

WEST TISBURY CONSERVATION COMMISSION
MINUTES OF MEETING

April 22, 2008

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

Absent: Peter Rodegast and Tara Whiting

Also present for all or part of the meeting: Leo DeSorcy and Reid Silva of Vineyard Land Surveying

Prudy Burt called the meeting to order at 5:05 P.M. Due to lack of a quorum of regular members tonight, Binnie and Hadden will vote as noted below.

Map 38 Lot 8 (SE79-280) 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 on a **Notice of Intent** filed by Schofield, Barbini & Hoehn Inc. on behalf of Bagehot Backs LLC for property located at 55 Oyster Watcha Road owned by Peter deRoeth. The project consists of selective view clearing and tree removal within the Buffer Zone of a Bordering Vegetated Wetland. Maria reported that the applicant's representative has requested a further continuance to May 13th as they are still working to satisfy the requirements of NHESP for work in estimated and priority habitat. A motion was made and seconded to continue to May 13th at 5:40 PM. Burt-yes, Blair-yes, Crawford-yes, Ravitch - yes

Map 22 Lots 22 and 24 (SE79-278) 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 Vineyard Land Surveying & Engineering, Inc. on behalf of Geoffrey Berresford, and the Trustees of the Ann Nelson Realty Trust owners of property located at 60 Littlefield Lane and 101 Old Court House Road for a limited project to repair an existing dam, install a new concrete sluiceway and dredge the pond. Reid Silva reported that the property owner is in the process of deciding who to hire to conduct the American Brook Lamprey survey required by NHESP. At the applicant's request, a motion was made and seconded to continue this hearing to June 24th at 5:10 PM. Burt-yes, Crawford-yes, Blair-yes, Pace-yes.

Map 23 Lot 7 (Bylaw 2008-01)- continuation of a public hearing under the requirements of the West Tisbury Wetlands Protection Bylaw and regulations on a **Notice of Intent** filed by Vineyard Land Surveying & Engineering on behalf of Iya Labunka owner of property located at 68 Tisbury Lane West. The project consists of the construction and maintenance of a 10' wide by 630' long driveway within 100' of a vernal pool. A second site visit was conducted with Doug Cooper on April 15th. A lengthy discussion took place regarding the proposed location of the driveway, whether it is feasible to move it, and the performance standards for activities within 100 feet of a vernal pool. The Commission explained to Reid that the bylaw requires that he present evidence to overcome the presumption of significance of this vernal pool. While the vernal pool does not need to be certified to be protected under the bylaw, it is necessary to determine if this vernal pool meets the defining criteria set forth by Natural Heritage and Endangered Species Program for vernal pool certification. A motion was made and seconded to continue the public hearing on this matter to May 13th at 6:00 PM. All in favor.

New Business

Map 1 Lots 45 & 46 77 & 79 Norton Farm Road – Leo DeSorcy was present at the request of the Commission to discuss unpermitted clearing and brush cutting in the Riverfront Area at this property. A site visit was conducted on April 1st. Leo did not realize that he could not do this type of work within the Riverfront Area without the prior approval of the Commission. He was instructed to have any resource areas delineated and flagged in the field before coming back to the Commission with any future work he intends to do in these areas. It was also explained to Leo that even if he thinks that he may be entitled to some kind of agricultural exemption because of one or two grazing steers, he would still have to apply to the commission for such an exemption and an Order of Conditions. It was suggested that he be in contact with Don Liptak of the Soils Conservation Service for free advice on best management practices. A letter will be sent to Leo as a follow up to this discussion. No further clearing activities are to take place without review and an Order of Conditions from the Commission.

Old Business

Map 1 Lot 33 (SE79- 281) Dubin A motion was made and seconded to approve the special conditions Burt-yes, Crawford-yes, Ravitch-yes, Blair-yes

Map 11 Lot 82.1 Land Bank/Island Housing Trust Conservation Restriction –Tara checked with the Land Bank and was told that the parties were not going forward with the CR. They would be doing a conservation easement or agreement between the parties.

Map 10 Lot 199.8 -Jampel Greenlands Water Resource District- Maria reported that the Planning Board denied this application.

Administrative

The members approved Maria's request to carry over 8 days of vacation time. A letter will be sent to the Personnel Board.

There being no further business on the agenda, the meeting adjourned at 6:50 P.M.

Respectfully submitted,

Maria McFarland
Board Administrator
APPROVED