

WEST TISBURY CONSERVATION COMMISSION
MINUTES OF MEETING

September 11, 2007

Present: Prudy Burt Chair, Judy Crawford, Dan Pace, Tara Whiting, Peter Rodegast, Binnie Ravitch, Hadden Blair and Maria McFarland

Also present for all or part of the meeting: Bill Wilcox of the MVC, Benjamin Reeve, Michael Carroll, Geoffrey White, Mary and George French, Matthew Dix of the Land Bank, Barbara Scherlis, Glenn Hearn, and Katharine Sterling

Prudy Burt called the meeting to order at 5:05 P.M.

The minutes of the August 14, 2007 and August 28, 2007 meetings were approved with revisions.

Map 7 Lots 60 & 60.1 and Map 11 Lot 40.1 – continuation of 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 the Martha's Vineyard Land Bank owner of property located at 30 Wintergreen Lane. This property is known as the Manaquayak Preserve. The project consists of the construction of a platform to provide pedestrian access to Old House Pond a/k/a Ice House Pond and to construct stairs for access to the platform. The project also consists of the reclamation and maintenance of old trails and establishment of a new parking area on the property, and establishment and maintenance 800 feet of new trail within the Buffer Zone.

Prudy opened the hearing. Binnie Ravitch recused herself. Based on a verbal opinion from the state Ethics Commission she may participate in the discussion on this matter as an abutter and private citizen.

Matthew submitted a revised plan showing the location of one vernal pool on the property (outside the project location) and the deed restricted areas. He also submitted the topographic and bathymetric maps as requested at the last meeting.

Public comments letters were received and noted for the record as follows:

- Letter received by email from Judith Lane dated September 11, 2007
- Letter from John Scherlis dated September 11, 2007 hand delivered at the meeting by Barbara Scherlis
- Bill Wilcox submitted the written text of his comments from the meeting on August 14th and spreadsheets of data that has been collected from as early as November 1995 to August 22, 2007.

The second site visit was conducted on September 5th. Pictures from the site visit were circulated.

Prudy asked for questions from Commission members.

Dan asked about staffing the property during the summer. The management plan calls for one attendant, but if numbers dictate other attendants will be called in as needed.

Abutter Ben Reeves spoke about the water testing he has done in the pond since 2000 and gave his opinion about how the Land Bank should be doing its water sampling and how a lab should analyze it. There was then a lengthy discussion about this issue.

The role of the MVC in collecting and reviewing water samples was clarified. The MVC used to do sampling in the pond. Once the Land Bank started, the MVC stopped. Going forward, the MVC will review the annual summary data. The BOH will conduct E. coli testing during the swimming season.

Questions were answered about how the Land Bank proposed to keep people off the pond shore. Matthew explained the use of a buoy line to block off the shoreline. The buoy line will be in 7 feet of water and will be moved as the water level in the pond shifts.

At this point, Prudy closed the public hearing. Tara made a motion to approve the Notice of Intent as presented. The motion was seconded and the vote in favor unanimous. The conditions for this project will be on the agenda for the next meeting at 5:40 PM. The board has 21 days from the close of the hearing to issue its order. The 25th of September will be 14 days from the close of the hearing.

Map 7 Lot 59.1 (SE79-274) - 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 Vineyard Land Surveying/Mike Carroll on behalf of George M. and Mary S, French Trustees of the Mary S. French Realty Trust for property located at 420 Lambert's Cove Road. The project consists of placing a foundation under an existing barn/guest house and associated site work in the buffer zone.

Prudy opened the hearing. Pictures from the site visit were circulated. The plan was reviewed. Michael Carroll gave an overview of the project. The existing partial cellar at the east end of the building is about 6 and half foot deep. The dirt floor is going to be the elevation of the new cement floor. The excavation will not be any deeper than what is presently excavated for the partial cellar. Michael explained how they would elevate the building while doing the foundation. No further excavation will be needed other than what is needed to get the forms under the building to pour the concrete for the foundation. No regrading of the site will be done.

The French's have an existing path and some steps to Seth's Pond and are not proposing to create any new paths.

The large beech tree that overhangs the barn may need to be selectively limbed to accommodate the higher ridgeline of the barn.

The DEP file number letter had no comments. NHESP has until September 30th to issue its comment letter. This work is in a disturbed area. No new structures are being proposed and no habitat will be altered. The order would be subject to any conditions from NHESP.

A motion was made and seconded to approve the project as presented subject to any conditions that may be placed on the project by NHESP when its review letter is issued. Selectively limbing of the beech tree is permitted. The snow fencing that is already in place is adequate to protect the resource area. The vote in favor was unanimous.

New Business

Map 7 Lot 142 Ferry- George Sourati did not attend the meeting. The board looked at the plan he had hoped to discuss with the board. No action was taken.

Mill Brook.

The board discussed calls regarding a truck owned by Oakleaf Landscaping seen parked by the Mill Brook taking water from the pond. After a brief discussion, Maria was instructed to call Oakleaf to let them know they should stop this practice.

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

Respectfully submitted,

Maria McFarland
Board Administrator
APPROVED