

Minutes of a Conservation Commission Meeting - 13 March 2019

Members present: Geoffrey Kontje, Jeffrey Carlson, Lil Province, Stuart Lollis.

Absent: Peter Vincent – Chairman, Bob Avakian, Christina Brown

Staff: Lisa Morrison, Jane Varkonda

Job's Neck (Ludwig) Continued from 13 February. Tory Fletcher and Brian Casey, caretaker, were present for the applicants. Ms. Fletcher explained that because of the location and the prevailing winds the area where the homeowners keep their boats are mired in weeds in the late summer, making them difficult to use. Ms. Fletcher explained that the suction harvesting of the milfoil is working well and will continue, but the permit does not allow them to work during the summer. They are asking to use 'bottom blankets' in the area where the boats are kept in order to cut down on the aquatic weeds. The blankets are removable and are not anchored to the surface. Rebar is threaded laterally through pockets in the blankets which keep the edges on the bottom but allow organisms to pass through. The area where they will be placed has about 3.5 to 4 feet of water. The applicant is proposing to install the blankets in spring when the boats go in and take them out when the boats are removed in the fall.

Ms. Fletcher said that the property owners are willing to post a performance bond and assume responsibility should the blankets come loose or malfunction in some other way. They also plan on submitting annual reports on the success or failure of the project.

Lollis asked if the blankets had been used successfully in other areas. Ms. Fletcher said that they are used to control weeds in places that don't wish to use chemical treatments. She mentioned the by Wilbraham Parks and Rec and Lake Mansfield in Great Barrington.

She noted that the area they are proposing is small, just 20-feet by 40-feet, which will involve four 10-feet x 20-feet mats. They will be installed immediately after the last round of suction harvesting.

Province made a motion to approve the project as presented. Lollis seconded the motion. Unanimously approved.

Melone – Gaines Way NOI to construct stone revetment using 6 to 7 ton stones. Tara Marden of the Woods Hole Group was present for the applicant. The site has experienced severe erosion in recent years. The applicant has spent \$500,000 on beach nourishment and beach grass planting. The beach has migrated some 500 to 600 feet inland and is now 10-feet from the house. Ms. Marden said that a soft solution will not work in this location. The house was built pre-1978 so DEP will allow the construction of a revetment to protect the house. The applicant had originally proposed the construction of a vertical wall in the lawn, as it would have less of a footprint, but DEP wanted a sloped wall.

Most of the structure will be below grade; it will look like a retaining wall with a small cap and a gentle slope. The applicant plans to continue to nourish the beach. There will be returns on each end of the revetment and it will be entirely on the Melone property.

Kristen Fauteux of Sheriff's Meadow asked if the wall would have a negative effect the foundation's property. Ms. Marden said that she thought it unlikely. She said that Mr. Melone would likely be interested in collaborating with Sheriff's Meadow on beach nourishment.

Lollis made a motion to approve the project as presented, saying that it appeared to be the only option available. Carlson seconded the motion. Unanimously approved.

MV Regency Notice of intent to construct elevated walkways, footpaths, and vegetation management, Butler's Cove. Doug and Carla Cooper were present for the applicant. Mr. Cooper noted that both Wilkinson Environmental and Reed Hildebrand were involved in the project. The proposal consists of creating about 800-feet of additional path and 1100-feet of boardwalk, mostly adjacent to the phragmites management area.

The boardwalk will be constructed using helical anchors and untreated lumber. There is currently no access to the pond; the vegetation is too thick.

After some further discussion, Province made a motion to continue the hearing to the next meeting and schedule a site visit. Carlson seconded the motion. Unanimously approved.

Caraboolad NOI to create a lawn and plant trees. Paul Pertile was present for the applicant. Pertile said that the applicant is in the process of resurrecting the property, which has been dormant for quite awhile.

Kristen Fauteux of Sheriff's Meadow, an abutter, asked if the proposal includes removing invasives such as autumn olive and honeysuckle. She said she would like to see the trail system screened from the house. Carlson made a motion for a site visit. Province seconded the motion. Unanimously approved. Hearing continued to March 27.

Sutphin Request for a determination of applicability to remove invasive vegetation along the street, add additional species, and maintain existing plantings. Jeff Donaroma was present for the applicant. He noted that none of the work was near the wetlands.

A letter from Barrett & Kim Naylor was read, requesting a number of conditions and restrictions.

