thicket begins and transition to a grass path in the thicket and to the lawn. The applicant would like to have a viewing platform at the pondside end of the walkway, the walkway will be built with butterfly brackets with $\frac{5}{8}$ " between the decking boards with 24" to 15" above the substrate with no more than 30" (the decking will be level).

Commissioner Comment: Commissioners asked if native plants had come back once the phragmite had been managed, the applicant confirmed that they had and that the native plant community had become very dynamic and is changing.

*Max Gibbs recused himself

The Agent noted that because of the different wetland communities/resource areas the applicant would need to re-submit a more detailed site plan showing the different communities and would need to provide a rendering of the platform from the water. It was also noted that the proposed height above the resource was too low and that a site visit would help Commissioners determine the best height.

Action: A motion was made, and seconded, to continue the hearing of SE20-1670 to 1/25/23 to allow for a site visit and for the applicant to gather additional information.

Passed unanimously via roll call vote with one abstention (Gibbs)

Stephanie Pierce presented a Comprehensive Land Management Plan which had come about through discussions with The Nature Conservancy and their request to have all land management activities for the property in one document. There are three scopes of work; previously permitted scope/ pre-existing conditions, the footpath connecting the lawn area to the previously

presented boardwalk and the removal of poison ivy along the walkway (by hand, no herbicides). It also includes the ongoing maintenance of the meadows with annual mowing of the little bluestem and switchgrass meadows and the additional existing meadows as a meadow rather than in islands as had historically been done. A three year program to cut and treat stumps of the invasives with herbicide is also proposed. Several mown access paths and poison ivy and the restoration of a meadow in an area where invasives were removed and the native community hasn't come back strongly. The relocation of some cedars from the meadow to a buffer area is also proposed.

Action: A motion was made, and seconded, to continue the hearing of SE20-1671 to 1/25/2023 for a site visit and to confirm the location of a proposed path through a resource area.

Passed unanimously via roll call vote with one abstention (Gibbs)

4:15 Public Hearing – **Request for Determination**

Applicant: Connell House LLC

Address: 234 the Boulevard (AP 6-80)

Representative: Reid Silva (VLSE)

Project: The Installation and maintenance of a septic system upgrade within a previously maintained landscaped, lawn area within the 200' buffer zone to a salt marsh.

Correspondence: Received an e-mail from Matt Poole at the BOH advising that this application has been approved by them and is needed as the existing system has failed.

Documents shared: septic design plan

Reid Silva explained that this was one of the last old systems down on the boulevard. The boulevard is between the proposed site and the resource area, wells and abutting septic systems dictated the location of the system and is 1 3/4' trench proposed in an area that is already "lawn".

Commissioner Comment: none

Public Comment: none

Action: A motion was made, and seconded to find a negative determination
Passed unanimously via roll call vote

Continued Public Hearings

- Public Hearing –Notice of Intent **SE20-1666**

Continued to 1/25/23

- Public Hearing- **Local Notice of Intent**

Applicant: Eastern Wall

- Public Hearing - Notice of Intent **SE20-1640**

Applicant: Park City Wind LLC (Hans van Lingen)

Continued to 1/25/23 due to lack of eligible commissioners

Action: A motion was made, and seconded to continue the three hearings to 1/25/23

Passed unanimously

Public Hearing – Notice of Intent **SE20-1667 & SE20-1668**

Applicant: 20 Orr Lane Realty Trust & 26 Orr Lane Realty Trust

Address: 20 & 26 Orr Lane (AP 20B - 76.4 & 76.3)

Representative: Dough Hoehn (SBH)

Project: Remove existing structures, construct dwelling, pool, cabana, garage, landscaping & related site activities

Documents shared: site plan, pool schematic, existing conditions and rendering from Eel Pond

Doug explained there had been a site visit earlier in the day and that a similar project had been approved a few years ago and never built. Jonathan Kirby summarized the project. The planting lists and pool cross section were reviewed and renderings were presented.

Commissioner Comment: There was discussion regarding the elevation and topography, a grading plan and a comparison of existing vs proposed grading were requested for review. Commissioners wanted to see retaining walls, limit of work and the square footage of managed lawn. There were questions about groundwater and how it may be handled if it became an issue.

Public Comment: none

Action: a motion was made, and seconded, to continue the hearing to 1/25/23 to allow the applicant to produce the requested information/ plans.

Passed unanimously via roll call vote

Discussion:

20 Trustees Lane - J. Sacks – request for emergency, temporary barrier

The Agent familiarized the Commissioners with the property and impacts of the recent breach.

The Assistant read the Wacks letter into the record (on file with Conservation Commission), they are requesting emergency permission under the WPA to utilize sandbags to help stave off erosion caused by the breach.

The Wacks introduced their contractor, Eric Gilly, who spoke of an idea to use cement retaining wall blocks as a temporary solution. The Agent noted that concrete blocks would not be approved by the state but sandbags would be approved and a better option. She had checked in with Steve McKenna at CZM who concurred that sandbags would be more effective.

Action: A motion was made, and seconded, to issue an emergency certification to allow the sandbags to be installed upon an on site meeting with the Agent and the contractor doing the work.

Passed unanimously via roll call vote.

Administration:

- Minutes

8/10/22 (Jeff, Lil, Christina, Bob)

Action: A motion was made, and seconded, to approve the 8/10/22 minutes as presented

Passed unanimously by vote of eligible Commissioners

Commissioners approved the purchases of additional equipment for the added duties of Norton Point:

- Chromebook
- Garmin GPS unit
- Spotting Scope
- Binoculars
- Updated computers for Conservation Staff
- etc

With nothing further to discuss the meeting was adjourned at approximately 5:25 PM