



Meeting Minutes - Chilmark Conservation Commission  
March 16, 2023 (9 am) via Zoom

Commissioners present: Candy Shweder (Chair), Sandy Broyard, Chris Murphy, Russell Maloney, Pam Goff, Joan Malkin

Staff: Kara Shemeth (Agent)

Public in attendance: Allison Cameron Parry, Angie Francis, Beth Gurney, Carl Desch, Chuck Sullivan, Conor Ofsthun, Elizabeth, Emily B. Gadd, Gage Woodard, Peggy (ipad), Jen (iphone), Jeffrey DuBard, Joseph Gould, Kris Houruchi, Kristen, Kristen Riemann, Michael Goldsmith, Margaret Maida, <Marilyn Vukota, Marjory Bravard, Clarissa Allan, Reid Silva, Robery Doyle, Ron Rappaport, Shelley Edmundson, Susan, Thomas Bena, Willoughby, 339-236-0992, 508 696 6484

Continued Public Hearing - Notice of Intent SE12-904

Applicant: Barbara Hunter Foster

Address: 49 Squibnocket Farm Road (AP 35-1.28)

Representative: Kristen Reimann

Project: Landscaping renovations

Documents shared: site plan, aerial

Kristen Reimann shared an updated tightened up the driveway parking, removed fire pit, and added a request to rebuild and maintain the dock. She also modified the requested cutting area north of the house so as to not enter the resource area. Commissioners discussed if there was a need to cut these areas to 4' when they are already within the buffer zone.

There were questions regarding the extensive mowing along the "neck" and the history and legality of the viewing platform. Commissioners noted cutting of cattails and other wetland vegetation along the western edge of the driveway within the resources area advising that it would need to stop.

It was noted that the platform may in fact be in violation of zoning as there are no accessory structures allowed per the Squibnocket specific by laws.

**Action:** A motion was made, and seconded, to close the public hearing.  
Passed unanimously

**Action:** A motion was made, and seconded, to approve with the following conditions in the interest in protecting the saltmarsh, wildlife habitat and wetland resource areas and vegetation:

1. The patio is approved as shown on the attached plan.
2. There is to be no more cutting in the resource areas without permission, especially the cattails to the west side of the driveway.
3. Stones, or another approved method of demarcation (locust posts, granite, etc) are to be set along the areas north of the house where current mowing is to cease, allowing the areas to regrow naturally.
4. There is to be no further mowing within the resource area.
5. Trimming in the orange areas to the eastern corner of the house to access the propane tank permitted.
6. A site visit during summer months is to take place to assess the proposed cutting areas, which are not approved until they have been revisited and the plan in condition #7 is received and approved.
7. A revegetation plan will be submitted prior to any work commencing.  
This plan will show:
  - a. Revegetated areas, specifically having a 4' path to the platform starting approximately 125' north of the house and allowing the buffers zones revegetate naturally
  - b. Where the stones will be set to demark the no mowing

9:50 AM **Action:** An amendment to the motion was made to remove the platform. The amendment did not carry with a 3-3 tie via roll call vote.

Yea (to remove): Candy, Chris, Russell

Nay (to leave it): Sandy, Pam, Joan

9:53 AM A vote was taken on the original motion, with the platform remaining. The motion passed via roll call vote 5-1

#### Continued Public Hearing – Local Notice of Intent

Applicant: Lenom House LLC

Address: 138 State Road (AP 33-16)

Representative: Reid Silva (VLS)

Project: pool & addition

Reid shared the updated plan which shows the removal of the cabana and now shows a pergola, below grade vault for pool equipment with outdoor shower attached, and a new bathroom in the main house on the eastern side to accommodate pool users. Reid explained the gravel trenches he's proposing to install along the pool edge to account for potential higher flood levels. The

trenches have been designed to absorb more surface water than the new impermeable surfaces take up.

There was additional discussion about the 100 year flood buffer zone. Reid noted that having a buffer to a once in 100 year storm does not have the same interests of buffer zones to other resource areas such as wetlands, dunes, saltmarsh, etc.

**Action:** A motion was made, and seconded, to close the hearing,  
Passed unanimously

**Action:** A motion was made, and seconded, to approve with standard/ pool conditions.

Passed unanimously via roll call vote

Admin/ Discussion:

- Squibnocket Beach Stakes

Clarissa Allan spoke on behalf of the Beach Committee and asked for Commissioners input regarding the rusted stakes and fencing in the dunes at Squibnocket. Commissioners felt that rusty posts that can be easily removed should be removed but if a machine is needed they should stay to protect the interest of the dunes. A fence along the edge of the new beach grass should be installed. If a post cannot be removed easily it may be cut below grade.

**Action:** A motion was made, and seconded, to give approval for the mitigations discussed above.

Passed unanimously

- Menemsha Beach bulkhead repair

Beach Committee members advised that the cap of the Menemsha Beach bulkhead is in need of repairing

**Action:** A motion was made, and seconded, to note that the replacement of the cap would be inconsequential to the resource

Passed unanimously

- Gin Boom – Menemsha

Shelley Edmundson informed the Commission of a grant that had been received to replace the gin boom to remove items from the boats to the bulkhead to a dock.

**Action:** A motion was made, and seconded, to find the gin boom inconsequential to the resource area.

Passed unanimously

- Re-issue Roth Order with condition that was previously removed

Ron Rappaport gave a synopsis of what had happened, the Order had been voted on with a condition regarding a response from the DEP and the response was received 2 days after the meeting and the DEP noted no concerns, making the condition unnecessary. Ron cautioned the board that the removal of the condition, despite being a moot point, should have come back to the Commission for a vote.

**Action:** A motion was made, and seconded, to reissue the Order of Conditions with the following condition restored:

*"The work must not begin until the Applicant has fully satisfied the concerns raised, if any, by the DEP in its final response to potential issues raised in a letter dated March 31, 2016 from Jonathan E. Hobill, Regional Engineer of the DEP Southeast Regional Office Bureau of Water Resources regarding the Public Water Supply on Assessor's Map 3 Parcel 14"*

Passed unanimously via roll call vote

**Items not anticipated:**

The Chair noted that the fines for both Sica and Josey's Landscaping had both been paid.

Reid Silva explained that he had submitted the requested re- delineation of the wetlands at AP 33-8 (Quitsa Nominee Trust)

**Action:** A motion was made, and seconded, to ask the Agent and the Chair to review the delineation and get in touch with the BOH.

Reid reviewed the delineation with the entire board

**Amendment:** The motion was amended to accept the updated delineation and to send the data to the BOH.

Passed unanimously via roll call vote

With nothing further to discuss, the meeting was adjourned at 10:58 am

Respectfully Submitted by kara shemeth, Conservation Agent  
Minutes to be approved at a future Conservation Commission Meeting