

## Minutes of a Conservation Commission Meeting – 7 May 2014

Members present: Peter Vincent, Jr. – Chairman, Edo Potter, Jeff Carlson, Stuart Lollis, Bob Avakian, Christina Brown

Absent: Lil Province

Staff: Jane Varkonda, Lisa Morrison

CORBIN – Vegetation management plan, Edgartown Bay Road. Tristan Israel representing applicant. Applicant would like to brush cut a small area along the bank. Hand tools and a Gravelly brush cutter will be used, along with a chain saw for some of the larger brush. They also hope to cut a small section of underbrush along the road and remove the invasives from around the cedar trees. Shrubs will not be removed from the bank, just reduced in height. The Commission voted unanimously to approve the order with the condition that the work be reviewed on site with the agent. Brown suggested that this be a one time only project, which may then be reviewed. Avakian made the motion. Carlson seconded.

ROOSEVELT - Unauthorized boardwalk/footpath across the salt marsh, Willet Lane, Chappy. George Sourati representing Roosevelt, who was also present. [Edo Potter was abstaining and left the room.] Boardwalk is 141 feet long. Roosevelt would like to extend both ends by 16-and 12-feet, respectively.

Boardwalk was built about 4 or 5 years ago. Mr. Roosevelt explained that his family requested a boardwalk because of the traffic on the access road to the beach. Mr. Roosevelt said that he built the structure. The structure is about 16-inches wide, with one-inch spacing between the slats. Supports are pressure-treated 2 x 4 posts driven into the marsh. Mr. Roosevelt estimated that there was an average of 8" between the bottoms of the boards to the grade.

It was noted that a similar project on the former Cressy lot was denied. Avakian asked how they would get to the beach before the boardwalk was built. Mr. Roosevelt said that they used Tom's Neck Farm Road, which is also the vehicle access. Mr. Roosevelt said that there is a lot of traffic going in and out on the road, which is owned by Tom's Neck Farm. He said that he is not sure all the vehicles are authorized to use the road.

Mr. Sourati said that the plan is to rebuild the walkway according to ACOE and DEP requirements. They would raise it up so that it is 16 inches above grade, but are not planning on making it any wide. Brown pointed out that the use of pressure-treated lumber in salt marshes is not compliant.

A letter from abutter Ann Floyd was read. Ms. Floyd questioned the appropriateness of retroactive approval for a project that may have adverse environmental impacts. She said that the participants should be held accountable.

Brown noted that the Commission will have to review the project as if it did not exist. They will need to have an environmental evaluation of the marsh.

Ms. Floyd said that she wished the Roosevelts had called her regarding road situation. She said that her grandchildren and pets use the road as well and she is not aware of any dangerous conditions.

A letter from Edo Potter, another abutter, was read. Ms. Potter said she was not aware of any damage from the project.

Carlson asked if the Commission has ever granted similar boardwalks. He noted that any treated wood would need to be removed.

Ann Floyd said that she was opposed to the fact that the project was done without any authorization and was concerned about its affect on the marsh. She was also concerned about precedence setting.

After some further discussion it was agreed to continue the hearing until June 4<sup>th</sup> for both a site visit and an environmental impact statement. The agent will supply Sourati with the names of two environmental consultants. The Commission will review their actions in similar cases.

BEAMS – Request to amend order of conditions to permit the installation of a stone terrace and retaining wall, Dow's Pond. George Sourati representing applicant. [Potter returns to the meeting] A few very small grade changes were reviewed and approved. The terrace will be set in a pervious substance and the wall will be dry laid. Avakian moved to issue a negative determination. Carlson seconded the motion. Unanimously approved.

WATER DEPARTMENT Request for a determination of applicability to extend water line on the Boulevard. Avakian moved to issue a negative determination. Carlson seconded the motion. Unanimously approved.

#### CONTINUATIONS

HOMLISH – Rob McCarron was present for the applicants. Reed Silva of VLS had a conflict. A report of the site visit was given. Carlson said that the revegetation of the old path should begin so that access will be blocked before the new path is created.

Agent will develop a restoration order for the replanting of the illegally cut path and the narrowing of the additional path. The cutting of the second view channel may not begin until the restoration is complete. Carlson made a motion to issue the order with these conditions. Brown seconded the motion. Unanimously approved.

SCHWARTZ (Continuation). James Moffatt of Hutker and Doug Hoehn present for the applicants. New renderings of the house from water were submitted. Mr. Moffatt said the applicants were informed of the Commission's concerns about the impact on historic and natural views and vistas from Slough Cove.

The glass on the waterside was reduced by 9 per cent.

Vincent said he thought the applicants should consider reducing the glass by 20%.

Carlson was concerned that three trees on the waterside were slated for removal. He thought that these should remain to break up the façade.

Moffatt noted that the overall glass to wall is 27 per cent, less than many.

After some further discussion, Carlson made a motion to approve the construction with the following conditions: all trees to remain on the waterside until a final landscape plan is reviewed and approved. Applicant may then propose to remove the cedars and replace them with other trees of comparable size. [Edo Potter leaves meeting.]

**OTHER BUSINESS:**

The Commission voted unanimously to contribute approximately \$700 towards the cost of a surveyor to stake the boundaries of Muskoday Farm, as requested in a letter from the Land Bank dated 6 May 2014.

The Commission voted unanimously to allow MV Youth Football to use the Mini Park on May 26<sup>th</sup> for fundraising purposes.

The Commission voted unanimously to consult with Michael Donaroma regarding the yew trees in the Mini Park.

There being no further business, the meeting adjourned at approximately 7:00 p.m.

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