

## Minutes of a Conservation Commission Meeting - 6 August 2014

Members present: Peter Vincent - Chairman, Stuart Lollis, Christina Brown, Lil Province, Bob Avakian

Absent: Edo Potter, Jeff Carlson

Staff: Jane Varkonda, Lisa Morrison

UPLAND REALTY TRUST Richard Barbini representing applicant. Peter Rosbeck also present. Peter Vincent abstained as he is Chairman of the Land Bank, and the Land Bank is a direct abutter. Avakian made it known that he is a member of the Sweetened Water Association. The association is an abutter; Mr. Avakian is not. There were no objections to his sitting. Barbini noted that the access to the lot is via a dirt road off the West Tisbury Road. He said that there was some confusion as the address given the property by the assessor's is Beetle Swamp Road. Barbini noted that that the property is not accessed from Beetle Swamp Road.

The property is a 9-acre parcel, with quite a lot of wetlands. Doug Cooper mapped the wetlands near the proposed house, but they used Arlene Wilson's delineations for the rest of the lot. The lot has been maintained as pasture since 2005. There are also some treed areas. The proposed house will be 50 feet from the pond at its closest point, and 38 feet from the side wetland. No cutting of trees is proposed, house is sited on existing pastureland. No variances from the Board of Health are required: the application is pending.

Mr. Rosbeck purchased as buildable lot from Dukes County Historical Society, and the building inspector has determined that the road is adequate for access. Mr. Rosbeck said that he believes he has rights to the road from the Land Bank. The application has been filed with Natural Heritage.

The agent gave a report on the status of the road. The Commission had an agreement back in 2005 with Mr. Rosbeck that the road would not be used by service vehicles or when very wet. Peter Rosbeck noted that he thought it a reasonable request and noted that he chains off the road in winter. Mr. Rosbeck said that his family is expanding and he needs more space. He noted that because of an agreement with the Historic Society, if the house is larger than one-bedroom, he will need to pay them more money.

Cynthia Meisner, an abutter, noted that there was a violation of the bylaw on this property several years ago. She said she hopes it doesn't happen again. She said she thought that there was a deed restriction prohibiting subdivision and limiting the lot to private agricultural use.

After some further discussion, Avakian made a motion to continue the hearing to 20 August for a site visit. Province seconded the motion. Unanimously approved by all those voting.

SHELLFISH COMMITTEE A negative determination of applicability was issued for 6 (out of 10) remaining plots for aquaculture in the Middle Flats. Shellfish Committee will lease these plots and monitor.

CHIU Notice of intent for restoration and management, Orr Lane. Doug Cooper, Michele Casavant, and Bernard Chiu were all present. Province made it known that she sits on the board of Sheriff's Meadow. There were no objections to her sitting. Mr. Cooper made a site visit report and discussed the three areas where unauthorized cutting had taken place. He then went over in detail the restoration/management plan.

Cooper noted that the client has reached an agreement with Sheriff's Meadow to restore their property, which was inadvertently cut. Cooper noted that choke cherry will be used as a vegetative screen instead of shad.

The agent asked that the number, size, and placement of plants be noted on the plan.

Chris Miller, the landscaper who did the cutting, was also present. He apologized and said that there was some miscommunication with his guys and said it will not happen again. Province told him that if there is work near a wetland area, he needs to be present on site supervising.

Province made a motion to accept the restoration plan and issue an order of conditions. Avakian seconded the motion. Applicant to submit a monitoring and maintenance report twice a year for two years.

FRIEDLANDER Restoration and management plan, Major's Cove. Barbara Alessi, applicant, and Doug Cooper were present. Jackie Driscoll, from the Major's Cove Association, was also present.

Ms. Alessi noted that she contracted babesiosis in 2005 and now wants to make sure that the brush on her property is well managed. She said she was not trying to alter or mar the integrity of the wetland. She said she would like to maintain the area as grassland. She said she is not concerned about views, just trying to keep the tick habitat down. She would like the area to be returned to the way it was as of May 1<sup>st</sup>.

Doug Cooper said that it will be necessary to change the plan – the original plan called for a shrub border adjacent to the wetlands.

Jackie Driscoll, president of the homeowner's association, said that there has been frequent mowing in wetlands, some of it on association property.

Alessi said that she would like to mow right up to the wetlands. Avakian said that a buffer is needed to protect the wetlands and delineate the edge so that mowing is not extended, little by little, into the resource area.

Brown pointed out that the wetlands around Sengekontacket are very valuable and can be eroded away. She noted that plants along the edge of a wetland prevent the nitrogen that comes from human habitation from entering the wetland and altering its ecology.

Chuck Minnich, the landscaper, skimmed out about 4 inches of turf layer in order to improve the grasses. The agent noted that lawn grasses don't grow well in wetlands.

Driscoll said that she believes the edge of the wetlands and the property boundaries must be well delineated to prevent future incursions. She noted that the association leaves its property in a natural state, mowing only once or twice per year.

It was agreed to continue the hearing so that the plan may be revised to include a wall or fencing of some kind. Province made a motion to continue the hearing to the next meeting, 20 August. Avakian seconded the motion.

Letters from Barbara Alessi, Chuck Minnich, are part of the record.

There being no further business, the meeting adjourned at approximately 6:15 p.m.

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