

Minutes of a Conservation Commission Meeting – 12 February 2014

Members present: Jeff Carlson, Christina Brown, Peter Vincent - Chairman, Stuart Lollis, Bob Avakian

Absent: Lil Province, Edo Potter

Staff: Lisa Morrison, Jane Varkonda

FULLER Local NOI to construct garage, new dwelling, and related – Boldt Farms Way. Richard Barbini and Stuart Fuller were both present. There is a garage apartment currently on the property. The applicant would like to build a garage/barn (no plumbing). The plan is to move the existing garage apartment and build a new structure on to it. There is a freshwater wetland near the property. The septic system is already in place. There is a wooded area between the wetlands and the building site. After some further discussion Avakian made a motion to approve the project as presented. Lollis seconded the motion. Unanimously approved.

JONES Request for a determination of applicability to install an energy-absorbing barge in the Wasque area. Mal Jones read a letter to the board that explained the general intent of the project (see file and letter dated 6 February 2014. Mr. Jones explained that this is a long-term project to reverse the erosion at Wasque Point. Vincent asked who would be financially responsible for the project. Mr. Jones said he believes that people would pay for it. Vincent suggested that Jones contact the Chappaquiddick Island Association.

Mr. Jones said that a similar project off his land has been successful. The proposed barge would be 200 feet long and weigh 2000 tons empty and 13000 tons full. Mr. Jones said that he ran the proposal by Chris Kennedy of TTOR, who said that their policy is generally to let nature take its course. He said that the people at Marine Fisheries expressed some interest.

There was no one in the audience who wished to comment. Mr. Jones noted that it is a complicated area, and that this is a long range plan. The Vineyard is currently losing about ten acres a year, mostly off the south shore. After some further discussion, the Commission voted to issue a positive determination: to go forward Mr. Jones would need to file a full notice of intent. The agent suggested that the project be referred to the MVC. The Commission then voted unanimously to send the project to the MVC.

ISRAEL Request for an addendum to an order of conditions for a dewatering plan – Starbuck Neck. Richard Barbini representing the applicant. The project involves jetting in approximately 45 wells around the perimeter of the construction site in order to drop the groundwater 3 to 3.5 feet. Mr. Barbini estimates that they will be pumping for 30 to 60 days. Initially they will be pumping between 100 to 200 gallons a minute. The water would be directed into an area of thick vegetation (primarily bittersweet and Russian olive) and the stream will be dispersed into a bed of rocks and gravel. The

applicant will monitor the bank for any erosion. Mr. Barbini said that the pump will be powered with an electric motor, with diesel back-up. Mr. Barbini said that no affect on the water table is anticipated. In addition to monitoring for erosion, the site will also be monitored for noise. Lollis made a motion to approve the addendum as presented. Avakian seconded the motion. Unanimously approved.

ATHEARN Request for a determination of applicability to repair/enlarge pond an existing farm pond. Mr. & Mrs. Athearn were both present. The applicants would like to drain, dredge, and reline the pond so that it holds water properly. They propose to enlarge it approximately 50 %; it is currently 50 x 90 or 4500 s.f. and approximately 7-feet deep in the middle. The pond is used primarily for irrigation. The current liner system has not been holding water. They plan to install a rubber or bentonite clay liner. After a brief discussion, the Commission voted unanimously to issue a negative determination of applicability. Carlson suggested that the Athearns' put a foot of material on top of the liner.

CHAPPY BEACH CLUB Request for a determination of applicability to repair the foundations of two staff buildings off Chappy Road, across from the beach club. Peter MacRae was present for the hearing. He explained that the buildings are over 100-years old and the existing foundations are failing. They would like to jack-up the buildings and install some sonotubes. The location is adjacent to a swampy area. The buildings are currently resting on cinder blocks and 2 x 4s. Brown asked what kind of equipment will be needed. Mr. MacRae said that he believes all the work could be done with a bobcat. Continued to the next meeting, 5 March, for more details such as: the exact number of sonotubes, a plan for how the buildings will be jacked up, an excavation plan, and more details on the machinery required.

HELMAN Request for a determination to construct an addition to an existing garage, Oyster-Watcha. Richard Barbini representing applicant. The addition will be 250-feet away from wetlands, however the property is in the Ponds District and the Commission has jurisdiction to 300-feet. The addition is on side away from the wetlands. The applicant would like to basically double the size of the garage. Avakian made a motion to issue a negative determination. Lollis seconded the motion. Unanimously approved.

Continuations:

MARX Stone revetment, off North Neck Road. Carlos Pena of CLE engineering and Jim Glavin of Deca were both present for the applicant. A report of the site visit was given. Revetment is proposed to be 145 feet long. Agent was asked about what kind of equipment will be necessary. He said that the project would require an excavator and either a front-end loader or a track loader. There is no good access from the Marx property; the Filley family has agreed to provide access over their property. All the stones will be brought in by barge. The house is currently 94-feet from the top of the bluff.

Carlson said that he is not convinced that the revetment will not exacerbate erosion, especially on the south side. Mr. Pena said that because the structure will be tapered on the ends and not straight-sided the likelihood of erosion is lessened. Brown asked for instances where this design has been used. Mr. Pena mentioned several projects on the Cape.

[Agent leaves meeting]

Lollis made a motion to approve the project as presented. He said that if the applicant were to wait until the house is in imminent danger, then there is nothing to work with. Brown asked that the hearing continue to March 5<sup>th</sup>, so the board can gather more information and do a map of what has been allowed and where. Carlson asked Mr. Pena to bring in photos and case histories of similar tapered revetments.

FOLLIARD. Review arborist report and update on oil tank removal and remediation. Norman Rankow, Stuart Fuller, and Craig Saunders all present.

Saunders explained that when the tank came out of the ground, they took soil samples from the bottom of the excavation. There was some leakage and they will be drilling some sampling wells using the least invasive drill rig, which makes a hole only an inch and a half wide. Mr. Saunders said he did not believe extensive remediation will be necessary, as he does not believe the tank has leaked for long. The soil samples should be returned by next week. If remediation is required, it would probably involve treating the soil in some way, not excavation.

Fuller brought the Commission up to date. He said that the town has hired arborist David Hawkins, who visited the site last week. Basically any activity in the vicinity of the tree could have an adverse impact. He did sign off on the demolition and rebuilding of the main house, using the revised access proposed by Rankow. Rankow noted that the dumpsters will be located on the street and sidewalks, not in the area near the tree.

Rankow said that he plans to adopt all the recommendations of the town's arborist. Hawkins said by letter to the Commission that he would like to see specific engineered plans for the construction of the garage. It was suggested that the arborist hired by Rankow to devise a plan work with the town's expert to arrive at a consensus, which could then be presented to the Commission.

A perimeter fence is to be installed around the tree. The fill on top of the tree roots will be removed as soon as it is practical, and under the supervision of an arborist. Commission is to be notified of any work in the vicinity of the tree so the agent may be present to observe.

There being no further business, the meeting adjourned at approximately 7:30 p.m.

Approved: \_\_\_\_\_