

Minutes of a Conservation Commission Meeting - 13 November 2019

Members present: Peter Vincent – Chairman, Geoffrey Kontje, Lil Province, Jeff Carlson

Absent: Stuart Lollis, Bob Avakian, Christina Brown

Staff: Jane Varkonda, Lisa Morrison

Applicant: Martha Cohan – 1 Forever Wild Way

Proposal: NOI for the construction of a single-family dwelling and related site work including establishing a view channel

Representative: Martha Cohan

Discussion: A report of the site visit was given. House site is 200-feet back from the pond. The applicant would like to clear some old spruce trees between the house and the pond. These trees are straggling and have no branches at the bottom. Ms. Cohan said that she will use them in the house construction. She said she is also planning on moving some cedars to create a screen between the neighboring property. Cohan said that for each tree cleared in the view channel, she will plant one elsewhere on the property. No trees in the vicinity of the boathouse will be cut. She said she has abandoned the plan to create a new driveway that is shown on the plan, and will keep the existing. The applicant is also asking to clear 15-feet around the house site to facilitate construction. The house will be a single-story with a full basement that will partially above ground to allow for some light.

Gently Bondeson of Mary Ann Thompson Architects was present to discuss the driveway and the view channel [See also letter from Dream Enterprises LLC dated 12 November 2019 in file].

Action taken: Kontje made a motion to issue an order of conditions. Carlson seconded the motion. Conditions to include: Conservation Agent is to supervise the removal of some portion of approximately 20 spruce trees in the proposed view channel that will be tagged by the applicant. These are the trees that will be used for the house construction. Once the house is constructed, the view channel will be reevaluated and the removal of additional spruces may be allowed. Unanimously approved.

Applicant: Thomas & Mary Folliard

Proposal: Construction of a deck adjacent to an existing bulkhead and construction of a retaining wall.

Representative: Reid Silva of VLS

Discussion: Former Vietor property. Applicants wish to build a deck at the shore line and construct an adjacent retaining wall. All work will be in filled tidelands and will require modification of the existing Chapter 91 license. The intent is to strip the top soil and put in gravel and sand under the deck. The agent commented that she was not sure that the project contributes to the town's coastal resiliency goals especially in light of future sea level rise. Some members were also concerned about the proximity of a 4-foot diameter fire pit adjacent to gas motors.

Action taken: Carlson made a motion to continue the hearing until the next meeting, 11 December, in order to schedule a site visit. Province seconded the motion, which was unanimously approved. Agent to provide photos of the proposed fire pit.

Applicant: Town of Edgartown

Proposal: Amend 10-Year Comprehensive Plan for Lighthouse Pond & Fuller Street Beach

Representative: Tara Marden of the Woods Hole Group

Discussion: Marden noted that the request is several years in the making. There has been considerable shoaling and overwash from the barrier beach during storms. There is no connection between Lighthouse Pond and Eel Pond. This lack of tidal flow is causing the salt marsh to die off. The intent of the project is to (a) reestablish the connection to Eel Pond and use the dredge spoils for beach nourishment and dune restoration on Fuller Street Beach and (b) improve shellfish habitat. Project has been through the ENF process and CZM. The entire project is below mean low water. The pond is currently full of invasive submerged aquatic vegetation

The proposal also involves enhancing approximately 2700 sq. ft. of marsh that has been impacted by foot traffic taking a short cut to the beach. Marden noted that a small portable dredge will be used. The dredge will be lifted onto the site. Matt Merry will be coordinating the actual dredging. Marden commented that this project has been in the works since 2005 with a bulk of the funding coming from Jim Swartz.

Maintenance on the project will continue as long as the 10-year Comprehensive Permit is in effect. Letters from the Division of Marine Fisheries (12 November 19) and from the Division of Fisheries & Wildlife (6 November 19) were reviewed and were primarily concerned with the timing of the project. Ms. Marden said that it was unlikely that the project will be done this year.

Action taken: Province made a motion to approve the amendment. Kontje seconded the motion. Unanimously approved with standard conditions and those stipulated in the above captioned comment letters from state agencies.

Applicant: Alexander

Proposal: Request for an emergency permit for dredging in Eel Pond, 143 Plantingfield Way

Representative: Carlos Pena, Foth Engineering

Discussion: Former AY Allen property that had a long standing order for maintenance dredging. Order of conditions was closed out when the property was sold. The agent and Pena visited the site recently and noted that the drainage has been completely cut off and the marsh no longer drains into Eel Pond. A notice of intent for this project will be filed within 30 days and will include a proposal for replanting beach grass.

Action taken: Emergency certificate was signed by a majority of the members.

OTHER BUSINESS:

DeFeo/Frigoletto View easement for the former Reed property on South Water Street was reviewed and the Commission voted unanimously to forward the document to the Selectmen for signature.

Katama Farm Agent reported that the door had blown off the town-owned barn. The Commission voted unanimously to contribute a reasonable amount to its repair. The Commission also voted to schedule both a site visit and a meeting with the Farm Institute/Trustees to discuss their future plans.

Swartz Agent reported that the astroturf and 'Private Property' sign have been removed from the public walking easement. Agent suggested that a sign be posted reminding the public to stay on the easement.

Horvitz Agent reported that the Highway Department will remove any bushes and boulders blocking the ten-foot easement adjacent to Fuller Street.

There being no further business, the meeting was adjourned at 6:20 p.m.

Approved: _____