



Meeting Minutes - Chilmark Conservation Commission
May 18, 2023 (9 am) via Zoom

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

Commissioners absent: Russell Maloney

Staff: Dilly DeBlase

Public in attendance: Reid Silva, Ryan Bushey, Angie Francis, Chris Alley, Kris, Mark Nicotera, Peter, Tim Clark, Kate Joyce, Ian Peach, Henley, E. Lash, Steve, Gary Mottau, Tim Rich

Public Hearing - Notice of Intent SE12-907

Applicant: Gene G. Leibel

Address: 140 State Road (AP 33-17)

Representatives: Reid Silva and Angie Francis

Project: demolition and removal of an existing dwelling and reconstruction of a new dwelling, septic system tie-in, utilities and associated landscaping within the buffer zone
Documents shared: site plan, aerial, south mountain design plan

Reid Silva and Angie Francis described the demolition of the current house with 5 different floor levels, and building a new house to the Northwest of the current structure. The landscape design was described as restoring the land closest to the salt marsh with native vegetation with mowed paths. Commissioners had concerns about whether there would be siltation fencing, as it was not indicated on the site plan. Ms. Francis indicated they would be coming back to the conservation commission with a separate request for the removal and installation of new elevated walkway.

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

Passed unanimously via roll call vote.

The commissioners discussed the need for the addition of a siltation fence in the site plan.

Action: A motion was made, and seconded, to approve the plan as proposed, both the landscaping and the housing plan, with the following conditions:

In addition to the usual conditions, there will be the addition of siltation fencing to be shown on a plan to be submitted to the conservation commission.

Passed unanimously via roll call vote

Public Hearing - Notice of Intent SE12-908

Applicant: Elizabeth Bennet LLC

Address: 31 Cross Rip Lane (AP 20-20.2)

Representative: Reid Silva

Project: demolition and removal of an existing dwelling and reconstruction of a new dwelling, septic system tie-in, utilities and associated landscaping within the buffer zone
Documents shared: site plan without topography, aerial, house rendering, landscape plan

This is a youth lot with a new owner who would like to upgrade the house. Due to youth lot restrictions, it will also be going through ZBA. Reid Silva showed on the site plan an intermittent drainage way which was not listed as a waterway on USGIS, but established the edge of the wetland using the Bordering Vegetated Wetland. Mr. Silva explained that the location of the proposed house was determined by the setbacks from the septic and property line. The site plan did not show siltation fencing or topography, and Mr. Silva explained that the clearing extended out 15 feet from the expanded house. After seeing the house rendering, the commissioners asked for clarification between the rendering and the landscape plan. Mr. Silva described the landscape in the rendering as just a filling in to show what the house will look like and wasn't meant to reflect the realistic landscape as shown on the plan. The commissioners had a question about the steepness of the topography around the house and suggested trying to keep the dense vegetation in place as much as possible between the house and wetland. Though it is a very steep hill going down to the wetland, the house is far from the resource area. Mr. Silva assured the commission that the clearing around the house could be planted with a conservation mix, and the clearing was just to be able to get around the house. Gary Mottau suggested during construction would be a good time to think about eliminating invasive plants and stressed that controlling sediment during construction would be important. Kris voiced concern about runoff to the stream on the seaward way on the southwest side and making sure the stream remains healthy.

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

Passed unanimously via roll call vote.

Action: A motion was made, and seconded, to approve the NOI with the following conditions:

In addition to the standard conditions, before any work begins, a site plan with construction plan and sedimentation barriers will be sent to the commission for approval with the edge of clearing on the downhill side of the house toward the wetland marked with boulders on the plan.

The commissioners would like to include a note encouraging the home owner to consider that during construction might be a good time to deal with invasive plants, including miscanthus grass.

Passed unanimously via roll call vote.

Continued from 5/4

Notice of Intent

Applicant: Susan & Peter Bernard

Address: 0 Signal Hill Lane (AP 34-1.1 & 1.2)

Representative: Chris Alley (SBH)

Project: proposing to remove invasive vegetation and permit pruning for view maintenance

Documents shared: Site plan, aerial

Chris Alley presented a revised plan with all work within the wetlands being removed. The green areas on the revised site plan would include work on invasives control and removal. Blue areas invasive removal and maintenance of native vegetation to 6ft. Still working with NHESP and hope to have a file # from DEP by the next meeting. Mr. Alley asked for a continuance and commissioners requested a site visit.

Action: A motion was made, and seconded, to continue the hearing to June 1, 2023 and to schedule a site visit to the property.

Passed unanimously via roll call vote.

Request for Determination of Applicability

Applicant: 2 Gosnolds Way LLC and Gosnolds Way Realty Trust

Address: 2 Gosnolds Way (AP 14-1)

Representative: Ian Peach (Wilkenson Ecological Design)

Project: proposing invasive species management across a 970' sq ft area

Documents shared: restoration design plan

Ian Peach informed the commissioners that WED was hired to assess erosion, invasive plants and other issues. Mr. Peach began with Area A and described planting native beach grass to shore up the bank against erosion. The commissioners pointed out that right on the coastal bank there is a very cleared area with a fire pit. Mr. Peach clarified that this was outside of the areas on the plan. Area B would be an area to treat by hand-pulling bittersweet. Area C, along the walkway, there is exposed sediment and soil which would be planted with drought tolerant native grass mix.

Action: A motion was made, and seconded, to find a negative determination.

Passed unanimously via roll call vote.

Admin/ Discussion:

49 Squibnocket Farm Road

Kristen Riemann wrote to ask for a continuance because we do not yet have the circuit rider's opinions that the conservation agent requested.

Action: A motion was made, and seconded, to continue the discussion of the landscape plan at the request of the applicant.

Passed unanimously via roll call vote

Shotnagher Lane fix

Chris Alley explained the request to amend the approved NOI Order of Conditions.

This road work is abutting the Bernard property discussed earlier. Mr. Alley explained that an NOI to improve site lines at the road and improving the surface of the road was approved by the conservation commission, but before the Order of Conditions was issued, Lawrence Lynch was able to do the work earlier than expected. As the caretaker was unaware of any additional approvals or need for recording, the project was completed with a few changes to the original plan. After the conservation agent's site visit, an as built plan with notes for differences was required. Mr. Alley shared this as built plan and discussed the changes in the plan, including a shortening of the paved portion of the road, the addition of a berm, a PVC gutter drain, and a proposed drywell with asphalt swale which is the only portion of the project not yet complete. Mr. Alley will

request to amend approved order of conditions. The commissioners added site visit to this property before the next meeting.

Action: A motion was made, and seconded, to approve the March 16, 2023 minutes. Passed unanimously via roll call vote

At the meeting after the town meeting, the commissioners appoint a new chair, but the decision was made to add this item to the agenda for the next meeting.

With nothing further to discuss, the meeting was adjourned at 10:30 am

Respectfully Submitted by Carolyn Stoeber
Minutes to be approved at the 9/7/23 Conservation Commission Meeting