



Meeting Minutes - Chilmark Conservation Commission
August 3, 2023 (9 am) via Zoom

Commissioners present: Candy Shweder (Chair), Sandy Broyard, Stephen Kass, Sarah Khedouri, Joan Malkin, Gary Mottau, Chris Murphy; Associate Member - Jane Rabe

Staff: Carolyn Stoeber

Public in attendance: Reid Silva, Carlos Montoya

Admin/ Discussion:

Two files are uploaded on the town website and available in the agenda for this meeting: 2023-07-06 EMS Drainage & Chilmark Town Hall wetland narrative.

Reid Silva (VLS) presented the updated drainage design for EMS beginning with the berm that has been installed to direct the water into the retention basin. A gravel drainage way will be installed down to a lower retention area so that when the primary retention swale overflows, it won't scour. Additionally, jute netting will be added to the sides of the stairs to stabilize the slope while the plantings are established with 12" wide slot drains at the top of each side of the stairs to catch any overflow.

Commissioners directed Reid to include a sign that explains the importance of the culvert on Menemsha Crossroads for those in the fire barn to be sure the culvert remains clear. Mr. Silva will speak to Tim Carroll about this maintenance issue.

Carlos Montoya (Native Plant Associates) presented the Chilmark Town Hall wetland narrative which is the proposed restoration plan for the wetlands. Starting by the culvert next to the exit of the Town Hall parking lot, Mr. Montoya inquired whether the ditch was an essential feature and Mr. Silva confirmed that the ditch is a required part of the drainage plan. The addition of crushed rock in the ditch to the sides of the bridge between the 2 parking areas will be addressed as a part of the updated drainage design and restoration of the wetland area. Mr. Silva will call Billy Dillon to discuss a culvert option that will accomplish the town's goal of keeping the drop from the bridge to 30 inches or less and not impeding on the drainage plan.

Mr. Montoya then discussed the areas within the wetland between the EMS parking and the Town Hall parking defined by the walkway between the lots and the perpendicular stone wall that creates four areas within his defined areas A and B in the narrative. Area A is on the Town Hall side of the stone wall and Area B is on the EMS side of the stone wall. Mr. Montoya recommended a different plan in each of the four areas. The commissioners discussed whether the restoration could be phased in over time if financial concerns won't allow the full plan to be completed immediately. Mr. Silva will work with Mr. Montoya on a sketch with a narrative outlining the plan, as could be implemented in phases, to present to the Town. Some of the

more immediate concerns included the stabilization of the portion of Area A that is bare. The invasive species in Area B are of concern and need to be removed, including roots, and the revegetation plan would need to be confirmed after the invasives are removed. The commission suggested the invasives in this area be addressed when the lower/secondary retainage basin is installed since there will be disruption by machinery in this area during this time.

All new members and associate member have been duly sworn in to serve on the Conservation Commission.

Carolyn Stoeber presented three Site Visit Summaries provided to the commission. No further issues were observed upon inspection with the BOH representative at the Homeport on July 27. The Grey Barn dirt pile is smaller than at the last site visit by the commission. The commissioners expressed concern about whether the pile is impacting the protected area at the Grey Barn. The Grey Barn dirt pile will be added to the next site visit. Erosion at the end of Greenhouse Lane was discussed for four property owners. It was noted that the Town lost a geo-marker this year in this area, due to erosion; and the stairs at Map 33, Lot 149 were deemed unsafe by the building inspector and were to be roped off by the fire chief.

The discussion of the erosion at the end of Greenhouse Lane included looking at the properties with structures most at risk at this time. 22 Greenhouse Lane is the only property with an approved Managed Retreat/Demolition Plan for Utilities and Structures (MRP) on file. 18 Greenhouse Lane is still under an order to come forward with a MRP to be approved, as the only plan filed was dependent on a corresponding building plan that required ZBA approval, but was withdrawn from ZBA. The commission would like Carolyn to research whether 18 Greenhouse Lane is in a period of waiting to comply, or whether they are actually out of compliance for failure to secure approval of a MRP. Though the house was deemed structurally sound at the time of the site visit, the Conservation Commission will enforce the order that is in place as part of the Order of Conditions for NOI filed to address erosion of the cliff with jute netting.

Rather than a general policy, MRPs have been dealt with on a case by case basis up to this point. The Conservation Commission has required a MRP for owners filing a NOI for properties under imminent threat by erosion.

As it is often harder to move structures and utilities the closer they are to the cliff, having a plan in place prior to a house becoming condemned ensures the property owners are thinking about the future and prepared for the eventuality of the cliff erosion threatening their structures and utilities. Though it is prudent for their safety and the safety of the public, the Conservation Commission must ensure that the structure not be allowed to harm the coastal bank, wetlands, and resources in their jurisdiction. The Conservation Commission will send a letter to the owner of 16 Greenhouse Lane explaining that a MRP would be welcome.

Other houses have had triggers for the cliff eroding to within 15 or 20 feet of the structure. There is concern about the houses at the very edge of the cliff and whether moving them now would

cause more harm and how to deal with both situations. However, debris falling into the resource area cannot be allowed.

The commission discussed creating a committee to write a bylaw that would establish clear guidelines for all properties with structures that will be in danger of disrupting a protected area due to erosion, so that each property will have a managed retreat plan with specific triggers, approved by and on file with the Conservation Commission. A suggestion was made that this bylaw could be presented to the town meeting with the climate change committee.

The plan for event parking at the police station for the road race and the book fair was presented. The temporary nature of the events will have minimal impact to the resource area. The police chief will ensure there is no parking on the septic area of the yard.

Action: A motion was made, and seconded, to direct the Chilmark Conservation Commission Chair to sign all approved permits and documents until in-person meetings are resumed. Passed unanimously via roll call vote.

Action: A motion was made, and seconded, to pass the minutes of July 6, 2023 and July 20, 2023 as amended.

Passed via roll call vote with abstentions by Stephen Kass and Gary Mottau who were not Conservation Commission members at those meetings.

With nothing further to discuss, the meeting was adjourned at 10:54 am.

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