

**WEST TISBURY CONSERVATION COMMISSION
MINUTES OF MEETING**

March 9, 2010

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

Absent: Dan Pace

Also present for all or part of the meeting: Tara Marden, Sarah Lund, Elaine Florio, Chris Egan, Glenn Hearn, Barbara Day, Rez Williams and Anna Alley

Prudy Burt called the meeting to order at 4:28 P.M.

Map 39 Lot 11/SE79-296: 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 Woods Hole Group on behalf of Endofthedirtroad LLC for property owned by Endofthedirtroad LLC located at 234 Middle Point Road. The proposed project includes the installation of approximately 255 feet of sloping low-profile rock revetment along the eastern shoreline of the Tisbury Great Pond, together with the routine maintenance of the revetment, in order to stabilize an eroding coastal bank. Work will take place on a coastal beach, coastal bank, coastal dune, and land subject to coastal storm flowage and in the buffer zone. Construction access will be over the buffer zone, considered a resource area under the West Tisbury Wetlands Protection Bylaw.

[NOTE: The minutes of this public hearing are general in nature. For specific detail an audiotape of this hearing is available for review.]

The hearing was reopened. Woods Hole Group has submitted the following documents and plans:

- Project plan revised to 3/9/10
- Notice of Intent application revised 3/9/10
- Project description revised 3/9/10
- Alternatives Analysis revised 3/9/10
- NOI Performance Standards Compliance Narrative revised 3/9/10

Issues discussed:

- Various proposed lengths of the revetment
- What was the goal of the engineering data; to support the proposed length to protect the property or the house?
- TTOR approval to relocate a section of the path
- LEC Report
- Profiles for Beach Nourishment
- Sediment Transport Study
- Source of sediment supply
- Pond Elevations
- Changes to plan notes # 3, 12,20 and 22
- Use of consultants fees/wetlands filing fees

The proposal from the February 23rd meeting was for 220 feet. The original request was for 255 feet. The plan presented tonight is for a revetment that is 170 feet long.

Tara Marden told the members that the engineering analysis shows that a 255 ft long revetment is needed and that anything short of 255 feet is not based on engineering analysis but on coming with something the Commission and the WHG is comfortable with. The Engineers did not rerun all the models to come up with 170 feet. They used wind, profile and grain size data and size of the toe stones to come up with the 255 feet. Anything short of that is based on professional opinion and working on a compromise with the Commission.

Tara Marden stated that shortening the revetment any more (less than 170 feet) would require cutting a whole new path from the house to the stairs in the revetment. As she had proposed backfilling the structure so as not to remove any vegetation on the top of the bank, she did not understand how the Trustees would allow a whole new path to be created. Chris Egan clarified that a whole new path would not be needed; only the last 3 or 4 feet of the path would have to be redirected to meet a new stair system, not an entirely new path. Prudy reminded that the point of the conversation regarding the location of the path was that where the path existed now did not dictate where the end of the revetment had to be.

Public Comment:

Chris Egan/ TTOR: Concern is about the future of beach nourishment and the cumulative effect of the beach nourishment. Also, that monitoring is only proposed to be done on the Edens property. Tara responded that an escrow account could be set up. 38 cubic yards of sediment would be about \$1,000. Tara Marden replied that there is between 400 and 500 feet from the end of the revetment to the cove. She would not propose monitoring profiles on the other side of the cove.

Sarah Lund: The applicant would be happy to enter into an escrow agreement for future beach nourishment.

Glenn Hearn: Fiber rolls have been used on Nantucket.

Members who are eligible to vote are Judy, Prudy, Joanie and Hadden. Peter, Binnie and Tara will abstain from voting.

Judy moved and Joanie seconded to close the public hearing. All in favor.

A discussion on procedures followed.

Hadden motioned to approve a 170 foot long revetment as shown on the plan with stairs and nourishment program with annual monitoring conditions, for a house 85 to 95 feet from the top of the bank and access over the top of the bank as described in the project narrative. Joanie seconded. The vote on the motion was Hadden - Aye, Joanie, Judy and Prudy - Nay. Peter, Binnie and Tara abstained. The motion failed.

Discussion:

Judy: This is more a proposal for a structure to protect a property than it is to protect a house at this time

Prudy agreed and cited Section IX.C.3 of the bylaw regulations regarding no adverse effect. Additionally, no alternatives have been tried in the field per the state regulations 10.33(3) (b).

Joanie: The danger of setting a precedent of approving structures this far away from the house.

The performance standards for the state and bylaw regulations were reviewed again.

Judy made a motion to deny the project as described above as the proposal is for a structure to protect a property rather than a house at this time and for the failure of the applicant to meet the performance standards performance standards of the state regulation that no feasible alternatives to protect the structures and that under the bylaw that there will be no adverse effect to the adjacent down drift beaches. Joanie seconded. Judy, Prudy and Joanie – Aye, Hadden – Nay. Peter, Binnie and Tara abstained.

The decision will be reviewed and approved and the order signed at the next meeting.

New Business:

Woods Hole Oceanographic Institute will submit an RDA for a project at Long Point. No action taken.

Old Business:

Map 3 Lots 2 and 2.1. Sutula/ Tree cutting/ Joe Eldredge's letter was read into the record.
No action was taken.

Mill Pond: Kent Healy's presentation to the board was tabled to the next meeting.

Administrative:

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

Respectfully submitted,

Maria McFarland
Board Administrator
APPROVED