The assistant pointed out that the purpose of the determination is to decide whether or not the project is significant enough to require the filing of a notice of intent. Many of the conditions requested would not be appropriate for a determination. In addition, the Commission has no jurisdiction over private views.

John Hess was present for the Naylor's. He said that their primary concern is that the plantings along the street not be allowed to grow higher than 6 or 7 feet.

Mr. Donaroma commented that the Sutphins are entitled to their privacy.

Lollis made a motion to issue a negative determination of applicability. Province seconded the motion. Unanimously approved. Mr. Donaroma to submit a planting list to the agent.

Sheriff's Meadow Foundation – Champ Property. Request for a determination of applicability to remove the existing house, which is 80-feet from the coastal bank. Ms. Fauteux explained that the land was recently donated to Sheriff's Meadow with the understanding that the house will be removed. The foundation will return to the Commission with a separate filing for a property management plan in the near future.

The house is in bad repair and some asbestos work needs to occur before the house can be removed. Province made a motion to issue a negative determination of applicability. Lollis seconded the motion. Unanimously approved.

Wuerth Request for a determination to upgrade septic system, Green Hollow. George Sourati was present for the applicant. Currently the property is served by a mixture of cesspools and septic. The upgrade has been approved by the Board of Health. Province made a motion to issue a negative determination of applicability. Carlson seconded the motion. Unanimously approved.

Fearey Request for a determination to upgrade septic system, Plantingfield Way. George Sourati, engineer, and Kathy Kling, homeowner, were both present. Stuart Lollis made it known that the current owners are relatives by marriage, who are in the process of selling the property. Mr. Lollis stated that he has no financial interest in the property. There were no objections to him sitting on the determination. The plan calls for the addition of two septic tanks. The immediate neighbors, the Amatos, are aware of the project and support it. The work area is right by the road, far from the wetlands. Province made a motion to approve the project as presented. Lollis seconded the motion. Unanimously approved.

Ryan/Weiss Continuation. NOI to install a 57-foot extension of the Weiss revetment on the Ryan property. Chris Alley present for the applicant. Mr. Alley reported that Ryan is no longer interested in having the extension on her property. (Weiss was given permission to apply by Ryan back in the fall.) The reasoning behind the request is that erosion on the Ryan property could conceivably endanger the Weiss house. Weiss does not wish to withdraw the

application. Mr. Alley said that unless Ryan changes her mind, the extension could not be built.

After some further discussion, Carlson made a motion to deny the request on the grounds that the bulkhead extension will not protect the Weiss house. The agent noted that the Weiss house is not threatened and any increased erosion on the Ryan property will not threaten the house. She noted that the rationale for permitting bulkheads is to protect endangered houses and not banks *per se*. Province seconded the motion and voted to deny the request for the same reasons. Kontje and Lollis also voted to deny the request for the same reasons. 4-0 denied.

At 6:20 p.m. the board voted unanimously by roll call to enter into executive session for the purpose of discussing potential real estate purchases. The board also voted not to return to regular session at the close of the executive session.

Approved:

Minutes of an Executive Session of the Edgartown Conservation Commission – 13
March 2019

Members present: Geoffey Kontje, Jeff Carlson, Stuart Lollis and Lil Province.

MV Museum. The members reviewed a ‘Term Sheet’ supplied by attorneys for the museum. The members voted unanimously to refer the matter to Chairman Vincent and town counsel.

Norton property off Edgartown-West Tisbury Road. The agent explained that the proposed use of the property for the Park Department and the Cemetery Department had become complicated by burgeoning interest by the Boys and Girls Club.

The Commission had previously authorized the hiring of a consultant to prepare an application to Mass Natural Heritage Endangered Species Program as the property is habitat for the imperial moth. Tim Simmons was hired in this capacity. The agent noted that MESA (Massachusetts Endangered Species Act) and MEPA (Massachusetts Environmental Policy Act) do not want to review the proposal piecemeal, therefore the Cemetery Department, the Parks Department, and the MV Boys & Girls Club must submit a joint application. Contributions to the funding of the project must also be allocated between these three entities.

In order to assist with the MEPA filing, the agent recommended hiring Tory Fletcher, who has a demonstrated record of success with ENF and MEPA filings. Fletcher anticipates that the application would cost approximately \$15,000.

The board voted unanimously to approve the use of funds from the Land Acquisition Fund to cover the town's portion of the consultant's fee.

The executive session ended at approximately 6:30 p.m.

Approved: _____