

WEST TISBURY CONSERVATION COMMISSION
MINUTES OF MEETING

June 12, 2007

Present: Prudy Burt Chair, Tara Whiting, Pat Durfee, Peter Rodegast, and Maria McFarland

Absent: Judy Crawford and Debra Swanson

Also present for all or part of the meeting: Bill Wilcox MVC, Mark Mazer, and Matthew Dix of the Land Bank

Prudy Burt called the meeting to order at 5:06 P.M.

The minutes of the May 22, 2007 meeting were approved with corrections.

Map 32 Lots 105, 105.1, 122 and 133 - a public hearing under the requirements of G.L. Ch.131 § 40, as amended and the West Tisbury Wetlands Protection Bylaw and regulations to consider a **Notice of Intent** filed by Aquatic Control Technology, Inc. on behalf of the owners of Parsonage Pond located off the West Tisbury Vineyard Haven Road for a limited project to remove nuisance emergent vegetation for the restoration and maintenance of open water habitat by means of mechanical Hydro-Raking. The hearing was opened. The applicant's representative submitted an emailed request today for a continuance to July 10th. Also, we are still waiting for the DEP file number and letter from NHESP. Tara recused herself leaving no quorum present. The hearing will be continued to July 10th at 5:10 PM.

Map 7 Lot 170 - public hearing under the requirements of G.L. Ch.131 § 40, as amended and the West Tisbury Wetlands Protection Bylaw and regulations to consider a **Notice of Intent** filed by Vineyard Land Surveying & Engineering, Inc. on behalf of Barbara Smith for property owned by Ms. Smith at 13 Scotty's Lane to excavate, trench, backfill, regrade and revegetate in order to replace an existing dwelling, upgrade a septic system, replace a well, bury utilities and create vehicle access to the new dwelling. This work is in the Buffer Zone adjacent to Uncle Seth's Pond. Mark Mazer presented the project. Based upon the ZBA's decision with input from an abutter, the new house will go where the old house is as much as possible. The footprint will be pulled further away from the Stewart lot line and a little farther away from the pond. They plan to do as little as possible in terms of cutting vegetation and excavation to get the new house in place. The over dig will be about 3 feet in order to remove the existing building and clean up the site. Mark said they would need to remove the big swamp maple as it will be probably be affected by the abandonment and backfilling of the cesspool. After the project is done, topsoil will be brought in and the site reseeded. No fertilizers will be used. There is no plan for any landscaping or change in topography. The impact on the Buffer Zone will be as minimal as possible.

We have the DEP file number letter but no letter from NHESP. All projects that fall within priority habitat regardless of whether they require Conservation Commission approval require review and approval by MESA before a building permit can be issued.

The applicant submitted a request for a waiver under the bylaw required for work in the No-disturbance zone (first 25 ft) and the No-build Zone (first 50 feet) of the Buffer Zone. Due to the lot size and configuration, there is no other practicable alternative. The existing house predates the bylaw, and at its closest is within 20 feet of the resource area. The ZBA has already reviewed this project and has granted the necessary variances. A motion was made to grant a waiver under

the bylaw, as the Buffer Zone is already a disturbed site with a structure within the no build and no disturbance zones. The motion was seconded and the vote in favor unanimous.

The board discussed conditions. Any new landscaping will have to come back to the Commission. The plan will be revised to remove the haybales on the southern side of the lot. Snow fencing will be used instead. The limit of work will be determined by the location of the snow fence as shown on the revised plan.

The stock piling of fill on the site was also discussed. Mark suggested that they have a small amount of fill on site to back fill. They will figure out exactly how much is needed. A bobcat will be allowed to work on the southern side of the house as long as it stays within the limit of work line. A motion was made and seconded to continue the hearing to June 26th at 5: 30 PM. All in favor.

Map 36 Lot 1- a public meeting under the requirements of G.L. Ch.131 § 40, as amended and the West Tisbury Wetlands Protection Bylaw and regulations to consider a **Request for Determination of Applicability** filed by the Martha's Vineyard Land Bank for property off Clam Point Road. The proposed project consists of the replacement of a set of steps on a coastal bank at Sepiessa Point originally approved under Order of Conditions DEP file #SE79-128. Matthew Dix was present to explain why the steps need to be replaced. The stairs will be built out of spruce with locust post. A drawing was submitted. To remove the existing material from the broken up stairs that are there now a small-wheeled vehicle will be used. 4 holes will be dug for the posts. Stairs will be up against the bank. The determination will have a maintenance clause so if the stairs get damaged the Land Bank doesn't need to file any more paperwork. The stairs will be built off site and brought in. A motion was made and seconded to issue a Negative Determination. All in favor. On going maintenance will be permitted.

Old Business

Map 7 Lot 89 – Paving on Manaquayak Road - The pavement in the Buffer Zone has been removed.

Map 6 Lots 2 and 2.1. Rattner/ White – The Commission reviewed a copy of the letter to DEP requesting Certificates of Compliance.

New Business

Mill Brook Water Quality testing by the MVC. Bill Wilcox was present to discuss his proposal to do water quality testing upstream of the Mill Pond in the Mill Brook watershed. After a discussion of the test sites as detailed in his letter to the Commission dated June 12, 2007. The total cost is \$2,200. Bill will ask the Riparian Owners for a portion of the cost. Peter asked if there was a known problem with the water quality. Bill said no but this will add to the data being collected for the Estuaries project. Aquatic Technology Control suggested this baseline study be done but the cost if they did it would have been \$10,000. The MVC can do this with no labor costs to the town. A motion was made to expend the sum of \$1,500. to the Martha's Vineyard Commission for lab fees for water quality testing in the Mill Brook watershed. The motion was seconded and the vote in favor unanimous.

There being no further business on the agenda, the meeting adjourned at 6:30 P.M.

Respectfully submitted,

Maria McFarland
Board Administrator
APPROVED