

**WEST TISBURY CONSERVATION COMMISSION
MINUTES OF MEETING**

June 22, 2010

Present: Prudy Burt Chair, Binnie Ravitch, Peter Rodegast, and Tara Whiting,

Absent: Joanie Ames, Hadden Blair and Judy Crawford

Also present for all or part of the meeting: Charles Alton, Doug Cooper, Simon Hickman, and George Sourati

Prudy Burt called the meeting to order at 5:07 P.M. [An audiotape of this meeting is available for review.]

The minutes of the June 1, 2010 meeting were approved as corrected. All in favor.

Map 8 Lots 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.

Matthew Dix submitted a letter dated June 22, 2010 withdrawing this Notice of Intent.

Map 3 Lots 73.1, 73.2 & 79: 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 Cooper Environmental Services, LLC on behalf of the Alton Family Limited Partnership to construct a residential driveway within a 30 ft wide Right of Way over property located at 57 Lambert's Cove Road owned by Jeremy Biggs to access property owned by the Alton Family Limited Partnership at 55 Norton Farm Road.

Due to the absence of a quorum for this hearing, a motion was made and seconded to continue this public hearing to Wednesday July 7th at 5:00 PM. If for any reason, the hearing can't be rescheduled to July 7th, the hearing will be continued to July 13th at 5:50 PM. All in favor.

Doug Cooper submitted revised plan showing the LEC resource flagging, vernal pool high water mark, relocation of a section of the driveway and a blow up of the toe of the wetlands. The plan was not discussed or reviewed.

Map 6 Lot 6 /SE79-301: 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 Sourati Engineering Group on behalf of SB Vineyard LLC owner of property located at 271 John Cottle Road, to relocate an existing driveway in the Buffer Zone to within 33 feet of the top of a coastal bank, install underground utilities in the driveway, create a path in the Buffer Zone and perform additional landscaping.

George Sourati was back to discuss this project with the board.

Issues Discussed:

- George submitted a revised proposal. The driveway is moved 20 feet further from the top of the bank so that it is now 53 feet from the top of the bank at the closest point.
- Removing fewer trees. 3 trees will be moved to another location on the property.
- The parking area or “turn-out” has been moved outside the buffer zone
- Bluff is not steep. Less than 1 to 3 slope.
- New plan does reflect the removal of words “not an engineered structure”. George agreed to remove the graphic of the stones from the plan.
- Town Bylaw waiver provisions of Section IV.3 were read. Leaving driveway where it is, is not a hardship to this applicant. Second 50 feet does not require waiver. Work is now in the outer buffer zone. Adverse effect. More likely than not to harm the buffer zone or adjacent resource area.
- There is 350 square feet more driveway in the Buffer Zone under this proposal.
- Area between driveway and bluff will not be disturbed
- If new construction, we would not approve the siting of the driveway in this location.
- The original driveway works fine for this site.
- Why undergo disturbance when the existing driveway functions.
- What is the justification for relocating the driveway? To separate the driveway to the guest house from the driveway to the main house.
- New plantings would provide screening would eliminate seeing cars going to the guest house
- George argued that it is not going to harm the resource area or have a long term impact.
- Maximum cut/fill/grading will not exceed 12 inches from side to side. The finished grade of the driveway will not change by more than one foot.
- Permissible under the State regulations.

Next Steps

- George offered to ask the applicant if they would be willing to provide some mitigation such as native vegetation.
- Tenor of the board is that this proposal would be denied under the Bylaw.
- George would like the opportunity to discuss this one more time with his client.

A motion was made and seconded to continue the public hearing on this project to 5:10 PM on July 13, 2010. All in favor.

New Business

Map 23 Lot 3.2/ Early/ Septic System:

Issues Discussed:

- House is rented for the rest of the summer. If not fixed before renters arrive, rentals would have to be canceled.
- Request for Determination of Applicability was filed but not in time to put the legal ad in the paper for a public meeting this evening. The meeting will be held on July 13th.
- All work will be done in disturbed areas. Asking for approval of emergency installation of new septic system, pending Board of Health approval.

- George reviewed the components of the new system.
- The leach field will be located on the neighbor's property.
- Easement necessary for the leach field. It will be located outside the Buffer Zone. The new septic tank is 57 feet away from the resource area
- No record of pump outs but engineer deemed it failed based on site inspection.

A motion was made and seconded to approve the emergency installation of this system pending the approval by the Board of Health. All in favor.

There being no further business on the agenda, the meeting adjourned at 6:41 PM.

Respectfully submitted,

Maria McFarland
Board Administrator
APPROVED