

**WEST TISBURY CONSERVATION COMMISSION
MINUTES OF MEETING**

May 25, 2010

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

Also present for all or part of the meeting: Kent Healy, Matthew Dix, Glenn Hearn, Chris Alley, Ena Thulin, Plamen Dunchev, Katharine Sterling and Ben Reeve

Prudy Burt called the meeting to order at 5:05 P.M. [An audiotape of this meeting is available for review.]

The minutes of the April 27th meeting were approved with minor corrections.

Map 3 Lots 4, 6, 7 and 87 /Request for Determination of Applicability filed by Alan Sibert for a project to repair a section of Boghouse Way as it runs through the properties shown on owned by William Sibert Trs., Todd Westby, Edwin Sibert and Sarah Broley respectively.

Documents filed in addition to the Request:

Letter from Kent Healy to Alan Sibert dated May 21, 2010 outlining the method he recommends to repair the road without impact to the adjacent wetlands was read for the record. Project map and site visit pictures were circulated. Keith Fenner will do the work.

A motion was made and seconded to issue a Negative Determination. This work may proceed as outlined in Kent's letter without the need of a permit as it is maintenance of an existing roadway. All in favor.

A motion was made and seconded to approve the following conditions:

- Kent Healy will supervise the initial work.
- Care will be taken to insure that road material stays within the traveled way and equipment be kept out of resource areas on either side of the road.
- There will be no expansion of the width of the road.
- No paving is proposed or permitted.
- Future periodic maintenance does not need approval from the Commission unless it is more substantial than the work approved in this determination.
- For future maintenance work silt fence will be placed on both sides of the roadway next to the dam.

All in favor.

Map 8 Lots 1,22.12&22.14 and Map 10 Lot 194.2/ SE79-299 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 for property located at 165 & 200 Merry Farm Road and 81 State Road. The proposed project includes the clearance and maintenance of 1,500 linear feet of walking trail within a Bordering Vegetated Wetland and Buffer Zone including ground-level and raised

boardwalks or view platforms. Also proposed is the removal of invasive species covering approximately 2 acres. These properties are known as the John Presbury Norton Farm and Wompesket Preserve.

Prudy re-opened the hearing solely for the purpose of continuing the hearing as discussed below.

Maria reported that the legal notice did not include Lot 1 on Map 8 known as 100 Buttonwood Farm Road, making the legal notice defective. Tonight's hearing should be continued without public testimony in order to readvertise the hearing. The abutter notification letter did not include this address either. The owner of Map 8 Lot 1 claims that she did not get proper notice however; the return receipt green card was signed by Mr. Reeve and returned to the Land Bank. It was noted that Mr. Reeve (on behalf of Ms. Sterling was present and participated in the first meeting.) Ms. Sterling and Mr. Reeve were asked if they would consent to proceeding with the public hearing process without the step of re-advertising and new abutter mailing. Mr. Reeve said they would consent for the hearing this evening only. That was not acceptable to the applicant or the Commission.

Written Public Comment:

Letter from Ben Reeve on behalf of Katherine Sterling dated May 25, 2010 was accepted but not discussed.

After a lengthy discussion on the issue of defective notices or withdrawing the work on the easement, a motion was made and seconded to continue the public hearing until June 22nd at 5:10 PM in order to publish and post a corrected legal ad and for the Land Bank to send a corrected abutter's notice. All in favor.

Map 25 Lot 4.5/SE79-300- 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 Schofield, Barbini & Hoehn on behalf of Ena Thulin for property located at 5 Glory Hill Road. The proposed project includes the construction of a single-family dwelling, barn, and septic system, driveway, parking area, underground utilities and associated site work adjacent to the Riverfront Area.

Peter Rodegast recused himself as South Mountain coming will be building this house and took a seat in the audience.

Chris Alley of Schofield, Barbini & Hoehn reviewed the revised plan to show a limit of work line.

Issues Discussed:

Letter from NHESP dated May 12, 2010 was read for the record. Outstanding issues identified in the letter are alternatives analysis under the WPA and impacts to lamprey habitat under MESA. NHESP review letter required photographs of the site and erosion control measures.

Memo from John Abrams, South Mountain Company dated May 24, 2010 concerning the siting of the house was read into the record.

Revised plan was submitted showing a siltation barrier and limit of work line. The screen porch is set on pilings. The building envelope is about a half acre on a 3 acre lot. The addition of the

erosion control measures should satisfy NHESP. It is the Commission's policy not to close the hearing until this letter is in hand.

A motion was made and seconded to continue the public hearing on this project to June 1, 2010 at 5:00 PM as the NHESP sign off letter remains outstanding on this All in favor.

Old Business

Map 39 Lot 11/ SE 79-296/Edens/ update: The DEP site visit was held on May 18th at noon. Maria and Prudy will work on a letter to DEP. Time frames were discussed. Environmental Impact Notice is required as the Superseding Order is a state permit. Deadline for filing the Superior Court appeal under the bylaw is Saturday May 29th.

Map 1 Lot 41/ Berlin: Tabled to June 1st meeting at 6:30 PM.

Administrative

Land Bank Advisory Board: Tara said she had copies of the Land Bank budget if anyone is interested. Steve Rattner has bought Crow Hollow Farm.

Members: Joanie told the members that she would like to continue as an Associate Member. Maria was asked to place an ad in the paper and to contact the town columnists. Tim Boland will be asked to come in to discuss becoming an Associate Member.

There being no further business on the agenda, the meeting adjourned at 6:25 PM.

Respectfully submitted,

Maria McFarland
Board Administrator
APPROVED