

Minutes of a Conservation Commission Meeting - 9 May 2012

Members present: Vincent, Province, Carlson, Lollis, Avakian, Potter

Absent: Brown

Staff: Jane Varkonda, Lisa Morrison

Sheriff's Meadow. Kristen Fauteux was present to discuss the new trail at Vineyard Golf. Lil Province made it known that she is on the board of Sheriff's Meadow, but that she has no financial interest in the project. There were no objections to her sitting. Jeff Carlson abstaining. The town and SM both have CRs on the property. The intent is to connect Pennywise Path to the existing bike trails so that it would be possible to walk from Caroline Tuthill property. The proposed trail will cross land that is owned both by the town and the golf course. The existing cart path will be abandoned. Natural Heritage had asked that the new path be moved as far from the frost bottom as possible. Mr. Vincent asked if Sheriff's Meadow had contacted the residents of Bold Meadow. Ms. Fauteux said that she had not, but that she plans to. She said that at this stage she is asking the town for input, as suggested by Natural Heritage. Lollis made a motion to approve the request. Avakian seconded the motion. Vincent and Province all voted in favor. Carlson abstained.

PUBLIC HEARINGS:

Newman. Removal of cedars and landscaping - Oyster Pond. Dick Barbini representing applicant. Property has an extensive lawn that goes down to the pond. Applicant would like to trim the brush back to a height of between 3 and 4 feet. Cedars would be cut, no roots will be pulled. House was built in '84 or '85. Property also has a pier. Continued to the next meeting, 23 May, for site visit. .

Sheriff's Meadow. Kristen Fauteux present to discuss proposed management plan for the Manaca Hill property. Property contains about an acre of bittersweet, not all of which is in the commission's jurisdiction. They would also like to create a trail across the property that will connect to town's trail system. Also proposed are a couple of benches and a small picnic area. Removal of the invasives will involve putting an herbicide on the roots, and using erosion control blankets on the slope to prevent erosion. Ms. Fauteux said that she does not think is a good idea to pull any roots of plants located on the slope.

[Edo Potter arrives]

Steve Wardwell, a Manaca Hill resident and president of the Chappy Landing Association, had some concerns about parking. He said Sheriff's Meadow is essentially putting in a public park. Mr. Wardwell said that the parking at the

Chappy Landing is limited to 13 cars. More than 40 boat owners use the parking. He said that he imagined people visiting the park will leave their cars at the landing. He said he is concerned because the parking is already congested; the area can not accommodate any more visitors. Ms. Fauteux said that Sheriff's Meadow will consider putting in parking should congestion at the landing become a problem. She said that there is some Land Bank parking adjacent to the beach club, where she anticipates visitors will park. Ms. Fauteux said she will submit a planting plan.

Avakian made a motion to approve the proposal as presented. Potter seconded. Unanimously approved.

Mr. Wardwell said that he was very concerned about parking on the side of Manaca Hill Road by Sheriff's Meadow employees. Ms. Fauteux said she will speak to the employees and tell them not to park on the road.

Alessi. Determination of applicability. Barbara Alessi was present to discuss her squaring off her deck and extending the patio below by 3-feet. Current deck needs to be rebuilt. Ms. Alessi said she would like to return the deck to its original configuration when the house was first built. Plans showing the historic deck were submitted. A letter from Carol & Robert Peura - who oppose the project - was read. The Peuras were concerned about the view to the pond being blocked. Ms. Alessi said that there was some history with the neighbors over the planning of evergreens. Agent pointed out that private views were not protected under the bylaw.

After some further discussion Avakian made a motion to allow the project after determining that it would have no impact on the interest protected under the state wetlands act or the local bylaw. Potter seconded the motion. Unanimously approved.

Marx. Transplanting of trees and shrubs, Atwood Circle. Jeff Verner representing applicant. Property is in the flood zone. The proposal involves moving roses of sharon and alberta spruces to shield the outdoor shower on the new house. Avakian made a motion to issue a negative determination. Province seconded the motion. Unanimously approved.

CONTINUATIONS:

Boldwater Residents Association. Mr. Marushka present for Fergus Henderson. As a result of the site visit, a slight modification was made to the layout of the new path. If the adjacent swale tends to hold water, the association could apply for a small footbridge. Minimal vegetation will be disturbed. Province made a motion to approve the project as presented. Carlson seconded the motion. Unanimously approved.

