

Conservation Commission
Zoom Minutes February 1, 2022 9:00 AM
Zoom: 996 6544 3041
FINAL

Present for the Conservation Commission and attending the zoom call were:
Chris Murphy (Chair), Pam Goff, Candy Shweder, Sandy Broyard, Joan Malkin,
and Sarah Khedouri(alternate), and Kara Shemeth (staff).
Commissioners NOT in attendance: Russell Maloney, Doug West, Bob Hungerford

Also in attendance: Tara Marden, Beth Gurney, Conor Ofsthun (Woods Hole Group), Christina Morin, Toby Hoden, Wes Brighton, Fred Khedouri, Leonard Bell, Richard Nylen, Robert Soros, Ryan Rossi

9:01 - Public Hearing SE12-702

Applicants: Fools High Tide LLC

Address: 25 East Lane (AP 32-68.1)

Representative: Tara Marden (Woods Hole Group)

Project: The proposed scope of the work is for a second installment of the previously designed and permitted cobble berm. The cobble berm will be a storm buffer to the coastal bank. It adds 575 cubic yards of beach compatible cobble to construct a berm above mean high water and an additional 650 cubic yards of sand on top of the cobble and as an apron from the berm to the east and west property bounds. The berm will run 314 linear feet and the sand will run 415 linear feet. The total project area is 17,450 sq. ft.

The cobble and sand will be delivered to the project site by a conveyor belt stationed in the parking lot of 25 East Lane. A front-end bucket loader and an excavator will maneuver the cobble and sand on the beach to the defined specifications. The beach access will be from 25 East Lane.

Documents shared: pictures of the site

Tara presented the proposed addition of cobble and sand per the original OC. She stated that Stonewall Beach has been sandier than usual and the project has had no impact on the beach and that the top of the bank has not moved since the original plan was presented.

It was noted by Pam Goff that this project is above MHW and is considered beach nourishment due to the cobble nature of the beach. This IS NOT a coastal engineering structure. There was discussion about the fruitlessness of trying to hold back natural erosion and Robert Soros (owner) stated that he understands that it is not a solution that will save the property forever but if he can extend his use of the property without negatively impacting the beach then it's a win win in his view.

There was discussion of the fluid nature of the beach and how it changes week to week and even day to day.

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Action: A motion was made to close the hearing.
Passed unanimously by roll call vote

Commissioner Discussion:

The applicant's studies/evaluations completed after the initial cobble nourishment suggest that there has been no adverse impact to date on any of the wetland resources affected. Nevertheless the commissioners felt that continued monitoring and reporting was important to protection of the resources. It was noted, however, that the number of truckloads necessary to transport the sand and cobble brought from off-island to re-establish the berm, while not directly impacting the resources other than temporarily, nevertheless introduces an adverse environmental impact due to the carbon emissions resulting from the transport. It was suggested that applicants opt for nourishment (instead of letting nature take its course) not because it is a viable long-term solution to bank erosion, but because they can.

Action: A motion was made to approve the amendment as presented with the following conditions:

- The applicant is to continue to provide reports regarding the status of the berm
- An as-built site plan is to be provided upon completion of this project. The plan will include distances to created structures (buildings, pool, sheds, etc) and will show top and bottom of bank.

Passed 4 to 1

Commissioners for: Pam Goff, Sandy Broyard, Candy Shweder, Joan Malkin
Commissioner against: Chris Murphy

9:43- Public Hearing Time of Year Restrictions in Menemsha Harbor

The DMF provides Time of Year restrictions for in-water work. Commissioners reviewed and discussed the DMF TOY recommendation and the mapping DMF utilizes for Winter Flounder and Horseshoe Crabs, which includes Menemsha Harbor. Whereas there may be winter flounder and horseshoe crabs in Menemsha pond, local knowledge is confident that there are none in the harbor or on the public beach. The consensus of the meeting was that the commission will decline to put TOY restrictions on work on the harbor or Menemsha Beach.

Harbormaster Ryan Rossi spoke in favor of this and updated the Commission on the status of the dredge permits he has that are awaiting sediment testing to certify that the sand is clean and compatible for beach nourishment as planned.

9:56- Potential Buffer Zone Infractions

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Property Owner: Fred Khedouri

Address: 4 North Ridge Road (AP 32-68.1)

It was brought to the Agent's attention by the Building Inspector that recent construction activities at the above address may encroach into the buffer zone. Upon a site visit with Forest Filler (Acting Building Inspector) and the GC, it was reported that some of the over dig and likely over dig from the trench may encroach into the buffer zone. Kara recommended getting a copy of any as-built plans that the Building Department receives (there are more violations from the Building Department side of things) and installing siltation fencing along the buffer zone to prevent any further encroachment. Once the foundation is backfilled the excess dirt will be out the buffer. A visit will be made in the spring to determine if any replanting is necessary.

10:10 – Review of the Hoden/Ameen Landscape Plan (SE12-886)

Toby Hoden showed the landscape plan that Steve Jaffe has drawn up for the property. Reid Silva is still working on the drainage plan. The Commissioners reviewed the landscape plan and opted to wait to approve it until they can see both plans at the same time.

Administration:

Action: Motion to approve January 4 2022 minutes.

Passed unanimously by roll call vote

With nothing further to discuss, the meeting was adjourned at approximately 10:15 am

Respectfully submitted by Kara E. Shemeth, Conservation Agent

Materials Shared at Meeting: