

Conservation Commission Minutes 01/16/19

FINAL

Present for the Conservation Commission and attending the meeting were: Joan Malkin, Chairman, Bob Hungerford, Vice Chairman, Candy Shweder, Sandy Broyard, Chris Murphy, Pam Goff and Chuck Hodgkinson. Reid Silva, Jim Malkin, Barbara and John Armstrong, Ian Peach and Moira Fitzgerald also attended. Maureen Eisner and Russell Maloney did not attend.

The meeting came to order at 12:30 PM.

DISCUSSION DEBBIE PACKER: Basin Rd. Bus Turnaround; Menemsha Barrier Beach, Dunes and Wetlands: The Commission welcomed Ms. Packer and invited her to present her research regarding the resource areas along Basin Road. Ms. Packer explained she contacted state employees at the DEP, MA. Division of Fisheries, NHESP and obtained additional resource maps from the Martha's Vineyard Commission (MVC). She proceeded to present a specific map and a summary of the resources in each. At the conclusion Ms. Packer thanked the Commission for its time and recognized her concerns are being presented after the fact. The Commission thanked Ms. Packer for sharing her research and welcomed her commitment.

CONTINUED PUBLIC HEARING NOI SE 12 - 830; REID SILVA FOR THOMAS PORTER; 82 Menemsha Crossroad; AP 26-34: Ms. Malkin opened the continued public hearing at 12:47 PM and confirmed all present Commissioners are eligible voters. Mr. Silva reviewed a revised site plan dated 1/14/19 with a more accurate footprint for the removed screen porch and new stairs. The decks, new porch and addition are in the same location as before (north side). One smaller deck was removed from the plan. He explained it would cause more buffer zone disturbance to relocate the raised septic system on the opposite side of the house—should the addition be moved to the south side and slightly farther from the wetland. The more accurate drawings indicated the closest activity is 51 feet from the wetland – not 44 feet as previously shown. The Commission thought this was an improvement and recognized the addition is on high and dry ground within the buffer zone.

With no public comment a motion was made to close the hearing at 1:00 PM. The motion was seconded and unanimously approved. A subsequent motion was made to approve the revised site plan dated January 14, 2019 as the addition is located 51 feet from the wetland edge and is on high, dry ground within the buffer zone with the following special conditions:

- The addition shall have a crawl space foundation.
- The screened porch addition shall have sonotube supports and shall not be converted to conditioned living space.
- The existing external PVC drainage pipe shall be re-directed to manage erosion.
- A gravel, drip edge shall be installed along the perimeter of the addition to contain roof water runoff.

Silt fencing shall be installed as hand-drawn on the site plan. This installed erosion control fencing shall be approved by the Conservation Agent (CA) before work begins and left in place until the re-vegetation and seeding of the disturbed area is established.

- The staging area shall be located in the current parking area with site access along the east (Menemsha Crossroad) side of the house.
- Excess excavation spoils shall be removed from the site daily. The remaining backfill shall be stored next to the excavated foundation and inside the siltation barriers.
- All construction debris shall be stored in a covered dumpster located in the parking area or removed from the site on a daily basis.
- 2' X 2' X 2' rocks shall be placed along the current edge of lawn along the west (wetland) side of the house to prohibit additional clearing toward the wetland.
- Any gasoline-powered equipment shall be re-fueled in the current parking area.
- A copy of this Order shall be available on site at all times during construction.

The motion was seconded and with further discussion passed unanimously with six in favor.

NOI SE 12 - 835; IAN PEACH FOR MV LAND BANK COMMISSION; off Middle and South Roads; AP 25-19, 21: Ms. Goff disclosed she is a Land Bank Commissioner and the state ethics bureau indicated her participation in the next two hearings is not a conflict of interest because the Land Bank proposals provide a broad public benefit. Ms. Malkin opened the public hearing at 1:06 PM. Mr. Peach reviewed the plans to create a public trail extension to its Fulling Mill Preserve trail network to Middle Road and its proximal Peaked Hill Preserve trails. A small stand of trees will be thinned to maintain a semi-open field habitat and improve the view shed. The hickory trees will remain. A wetland crossing structure will be installed with pin footing supports. Approximately three sq. ft. of wetland will be disturbed for the pin footings.

