

Minutes of a Conservation Commission – 22 April 2015

Members present: Peter Vincent – Chairman, Christina Brown, Stuart Lollis, Geoffrey Kontje, Jeff Carlson, Bob Avakian, Lil Province

Staff: Lisa Morrison

SURKIN/SOLE Tracey Smith from SBH present for the applicants. NOIs for view channel and paths. Surkin is selling the property at 6 Mead Lane and Sole at 8 Mead Lane wants to formalize a view easement across the Surkin (aka Pfeffernusse Realty Trust). Both properties are applying for paths. No cutting is planned at present. Vincent suggested that the applicants need to develop an easement document if Sole is going to be able to maintain the view across Surkin's property. The Commission would then put conditions on the cutting/pruning and maintenance of the view channel. After some further discussion, it was decided to continue the hearing until the next meeting, 13 May, and schedule a site visit.

TOWER HILL Tracy Smith from SBH and Robbie Hutchison from Donaromas were both present for the applicant. Project involves constructing retaining walls and plantings. Photos of the site were submitted. The proposal calls for small, tiered stone walls, which would be planted to prevent the bank from washing out. All the work would be done by hand. Robbie Hutchison. There is a larger retaining wall further up the bank. The applicant may need to repair and replace the adjacent wood stairs in the near future. All work will be done by hand. Walls will be approximately 3-feet high and between 18-inches and a foot thick. The thicker walls will be higher up the bank. All will be designed with drainage, or weeping, holes. Avakian made a motion to approve the project as presented. Geoff Kontje seconded the motion. Unanimously approved with conditions. Hay bales or other siltation barrier to be used during construction, Conservation Agent to review proposed native plantings. Unanimously approved.

GIBNEY Request for a determination of applicability. Doug Cooper representing applicant. Project involves the installation of a pool, the relocation of a driveway, and other landscape activities. Lot is located at the intersection of Town Lot Road and Edgartown Bay Road. There is a small, isolated wetland across the street and the entire property is below elevation 9, within 100-feet of the 100-year flood line. Steve Stimson and Associates are doing the landscaping. The proposal calls for a small pool, which will be right up against the rear of the house, attached to the back deck. The applicant would like to relocate the driveway to Edgartown Bay Road and abandon the old driveway. (The garage shown on the plan is not part of this application.) The property is supplied by town water, but the on-site well is used for irrigation. There was some discussion regarding water issues in the area. Doug Cooper said that the Board of Health has approved the use of the well for irrigation, and believes this is better than using town water for irrigation. Mr. Cooper pointed out that a neighbor, Mr. Buchman, uses two wells on his property for irrigation. The agent remarked in her notes that there have been water issues in the neighborhood, and that other lots have been limited to small lawns and minimal irrigation. Mr. Cooper

said that he believes much of the problem stemmed from neighborhood paranoia, but that he has seen no evidence of water quality issues – other than poorly maintained septic systems. It is a densely populated suburban area. The water in the area is not great quality and has a lot of iron in it. Back in the 80s and 90s, pre-town water, there were concerns about salt water intrusion, but there was no scientific evidence or documentation, according to Cooper. Cooper said that he has been sampling wells on the Buchman property for three years. Carlson pointed out that if people were using their wells for irrigation and there was salt water intrusion, the plants would die. Cooper noted that the Board of Health is no longer concerned about drawing down the water table in this area.

The well is 15 feet deep, and the water table about 5 to 6 feet deep. Cooper said that the proposed pool is small and will be used primarily for hydrotherapy. It will be 4-feet deep and have a salt water filtration system. He said that the pool will not be emptied, but that if it needs to be discharged it will be done on site. The site is very level and the soils highly absorptive.

Proposed plantings are all native. Province commented that the planting list looks fine. After some further discussion, Province made a motion to approve the project as presented. Brown seconded the motion. Conditions to include: all excavated soils to be removed from the site. Unanimously approved.

