

## Minutes of a Conservation Commission Meeting - 27 March 2013

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

Absent: Lil Province

Staff: Jane Varkonda, Lisa Morrison

**Kernochan.** Continuation. Repair and extend seawall, Golf Club Road. Jim Glavin representing applicant. Jeff Carlson gave a brief report of the site visit. Mr. Glavin commented that there has been significant erosion just in the past few weeks. The applicant would like to repair the wall and extend it across the entire toe of the bank. A portion of the bank is currently the site of a failed timber bulkhead. The intent is to remove the bulkhead and continue with the stonewall. As stated in the previous meeting, the property is bounded by groins at both ends -, the wall will extend from groin to groin. The stones will be transported overland by truck. Mr. Glavin said that the site has good access, although they will need to do some beach nourishment when the wall is complete. They also plan to remove and replace the beach stairs and existing ramp. Mr. Glavin said that no beach grass will be disturbed in the course of their work.

Brown asked if there was a plan for the stairs. Mr. Glavin replied that the stairs will go back in same location and in the same configuration. He will provide a plan for the file. It was understood that the Commission may require replanting should there be damage to the bank from the construction machinery.

Brown commented that ordinarily the Commission does not allow stone bulkheads, but understands that the groins were constructed a100-years ago. She asked that a clause be included in the order stating that if it is determined that the bulkhead is causing erosion to neighboring properties, the Commission may require the structures removed. Carlson made a motion to issue an order of conditions. Brown seconded the motion. Unanimously approved.

**Schifter/Leland.** George Sourati and Terry Smull, of Sourati Engineering; Joe Jakubik and Rick Lohr of ICC; John Keene; Peter Rosen; Sterling Wall; Trey Ruthven; and Kris Horiuchi were all present.

Mr. Sourati reviewed the 'Existing Conditions Plan' and the 'Final Construction Plan' (excluding landscaping). Mr. Sourati noted that these plans have not been changed since the last meeting.

Mr. Sourati then reviewed the 'Comprehensive Plan,' which shows both pre- and post-construction, as well as the areas where fill will be stockpiled on site. Mr.

Sourati commented that Natural Heritage has approved the plan with no conditions.

Mr. Sourati noted that the trench around the guest house has been dug in preparation for moving. [Approved at 18 March meeting.]

Sourati reiterated that the current Schifter driveway will be abandoned. The new Schifter house will use the existing Leland house driveway; and the Leland house will have a new driveway. The Schifters will work with the Trustees on a plan to reclaim the old driveway.

Mr. Sourati then reviewed the 52-page Excavation Plan prepared by Harry Wetherbee. The current driveway will be made into a ramp to access the excavation. Workers will begin backfilling the holes as soon as the house moving starts. Mr. Sourati noted that there has been a small change since the last meeting: they were able to locate smaller beams so the hole can be a little less deep.

Potter had questions about groundwater. Sourati said that groundwater is at elevation zero; the excavation will be 11 feet above groundwater at its lowest point.

Carlson asked how many cubic yards will be excavated. Sourati replied 40,200 cubic yards, 36,000 will be stored.

John Keene explained how the fill will be stored and the necessity of constructing the pile in a precise way. The excavator will fill the trucks, which will then take the soil to the pile, which will be approximately 20-feet away. Hole will be 20-feet deep. Keene said that he has worked with a 30-foot hole in sandy soil, which was left open for a year. Keene estimated that they can move 2500 cubic yards per day in about 100 trips.

Rick Lohr, president of ICC, said that they have a pretty conservative schedule. He said that they will be using off-road loaders, identical to the ones used at Cow Bay.

The soils will be compacted periodically to make the pile stable, and then again when they are used to fill the hole. [See 'Stockpile Stabilization Plan' and 'Excavations' by ICC].

Mr. Sourati said that there is no likelihood that they will run out of fill, most likely they will have an excess of between 5600 and 5800 cubic yards, which could then be used for beach nourishment. Avakian asked why there will be a surplus. Mr. Sourati replied that there will be some grading around both new house locations.

The excavation for the new Schifter house will be a depth of 14.6-feet. Hole

Mr. Sourati described the methods that will be used to safeguard the pile should during windy and rainy weather. Mr. Sourati noted that they have hired a certified erosion control specialist. Mr. Sourati said that the site will be closely monitored. The entire protocol is outlined in Randall Shuey's report from Land and Water consulting.

Mr. Lohr noted that OSHA requires daily inspections of the site by certified competent persons. Both John Keene and the ICC men are certified by OSHA.

Mr. Keene noted that the pile will be 44-feet high at its highest. The pile will be stabilized with geo-grid every 10-feet and covered with a coir blanket. The sides of the pile will always be covered. Vincent suggested that the applicant check with the building inspector to make sure that the pile require permits as a 'structure.'

Mr. Sourati estimated that the whole process would take four months. Mr. Lohr commented that ICC has rented a nearby house for the season.