The Commission discussed the site visit observations and thought this was a well-conceived plan. With no public comment a motion was made to close the hearing at 1:15 PM. The motion was seconded and unanimously approved. A second motion was made to approve the plan as presented with the following special conditions: 1. All gasoline-powered equipment shall be fueled outside the 100-foot resource buffer zones. 2. All construction debris shall be removed from the site on a daily basis. The motion was seconded and passed unanimously with six in favor.

NOI SE 12 - 834; IAN PEACH FOR MV LAND BANK COMMISSION; 10 The Aerie and Homeward Way; AP 20-48, 54: Ms. Malkin opened the public hearing at 1:18 PM. Mr. Peach reviewed the site plans to create a public trail extension from North Road to its Peaked Hill Preserve trail network and other proximal properties. Minor repairs will be made to existing stone walls and a view shed will be opened to the field from North Road. The trail will traverse a Shrub Swamp Wetland and Wet Meadow with portions of elevated walkways and a crossing bridge(s). Approximately three sq. ft. of wetland will be disturbed for the pin footings and cross members. The Commission discussed the site visit and as with the previous trail plan thought this has been designed with great care for the resources.

With no public comment a motion was made to close the hearing at 1:23 PM. The motion was seconded and unanimously approved. A subsequent motion was made to approve this plan as presented with the conditions of: 1. All gasoline-powered equipment shall be fueled outside the 100-foot resource buffer zones. 2. All construction debris shall be removed from the site on a daily basis. The motion was seconded and with no discussion passed unanimously with six in favor.

CERTIFICATE OF COMPLIANCE SE 12 – 621; SCHEUER; 2 Chockers Lane; AP 33-4: Chuck H. explained an Order was issued in 2011 to brush cut a walking path and construct an elevated walkway over a salt marsh to Menemsha Pond. The trail was brush cut. The walkway is not installed. The required MESA review prior to house construction was successfully completed in May 2018 under SE 12 – 811. The property is being sold. He recommended issuing a partial Certificate of Compliance for the brush cut path only. A motion was made and seconded to accept the report and issue the partial certification as recommended. The motion passed unanimously with six in favor.

CERTIFICATE OF COMPLIANCE SE 12 – 552; SCHEUER; 2 Chockers Lane; AP 33-4: Chuck H. explained an Order was issued in 2008 to install a bridge over a wetland for access to the proposed building envelope. The bridge was successfully installed. He recommended the project is in full compliance and issuing a complete Certificate of Compliance. A motion was made to accept the report and issue the certificate as recommended. The motion was seconded and unanimously approved with six in favor.

ADMINISTRATION:

Brandon SE 12 – 527; AP 16-7.3: Chuck H. reviewed a request to expand the view clearing scope of work a third time for this amended order. The Commission asked Chuck H. to put this on the next meeting's agenda for discussion and to arrange a site visit prior to the meeting.

The draft December 19, 2018 meeting minutes were reviewed and approved as amended by consensus.

The 2018 Annual Report was reviewed and unanimously approved as presented.

Signatures:

Order of Conditions SE 12 – 830; Porter; AP 26-34.
Order of Conditions SE 12 – 835; Land Bank; AP 25-19, 21.
Order of Conditions SE 12 – 834; Land Bank; AP 20-48, 54.
Certificate of Compliance SE 12 – 621; Scheuer; AP 33-4.
Certificate of Compliance SE 12 – 552; Scheuer; AP 33-4.

The next meeting will be Wednesday, February 6, 2019 @ 12:30 PM.

With no further business to discuss the meeting adjourned at 1:47 PM.

Respectfully submitted by Chuck Hodgkinson, C.A.S.