

Conservation Commission Minutes 06/21/17

FINAL

Present for the Conservation Commission and attending the meeting were: Candy Shweder, Chairman, Sandy Broyard, Pam Goff, Chris Murphy, Maureen Eisner and Chuck Hodgkinson. Reid Silva, Hillary Archer, Graeme Flanders and Chuck Sullivan also attended. Russell Maloney, Bob Hungerford and Joan Malkin did not attend.

The meeting came to order at 12:30 PM.

NOISE 12 - 791; REID SILVA FOR JUDITH JARDIN; 14 Ocean View Farm Rd.; AP 25-101: Ms. Shweder opened the public hearing at 12:31 PM. Mr. Silva reviewed the plan to replace and upgrade the existing 3-bedroom failed septic pit. A portion of the work will take place within the 100-foot buffer zone of a Bordering Vegetated Wetland. The closest activity is approximately 90 feet from the wetland edge. Approximately 600 sq. ft. of land within the 200-ft. Riverfront Area will be temporarily disturbed. The Commission asked if the leach field could be relocated entirely outside the buffer zone. Mr. Silva explained it could be shifted a few feet closer to the property line but, this would require removing two trees in the buffer zone and it would not be any farther from the wetland edge. After brief discussion and with no public comment a motion was made and seconded to close the hearing at 12:36 PM. The motion passed unanimously. A second motion was made to approve the plan as presented with the following condition: Siltation barriers shall be installed between the work area and the wetland and approved by the Conservation Agent before work begins. The motion was seconded and passed unanimously with five in favor.

NOISE 12 - 792; REID SILVA FOR GRAEME AND JUDITH FLANDERS; 10 Highland Way; AP 26-36: Ms. Shweder opened the public hearing at 12:40 PM. Mr. Silva summarized a plan to replace a failing metal culvert within an intermittent drainage way. Approximately 200 sq. ft. of a Bordering Vegetated Wetland will be temporarily altered. The Commission discussed the observations made at the site visit and asked if the smaller culvert could also be replaced as it too is not in good working order. Mr. Silva said it would make sense to replace this second culvert while the equipment is on site. If done it would increase the area of temporary disturbance to the wetland from 200 sq. ft. to 320 sq. ft. Mr. Flanders agreed this work would be appropriate. After discussion and with no public comment a motion was made to close the hearing at 12:45 PM. The motion was seconded and unanimously approved. A subsequent motion was made to approve the plan as presented with the following changes and special conditions. 1. The smaller, second culvert shall be added to the scope of work and a revised site plan shall be provided before work begins. The total temporary disturbance to the wetland will be approximately 320 sq. ft. 2. All excavation spoils shall be trucked to a temporary storage area on the path > 100 feet from any wetland. 3. Siltation barriers shall be installed as shown on the site plan, inspected before work begins by the Conservation Agent and left in place until the re-planting is established. The motion was seconded and passed unanimously with five in favor.

SE 12 - 790; REID SILVA FOR FREDERICK AND JILL BERNHARD; 21 Carroll Lane; AP 27.1-176: Ms. Shweder opened the public hearing at 12:46 PM. Mr. Silva explained the scope of work has been reduced to lower the renovation costs. The closest activity is 92 feet from the wetland edge. There is also 40 sq. ft. of disturbance in the first 100-foot Riverfront Area and 790 sq. ft. of disturbance in the second 100 ft. Riverfront Area. The 672 sq. ft. addition on the south side will be abandoned. The Commission asked Mr. Sullivan to explain all the activities that are proposed. After much discussion the Commission said it now has a good understanding of the scope of work and resource areas that will be disturbed. With no public comment a motion was made to close the hearing at 1:02 PM. The motion was seconded and unanimously approved. A second motion was made to approve the following revised scope of work and special conditions:

Approved Revised Scope of Work

- The addition is removed from the scope of work.
- The small deck on the north side will be replaced with a larger, new deck, platform and stairs. The new construction will be approximately 225 sq. ft. and in the buffer zone.
- A covered entry porch on the south side has been added. It will be supported on sonotubes.
- The block foundation wall on the south side is failed and will be removed and replaced with a poured concrete wall.
- A 20-foot retaining wall and window well will be added on the west side that is approximately 75 feet from the wetland edge.
- Approximately 15' X 20' (300 sq. ft.) of the buffer zone will be re-graded.