Potter was concerned about view from Dyke Bridge. Sourati presented the computer-generated photos submitted by Phil Regan of Hutker and Associates. Mr. Sourati noted that the placement of the houses has been carefully thought out to make them as unobtrusive as possible. He said that Mr. Schifter did not want his house to be visible from public locations or to the neighbors. He noted that the ridge of the relocated Schifter house will be 3-inches higher than the ridge of the existing Leland house.

Kris Horiuchi explained that there will be wooded areas in front of the house which are not represented on the Regan photomontages. The relocated houses will be below tree line.

Ms. Horiuchi presented the preliminary landscape plan, which was also discussed at the prior meeting. There will be a meadow consisting of native vegetation over the bulk of the lot. Ms. Horiuchi noted that they have already transplanted over 1000 little bluestem plants this past week, and will begin stockpiling the little bluestem meadow soil beginning Monday. The soil will be stored on the Jeffers property. She said they would like to begin cutting the trees and brush that needs to be removed on Friday. The tribe will be present and will begin stripping the top 5-inches of topsoil. Ms. Horiuchi said that it will take them a couple of days to strip, and a week to truck the soil off-site.

The number of truck trips was enumerated in a chart prepared by Sourati.

Keene commented that his employees will carpool and that they will keep a van over on Chappy. The equipment will remain on site until the project is complete.

Vincent said that he wanted to make sure that a bond or escrow agreement is in place to cover emergency clean up. He said that the project has the potential to be a disaster for the town and he needs to be sure that the town is covered and that the site will be restored.

Carlson said that he thought there should be a site monitor, working for the town. Vincent said that he believed there should be inspection fees to cover visits by the conservation agent, and asked that this be put in the order of conditions.

Brown had some questions concerning the relocation of the Leland house. Horiuchi explained that the house will be moving forward approximately 60-feet towards Pocha Pond. The current house is between elevations 38 and 40; the house will be moved downhill to elevation 33. There will be some grading around the house site so that a system of extensive retaining walls is not required.

Brown asked what kind of septic systems will be installed. Sourati replied that new Title V compliant systems will be installed. Sourati noted that the Schifters are intending to participate in Pocha Pond water testing as suggested by the original MVC plan covering the Leland subdivision.

Edwina Rissland, a seasonal resident of Chappaquiddick, was concerned about the increase in truck traffic, and wondered what time the workers would be arriving. Mr. Keene reiterated that there will be carpooling. He said that the worker will be on Chappy by 7:15 and will leave at 4:30. They will not be working on weekends.

Cornelia Dean, another Chappy resident, was concerned about the excavation and how soon the holes would be backfilled. Mr. Jakubik said that there will be no backfilling until July. He estimated that the holes would be open for about 55 days.

Potter was concerned about the effect of all the truck traffic on the roadways. Sourati noted that most of the truck traffic will be in April, when there will be 250 trips to remove and store the topsoil. John Keene said that he has met with both the police chief and the highway superintendent to discuss repairing the roadways.

Trey Ruthven, the town's consultant from Applied Coastal Research & Engineering, had questions regarding the long-term rate of erosion. Peter Rosen explained some of the methodology he used to determine the likely erosion scenarios [See letter dated 24 March 2013, Peter Rosen, Geo/Plan Associates. Mr. Ruthven had some concerns, and was not convinced that the house has been moved far enough back. He thought this solution might be viable for between 3 and 10 years.

Mal Jones asked again about a carbon footprint requirement and reiterated his recommendation regarding the building or installing of a portable jetty to forestall erosion.

Mr. Ruthven asked if the applicant had considered moving the house without the foundation. Mr. Jakubik replied that the need the foundation in order to support the house for the move. He said that in either case a similar-sized trench would be required as they would need – at a minimum – to excavate two feet below the shelf.

Vincent reiterated that the liability for this project rests solely on the applicant. Sourati said that both he and his client understand.

Brown made a motion to issue an order of conditions for the moving of the Schifter house, the Leland house, and the guesthouse – all according to the following plans:

1. Erosion stabilization methods for the stockpiled soils as shown on site plan from Sourati Engineering, dated 27 March 2013, shall be implemented as described in the report by Randall Shuey of Land & Water Consulting dated 26 March 2013.
2. The excavation and stockpiling shall be done according to the plan by Geotechnical Services, Inc., dated 26 March 2013 and as shown on the site plan by Sourati Engineering dated 26 March 2013.
3. The backfilling of the excavated holes shall be performed in compliance with the Briggs Engineering & Testing report dated 15 March 2013.

Additional conditions to include: executed escrow/performance bond as determined by counsel, schedule for site-monitoring reports and inspections, and submission of final landscape plan.

**Other Business:**

The Commission voted to approve the Fifth Annual 5K Road Race to benefit Camp Jabberwocky at Katama Farm on August 17<sup>th</sup>.

The Commission voted to approve the use of the Mini Park by the Edgartown Board of Trade during the 2<sup>nd</sup> Annual Pink & Green weekend May 10<sup>th</sup> – 12<sup>th</sup>.

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

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

