

Conservation Commission Minutes 10/03/18

FINAL

Present for the Conservation Commission and attending the meeting were: Joan Malkin, Chairman, Bob Hungerford, Vice Chairman, Candy Shweder, Pam Goff, Chris Murphy, Maureen Eisner and Chuck Hodgkinson. Reid Silva, Tim Carroll, Warren Doty, Janet Weidner, John and Barbara Armstrong and Darren Morse also attended. Russell Maloney and Sandy Broyard did not attend.

The meeting came to order at 12:30 PM.

NOISE 12 - 826; REID SILVA FOR TOWN OF CHILMARK; 51 Basin Rd.; AP 21-1: Ms. Malkin opened the public hearing at 12:31 PM. Mr. Silva reviewed the revised site plan dated 10/3/18 to construct a bus turnaround, passenger pickup and parking area on the east side of Basin Road just north of the comfort station. The work alters 6,800 sq. ft. of Land Subject to Coastal Storm Flowage. Ms. Malkin read the interests and regulations for this resource – Section 2.10 of the Town's Wetland Protection Bylaws. Mr. Silva continued to explain approximately 12-18 inches of sand will be excavated and replaced with gravel hardener to provide a stable driving surface. There is also space in the U Turn to allow three tour vans to park. The proposed berm on the south side of the U Turn is to provide screening for the Village residents. An additional seven parking spaces are proposed inside the U Turn that will have a shell parking lot surface. These spaces are for Harbor Department employees and local business employees. There is also a truck parking space proposed on the north side of the comfort station for the porta pottie service truck. Additional plantings are proposed on the salt marsh side of the existing shell parking lot.

The Commission pointed out that this plan is different than the one reviewed at the joint meeting with the Planning Board—particularly the seven parking spaces inside the U Turn. They reiterated the past request to remove the fishing gear in this resource area. Darren Morse with the VTA said the VTA provided the turning radius needed for the busses and said the Town added the tour van, service truck parking and the seven parking spaces inside the radius.

The Commission commented the additional parking spaces provide more opportunity for pollutants to drain through the resource. Mr. Doty commented the Town needs a policy for controlling tourist van traffic in the summer. He added if parking in the U Turn is not a good idea, we don't need it and if tourist van parking is not needed, we shouldn't do it. The primary purpose is to provide a way for buses to turn around without going through the beach parking lot.

With no further public comment a motion was made to close the hearing at 1:03 PM. The motion was seconded and unanimously approved. A subsequent motion was made to approve the plan as presented. The motion was seconded. In discussion the pros, cons, impacts to the resource of scaling back the proposal to not include the seven additional parking spaces and a way to keep the current shell lot from expanding further into the resource area were debated. An amendment to the motion was then proposed as follows: The shell lot will be clearly defined on a detail plan and a specific planting plan with timing shall be provided. The plantings shall be located in the shell lot footprint with a symbolic barrier to contain the area. Also, the area inside the U Turn shall be left untouched and remain in its current natural state. The amendment was seconded. In discussion the issue of eliminating parking in Menemsha versus the protection of the resources and the incremental growth of the shell lot over time into the salt marsh was further debated. The amendment came to a vote and passed with four in favor and two opposed (Messrs. Murphy and Hungerford).

The Commission returned to the original motion as amended and conditioned as follows:

Overall

- There shall be an on-site conference among the Conservation Agent (CA) and contractor(s) to review this Order before work begins.
- There shall be a copy of this Order on site at all times during construction.
- The fishing gear and other materials stored in this area shall be removed from the site before work begins.

The existing shell parking area abutting the salt marsh

- A revised detailed site plan for this segment of the work area shall be provided to the Commission or its designee before work begins with the following adjustments.

- The limits of the current shell parking area shall be clearly delineated and resources identified.
- A landscaping plan shall also be provided before working on this section. The landscaping footprint shall be isolated and placed within the existing shell parking area—not outside the parking area and closer to the salt marsh resource area.
- A symbolic barrier or fence shall be placed along the southeasterly edges of the shell parking lot to (a) define the limit of the shell parking area particularly where it abuts the salt marsh and (b) assist in preventing vehicles from parking beyond the existing parking area.

The Bus U Turn

- The footprint of the bus U turn road, truck parking for comfort station servicing and planting berm as shown on the site plan dated 10/3/18 is approved. The proposed seven parking spaces in the center of the U Turn are not approved.
- The 12 inch deep excavated roadway spoils shall be used for the planting berm as appropriate. Any excess spoils other than sand shall be removed from the site.
- The area in the center of the U Turn originally planned for seven parking spaces shall be left in its natural state. If portions of this area are disturbed during construction, a detailed planting plan and installation timing shall be provided to the Commission or its designee before the work on the U Turn is finished and before the landscaping is installed.

The motion to approve the original motion as amended and conditioned was seconded. With no further discussion the amended motion passed unanimously with six in favor.

CERTIFICATE OF COMPLIANCE AMENDED SE 12 – 760; MATHEW CESTAR; 12Hill Land; AP 32-40: Chuck H. explained an Amended Order was issued in 2016 to reconstruct the house built in the 1950's, 1960's and garage, install a denitrifying septic system and new water well. The footprint was reduced on the west side abutting the stream flowing into Stonewall Pond. Several photos of key elements of the project were reviewed. Chuck H. recommended the project is in complete compliance with one continuing condition # 8: No fertilizers, herbicides, fungicides of any kind shall be used anywhere on the property. The applicant shall also explain how the owners plan to coordinate this with their landscape maintenance contractor over time. A motion was made to accept the recommendation and issue the Certificate accordingly. The motion was seconded and unanimously approved with six in favor.

ADMINISTRATION:

The draft September 19, 2018 meeting minutes were reviewed and approved as presented by consensus.

Emergency Certification: Off Flanders Lane; Map 27.1 Lots 209, 210: Chuck H. explained he issued an Emergency Certification permit to Kent Healy to repair a failed culvert running underneath the road off Flanders Lane. The Highway Superintendent also agreed with the need. After reviewing Mr. Healy's site plan a motion was made to agree with the issuance of the Emergency Certification. The motion was seconded and passed unanimously with six in favor.

Signatures:

Order of Conditions SE 12 – 826; Town of Chilmark; AP 21-1
Certificate of Compliance Amended SE 12 – 760; Cestar; AP 32-40

The next meeting will be Wednesday, November 7, 2018 @ 12:30 PM.

With no further business to discuss the meeting adjourned at 1:42 PM.

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