- Sections of house walls may be reframed for new window configurations.
- The chimney will be removed.
- The current roof and roof shingles will remain.
- This is not a tear down and re-build of the house.

Special Conditions

- If any additional work needs to be done in the resource area or buffer zone, the applicant shall return to the Commission before doing the work.
- The new open deck and the new entry porch shall never be enclosed in any way.
- Before excavation begins the applicant shall confirm the final scope of work.
- The limit of work and disturbance and staging area shall be shown on a revised site plan and provided before work begins.
- All debris shall be removed from the site daily or stored in a covered dumpster located outside the buffer zone or in the existing parking area.

CERTIFICATE OF COMPLIANCE; SE 12 – 720; STEPHEN MERKEL; off Howell Lane; AP 27-1.1, 1.2, 1.3, 2 and 3:

Chuck H. explained an Order of Conditions was issued in 2015 responding to an Enforcement Order to rectify view clearing work done without a permit. The plan called for a re-vegetation plan of tree removal and mowing performed in a wetland and within the wetland buffer zone. He shared pictures of the area and said it has grown back nicely and all of the new plantings are thriving. He further recommended the project is in full compliance. A motion was made to accept the report and recommendation. The motion was seconded and unanimously approved.

DISCUSSION SE 12 – 764; HILLARY ARCHER FOR PAUL SLAVIN AND SUSAN WAITZKIN; 6 Eddy Farm Rd.; AP

25-1.2: Ms. Archer explained an Order was issued in 2016 to tear down the existing house and build a new one. A subsequent roof drainage plan was presented and approved on April 19, 2017. As required in the Order the landscape and irrigation plans are being presented to the Commission. Ms. Archer explained the area in the parking space in front of the house will be re-graded as it has a steep swale. The Commission agreed. The detailed landscape plan was reviewed and the Commission thought it was well conceived. A motion was made to approve the landscape plan L-100 dated 6/20/17. The motion was seconded and unanimously approved with five in favor.

ADMINISTRATION:

The draft June 7, 2017 meeting minutes were reviewed and approved as presented by consensus.

Boardwalk in a salt marsh – AP 21-6: Chuck H. summarized his research on an existing un-permitted boardwalk that sits on a salt marsh a section of which is also in a tidal drainage area. It is on town-owned land and has been maintained over the years by the owners of the Menemsha and Beach Plum Inns. It is apparently used by the Inn guests and the property owners and their seasonal renters to access Menemsha Beach. Chuck H. reviewed the history of the land which was gifted to the town in 1956. After discussion the Commission asked Chuck H. to send a letter to the Board of Selectmen offering the two options that were discussed: design, permit, build and maintain a proper elevated walkway over the resource using best design practices or, close off the path and remove the boardwalk.

Greenberg Enforcement Order AP 27.1-217: Chuck H. shared photos of the site which has been surveyed as directed. He is continuing to work with the owner on how to comply with the Enforcement Order.

Signatures:

Order of Conditions Jardin; SE 12 - 791; AP 25-101.

Order of Conditions Flanders; SE 12 - 792; AP 26-36.

Order of Conditions Bernhard; SE 12 - 790; AP 27.1-176.

Certificate of Compliance SE 12 – 720; Merkel; AP 27-1.1, 1.2, 1.3, 2, 3.

The next meeting will be Wednesday, July 19 @ 12:30 PM.

With no further business to discuss the meeting adjourned at 1:45 PM.

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

