



Meeting Minutes - Edgartown Conservation Commission
February 22, 2023 (4 pm)

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

Commissioners Absent: Christine Brown, Robert Avakian

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

Public in attendance: John O'Hara, Julia Livingston, Chris Alley, Jess McGroarty, Glen Searle, Andrew Kelly, Chris Kennedy, Cody Coutinho, Ron Domurat, Brooke Kushwaha, Penn Edmonds, Abigail Rosen, Leonard Schleifer, Rachel Self, Leslie Self, Karen Osler, Edward B. Self, Bo Reily, Michael Barclay

Public Hearing - Notice of Intent **SE20-1674**

Applicant: Chappy Holdings, LLC

Address: 54 Litchfield Road (AP 35-2)

Representative: Reid Silva (VLS)

Project: seeking permission to repair and maintain an existing licensed pier and construct two new float additions (6' wide x 20' long each) on the above referenced property. Current maintenance will include minor deck work and the removal of two small swim platforms. Two existing tie-off piles will be relocated to secure the ends of the new floating dock additions.

Documents shared: Aerial, site plan

Cody Coutinho presented the application and reviewed the existing pier. He clarified that two piles would be relocated to accommodate the proposed floats and the necessary public access stairs would be installed per Chapter 91 guidelines.

Commissioners declined a site visit as it is an existing, permitted pier.

Action: A motion was made, and seconded, to approve with standard pier conditions.

Passed with 4 in favor and 1 abstention (Gibbs recused)

Public Hearing - Notice of Intent **LOCAL**

Applicant: Chappy Holdings, LLC

Address: 40 Litchfield Road (AP 30-133)

Representative: Cody Coutinho (VLS)

Project: Applicant is seeking permission to construct and maintain an in ground swimming pool, safety fencing, retaining wall, equipment storage and associated landscaping on the above referenced property. All work is outside of the WPA buffer zones but is within the Edgartown Wetland Buffer.

Documents shared: Aerial, site plan

Cody Coutinho presented the application and reviewed the resource areas, the proposed pool is within the 200' buffer to the top of bank and the project falls within the buffer zone to the 100 year flood. ZBA requested some modifications regarding fire department connection and the location of the pool equipment.

Commissioners asked about the necessary grading around the proposed pool. Cody went over the retaining wall design, which will vary from 3'-4' and the area outside the retaining wall will remain at it's natural grade.

Teh Agent noted that we needed cross sections of the pool and retaining wall and depth to groundwater prior to making a decision.

Action: A motion was made, and seconded, to continue to 3/8/23

Passed unanimously via roll call vote

Public Hearing - Notice of Intent SE20-1678

Applicant: County of Dukes County

Address: 1 South Beach Park (AP 51-49)

Representative: Town of Edgartown

Project: Applicant is seeking to implement a beach management plan at Norton Point Beach

Documents shared:

Jane Varkonda (Conservation Agent/ Parks Commissioner) reviewed the application which included historic use, resource areas, habitat areas, relevant regulatory documents and OSV requirements in regards to rare species management.

Jane explained that most barrier beach managers don't use a hard calculation for vehicle numbers because they have to use best judgment based on daily

beach and bird conditions and that changes daily. She reviewed the appendices and how they play in to the daily management.

Commissioners asked about shellfishing and fishing access and Jane noted that she's in contact with TTOR to determine where they had specified areas for access. AWD was discussed and Park Commissioner Andrew Kelly noted that at this time the Commissioners are leaning towards no AWD but there is more data being collected and it seems that the important factor is clearance height rather than AWD vs 4WD. Commissioner Kelly also noted that they are signing the MOU with the county this week and have Audubon on board with a two year contract for bird monitoring.

Public Comment: Chris Kennedy complemented the plan saying that it covered all the bases but leaves the Beach Manager the flexibility to adjust to changing beach conditions.

Action: A motion was made and seconded to continue this to March 15 with this being the only agenda item.

Passed unanimously via roll call vote

Jane Varkonda noted for attendees that the TTOR application would not be discussed and had only been continued to this meeting to allow the applicant to provide a date they were available for the continuance.

Continued 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.

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

Documents shared: revised site plan

Chris Alley reviewed the history of the application noting that it had been continued to allow the Planning Board to act and they had approved it just last night (Tuesday 2/21). Chris noted that he has just revised the plan to reflect the Planning Board's decisions and it resulted in the guest house being reduced in size from 1500 sq ft +/- to 1300 sq ft +/- . He reviewed the resource area, specifically zone 2 of the EPAD and NHESP habitat areas. He also reviewed the

infiltrator system that is being put in place to retain the roof runoff and noted that the site is energy neutral.

Jeff Carlson recused himself as a representative of the Oyster Watch Homeowners Association and noted that this project had the approval of the group.

Commissioner asked about the old grass road and if it was currently being mowed, Chris stated that it was mowed somewhat regularly and crosses several properties out in the area.

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

Passed with 4 in favor and 1 abstention (Carlson recused)

Action: A motion was made, and seconded, to continue the TTOR application SE20-1672, to 3/8/23 (with a likely continuance to 3/22/23)

Passed unanimously via roll call vote

Action: A motion was made, and seconded, to adjourn at 4:50 PM

Passed unanimously