Bunker. Reid Silva of VLS representing applicant. MAC has reviewed and recommended that the pier be extended to the faired pier line. A revised plan will be submitted. Pier is for the use of the Getsinger family and will service four residences. There is an existing path to the beach. No stairs are required as the slope down to the pier is gradual.

Conditions in Marine Fisheries letter will be incorporated into the order. Stops will be put on the floats so they will not hit bottom. Condition regarding pile spacing seems irrelevant as this is not an active shellfishing area. No utilities are proposed. Potter made a motion to approve the project as presented. Lollis seconded the motion. Unanimously approved with standard conditions.

Morey. Boathouse/garage off North Water Street. Richard Barbini & Patrick Ahearn present for the applicant. The design of the interior has been changed: all the rooms have been removed and there is just one big, unfinished room with a half-bath and outdoor shower. Mr. Ahearn said that the applicant is willing to sign a deed restriction mandating that the space will be nonhabitable. Lenny has determined that the project needs special permit from ZBA.

Mr. Ahearn explained that the structure will have blow-out panels as required by the flood plain regulations. It will be unfinished and unheated. The foundation will be on sona tubes and the floor made from heavy planking. Wastewater will be pumped up the hill and connected to the town sewer.

John Connors, an abutter, said that he represents about 14 neighbors who live within 200 feet of the property and another 9 who are outside that 200 foot zone. All are opposed to the project. He said that this would be the third structure on the lot since the property was subdivided.

Mr. Barbini said he did not think the structure would have much of an effect on the public vista, as the houses in that area are fairly close together. Variance under building code.

A letter from Carolyn Connors, opposing the project letter, was read.

Bob Hayman asked how the proposed deed restriction would be enforced. Mr. Vincent said that if it is in the order of conditions, it can be enforced by the Building Inspector.

Mr. Connors said that this has always been used as a rental property, often for weddings. Mr. Connors said he believes the structure would affect historic and natural views and vistas.

There was some discussion about whether or not to delay voting until after the board of appeals has made their decision.

Avakian made a motion to approve the project with conditions and the deed restriction. There was no second.

The agent pointed out that under wetlands regulation 10.05(4)e & f the commission may defer their decision until after the zoning board decision. Potter made a motion to defer. Carlson seconded the motion. Lollis and Vincent voted to defer. Province and Avakian voted not to defer. Motion carries.

[Potter leaves meeting]

CRACKATUXET Doug Cooper representing applicant. David Lebreton also present. The amount of sand to be removed has been reduced to 1600 s.f. Natural Heritage has approved the removal with conditions. Province made a motion to approve the project as revised with Natural Heritage's conditions incorporated into the order. Lollis seconded the motion. Unanimously approved.

ALLEN [Province abstaining] Brad Pouliot of Greener Days landscaping present for the Allens. Mr. Allen wants to put in beach grass. He is very concerned that the leftover bittersweet roots will be a safety hazard. Beach grass will not grow in the in the leftover bittersweet stubble. Mr. Pouliot proposes to use a mini-excavator to pull the huge mat of roots and the stumps of honeysuckle. The excavator has a 12-inch bucket with 4 teeth. The intention is to pull up as much of the root system as possible and then plant beach grass. They will try not to remove any soil. Mr. Pouliot said that the Allens have maintained the property beautifully over the years, and although it is a little late to plant beach grass, Mr. Allen is willing to take the risk.

Lollis made a motion to reconsider the use of the excavator. Avakian seconded. Carlson voted not to reconsider. Vincent voted to reconsider. Motion carries, majority of quorum.

MALM. Agent noted that a restoration plan in progress. Ed Sylvia has taken over control of the project. Mr. Sylvia worked on the prior restoration, when Malm first purchased the property from Cimino.

McGOLDRICK. Agent reported a violation on property off Katama Road. Owners pulled out grasses and trees adjacent to a vernal pool with an expired permit and at the wrong time of year. An enforcement order is in the works. No idea which contractor did the work.

BARNES. Paul Bagnall was present to discuss the remediation report submitted for the Barnes property. The report recommended reseeding 2600 s.f. of bottom with 50,000 quahogs. The board voted to accept the report and the recommendations. The details of the financial settlement will be approved by the Selectmen and Town Counsel.

DREDGE COMMITTEE. The Commission voted unanimously to appoint Peter Vincent as their representative to the dredge committee.

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