[Determination revised: Applicant to have well certified for irrigation by the Board of Health]

EBERSTADT *Continuation* Reid Silva representing applicant. Proposal to install 220-foot stone revetment off Plantingfield Way. A report of the site visit was given. The historic shoreline and the revetment location were staked on site. Silva distributed a narrative to the board describing the details and the history behind of the project [See file]. Regarding the possible effects of the revetment on adjacent properties, Mr. Silva said that he did not believe there would be any effect to the north, but the south may be starved for sediment, which is why annual nourishment is included in the proposal. Mr. Silva said that he believes that regular nourishment of the beach will offset any sediment loss caused by the revetment. The sand used for nourishment will, of course, be compatible and a sieve analysis will be done. A letter from downshore abutters Bernard & Helga Kramarsky was read. The Kramarskys are in favor of the project.

Mr. Silva reminded the board that the Eberstadts currently have a permit to nourish the beach and replant every year, as well as to install a coir-log erosion-control system. Mr. Silva said that the proposed wall would have a similar effect downshore as the coir logs, but without the material washing up on neighboring property.

Mr. Silva said that the rate of erosion has gone up fivefold on this property. He noted that the nearby channel has become more defined and deeper. Adjacent properties are not as affected because, unlike this property, they do not directly face the northeast wind. The adjacent marsh is not subject to the same rate of erosion because of the tight root masses and the fact that the waves break over the marsh and are absorbed.

Mr. Silva said that several people have suggested using submerged man-made reefs or other structures to break up the wave action. Mr. Silva said that these types of solutions would likely not work in this location because they need a sediment source. He noted that the immediate off-shore area is quite shallow. In addition, the permitting process would be prohibitively expensive. He said that DEP has not approved any of these structures, and commented that unlike North Carolina and Florida, there are no natural reefs in Massachusetts.

Kontje was concerned about scouring down the beach. Vincent mentioned a domino effect. Silva noted that nothing can stop erosion, the wall will slow the effects on this property, but erosion will continue on adjacent properties. The best they can do is slow the erosion and mitigate the effects downshore by nourishment. Silva said that soft solutions are not working on this property – they have lost 17-feet in two years. The house was built in 1976 and therefore is entitled to protection under DEP regulations. There were some questions as to what constitutes ‘threatened’ and if there is a specific figure. Silva replied that there is no specific number.

The board felt that it would be important to include some kind of ‘fail safe’ condition in any order: if - in the opinion of the Commission - erosion to the north or south accelerates faster than expected and additional nourishment is not alleviating the problem then the Commission may order its removal.

Dale McClure, contractor, commented that in his opinion a stone wall is a ‘soft solution’ in that it may be changed, reconfigured, or removed unlike a pervious concrete revetment.

Stones for the revetment will be brought in across the property. Mr. Silva said that the property has easy access. Mr. Silva said that the Eberstadts hope to begin the project as soon as possible

After some further discussion, Province made a motion to approve the revetment with conditions. Avakian seconded the motion. Unanimously approved.

EDGARTOWN YACHT CLUB Bill Roman was present to discuss emergency repair of concrete bulkhead adjacent to the public walkway easement. Vincent made it known that he is a member of the yacht club, as are Lollis and Province. None believed they had any conflicts, and there were no objections to any of them sitting for this hearing. Roman gave a brief recap of the prior meeting and of the subsequent site visit with the selectmen. Ultimately both the town and the yacht club would like to work out a partnership, perhaps using CPC funds, in order to create a stone or granite bulkhead, but this could not happen until after next town meeting in April of 2016. In the meantime, they have come up with a temporary solution utilizing marine-grade mortar contained in bags which could be pushed into the voids created by the eroding concrete. The mortar cures when it comes in contact with seawater. The bulkhead would then be surfaced with gunnite. It is estimated that this would last for at least a year and a half. Roman said that it definitely seems preferable to using precast blocks or some of the other solutions suggested. Small cave-ins in the brick walkway will also be repaired. Roman will provide the Commission with updated drawings. Avakian made a motion to issue the emergency permit. Province seconded the motion. Unanimously approved.

The Commissioners voted unanimously to reappoint Peter Vincent as their representative to the dredge committee.

There being no further business, the meeting was adjourned at 6:30 p.m.

Approved: _____