

Town of Edgartown  
**Cape Pogue DCPC**

Minutes of Meeting  
January 26, 2023 5:30 P.M.

In Attendance (virtual):

Town Administrator (James Hagerty)  
Edgartown Conservation Commission (Jane Varkonda)  
The Trustees of Reservations Membership (Bob Hayman)  
The Trustees of Reservations Staff (Darci Schofield)  
Cape Pogue Property Owner appointed by the Edgartown Board of Selectmen (Rachel Self)  
Conservation/Wildlife Specialist (appointed jointly by Sheriffs' Meadow Foundation, Vineyard Conservation Society, and Vineyard Open Land Foundation) (Matt Pelikan)  
Edgartown Harbormaster (Charlie Blair)  
Edgartown Shellfish Constable (Rob Morrison)  
Massachusetts Environmental Police (Matthew Bass)  
Edgartown Police Department (Sgt. Ryan Ruley)  
Edgartown Board of Health (Chris Edwards)

Meeting called to order.

Water Issues

*Harbor Plan Update*

Liz Durkee from the Martha's Vineyard Commission provided an update on the Harbor Plan. The current plan, which is 20 years old, is being updated by the town with help from the Commission. It is being updated to address climate related issues, and issues with recreation vs. shellfish resources in the pond. She hoped in another meeting there could be a discussion about concerns the Committee might have, things it might like to see in the plan, etc. There would be public meetings in February and March, one of which would be focused on Cape Pogue and Katama, and one on the harbor area.

Ed Handy reiterated that the dates and times for public meetings were posted on the town website, and encouraged everyone to attend and express concerns. James Hagerty also encouraged people to attend.

*Gut Update*

Charlie Blair indicated data collection would continue; the Gut would be buoyed again, and future signage and rules around anchoring would depend on TTOR policy – when they allowed vessels on the beach, it was extremely helpful in alleviating anchorage issues.

Chris Edwards inquired as to whether there would be another vote regarding an anchoring moratorium for 2023. James Hagerty indicated that it was premature to consider that.

Darci Schofield indicated TTOR intended to continue to allow boats onto the beach. TTOR was working on new signage to shape interaction between boaters/pedestrians and shorebirds.

### *Shellfish update*

Rob Morrison provided an update on the shellfish situation, reporting that it had been a very good scallop season thus far.

### Land Issues

#### *Revised NOI filed by TTOR*

Jane Varkonda provided an update; there had been another public hearing of the Conservation Commission the previous night, which had been continued for a week. The Commission would like a recommendation from the Committee on what to do about the NOI, hopefully by the end of February at the latest. The Commission was not necessarily looking for a yes or a no, but wanted to hear the Committee's areas of concern, or any other advice it wished to give.

Ed Handy recommended meeting again in two weeks so that the Committee could have time to review all the information and come up with recommendations. Rachel Self suggested meeting on February 9<sup>th</sup> for deliberation on the issue, and noted that in the Google Drive folder for the Committee, there were many documents regarding the NOI and this process.

Charlie Blair moved to meet on Feb. 9 at 5:00. Ed Handy seconded the motion. The motion passed by role call vote.

#### *Wasque Breach and Dyke Bridge Bulkhead Repairs*

In the same storm that had caused the breach, the bulkhead at the east approach of the Dyke Bridge had suffered damage. There was a loss of sand and regular high-tide flooding on this side. Darci Schofield provided an update on TTOR's efforts to procure emergency permitting to make repairs, and explained that TTOR was working to understand the complex ownership of that parcel of land and investigating how best to move forward with the permitting process in light of that. She emphasized that TTOR was taking steps to move forward, and while it would not be a quick process, it was underway.

Ed Handy inquired as to whether there was a way to quickly permit for emergency repairs in order to stop loss. Jane Varkonda explained that there was no emergency at present under the regulations, but expressed confidence that TTOR and the town could work with regulatory agencies to address this issue.

#### *Meeting opened to public comment*

Edward Self provided historical context around the previous ability of vehicles to travel along South Beach to Cape Pogue in times when there was not a breach.

Alexis Colantonio asked for clarification regarding TTOR's view of the ownership of the parcel of land including the east approach to the the Dyke Bridge.

Leslie Self expressed that many meetings over many years had involved the topic of the bulkhead at the Dyke Bridge, and that landowners had been constantly assured that TTOR was looking into it; the permitting process would be long and expensive, but needed to be undertaken. Darci Schofield expressed that repairs needed to be done in concert with the town, and it would be a complex process. Jane Varkonda suggested TTOR and the town could talk about this more, but the Municipal Vulnerability Program might have money available which could be used as a first step forward.

Ed Handy inquired whether the Committee could recommend that the town and TTOR get together and start moving forward on this. He moved that the Committee recommend to the Selectmen that the town pursue any grant opportunities in cooperation with TTOR to repair and improve the infrastructure related to the bulkhead and the Dyke Bridge. Darci Schofield seconded the motion.

The motion passed by role call vote. Rachel Self would draft a letter, share it with the members, and move forward from there.

Victor Colantonio encouraged the DPW and the town to review the report from the previous inspection of the Dyke Bridge, as it raised important issues. He acknowledged that it was not a simple issue and resolution would be complex, but hoped it could be addressed, because the entire property was deteriorating.

Charlie Blair reminded the Committee that the Town owned land at the jetties; so the town should have a vested interest in helping with repairs to the bulkhead.

Judy Murphy reiterated that longtime landowners have had concerns about the Dyke Bridge for many years, and had been meeting with TTOR for a long time on that issue. She had lost a lot of faith that anything would actually be done.

Rachel Self showed images of recent flooding and the condition of bulkhead, as well as images from FOIA responses, which are all available on the Committee's public site for review.

Bob Hayman requested some clarification regarding inconsistencies between numbers of OSV permits sold by TTOR and the numbers of actual trips registered by vehicle counters. There was some confusion as to which numbers were relevant. Rachel Self suggested that if anyone had comments or questions, they could be submitted via email.

Meeting adjourned.