

Conservation Commission Minutes 02/01/17

FINAL

Present for the Conservation Commission and attending the meeting were: Candy Shweder, Chairman, Joan Malkin, Vice Chairman, Pam Goff, Bob Hungerford, Sandy Broyard, Russell Maloney, Chris Murphy and Chuck Hodgkinson. Reid Silva, Joe Chapman, George Sourati, John Keene, Greg Ehrman, Andrew Celli, Tony Bene, Scott Stearns and Andy Goldman also attended. Maureen Eisner did not attend.

The meeting came to order at 12:30 PM. Ms. Shweder appointed Alternate Commissioner Russell Maloney as a voting member for the day's agenda.

NOISE 12 – 784; REID SILVA FOR OLS MVY, LLC; 11 Flanders Lane; AP 27.1-204: Ms. Shweder opened the public hearing at 12:31 PM. Mr. Silva reviewed a plan to tear down the existing dwelling and build a new dwelling, build a detached garage with a bedroom, construct an upgraded septic system, the driveway and parking area will remain at the current location, install a new water well with related trenching and re-landscape the site. A majority of the construction is in the 100-foot buffer zone of a Bordering Vegetated Wetland. The closest construction is approximately 50 feet from the wetland edge. The proposed new well is 30 feet from the wetland edge. Mr. Silva added the new structure will have a basement foundation to retain the existing elevated floor height to preserve the water view.

Mr. Silva explained the wetland drains to the marsh on Carroll Lane. He also pointed out there is a spring down grade off Marsh Road. The Commission asked if this is a tear down why can't the new structure be located outside the resource buffer zone. Mr. Silva said it is possible but may interfere with the neighbor's view and the owner's view would be compromised.

After further discussion a motion was made and seconded to close the hearing at 1:10 PM. Before voting the Commission pointed out the law protects the interests of the BVW, wildlife and habitat in the buffer. This specific site's sub-surface drainage also affects the clarity of Menemsha Pond and its shellfish habitat. It also mentioned there is an opportunity to make an existing condition better rather than increasing disturbance and use in the buffer zone. The proposed structure has a similar footprint but has twice the living space as the current house. The proposed new well and parking area locations in the buffer were also discussed. It was also pointed out the new house would be in an already disturbed area and that the excavation and construction disturbances would be temporary. The motion did not come to a vote as the Commission agreed the hearing should be re-opened for further discussion. A subsequent motion was made to re-open the hearing at 1:15 PM. The motion was seconded and unanimously passed with seven in favor.

Additional comment on the proposed screened porch with a full basement foundation seemed to create the possibility where it might be enclosed at a future date. The garage is four feet outside the buffer zone. Mr. Stearns said small excavation machinery would be used to tear down the existing house and dig the foundation footings. Mr. Ehrman pointed out that approximately 900 sq. ft. of existing lawn in the buffer zone will be allowed to return to its natural state. The Commission asked if he had a re-landscaping plan and Mr. Ehrman said no. Mr. Silva asked if the hearing could be continued to February 15 @ 12:30 PM to provide time for the architect and owner to discuss and address your concerns. The Commission thought this is a good idea and a motion was made to accept the request. The motion was seconded and with no further discussion passed unanimously with seven in favor.

REQUEST FOR AN AMENDED ORDER OF CONDITIONS; SE 12 – 760; GEORGE SOURATI FOR MATHEW CESTAR; 12 Hill Land; AP 32-40 (Peggy Freyberg's house): Ms. Shweder opened the continued public hearing at 1:25 PM and said all Commissioners present are eligible voters. Mr. Sourati distributed a narrative dated 2/1/17 and a revised site plan dated 1/30/17 and an excavation methods site plan showing where the machinery and dumpster will be placed for removing the construction debris. He said a few changes were made after the site visit held on January 25.

The resources subject to regulation are the buffer zones of a Perennial Stream, the 1st 100-feet of the Riverfront zone, Bordering Vegetated Wetland draining into a coastal pond, Coastal Bank of Stonewall Pond and the 100-year flood zone for Stonewall Pond. The closest proposed limit of work extends to the wetland edge bordering the stream and 19 feet from the stream.

As shown on the renovation area sketch plan revised 1/30/17 "Area 1" a total of 294 sq. ft. of house, porch and decking shall be removed from the west side of the structure next to the stream. Hand tools shall be used for the demolition. The foundation for "area 2" will be a crawl space foundation 18" below grade on the north. Structure will be demolished and re-built. The grade will be elevated 18" on the south with sand from the excavation. There will be no grading beyond the footprint of

the decks. Gravel will be placed under the decks to facilitate ground absorption and contain erosion.

There will be a passive French drainage system for the foundation under “area 3”. The current foundation will remain. The sub floor in this area 3 will be raised to facilitate gravity water drainage that is channeled to two outlet pipes running to daylight. The area 3 building will be renovated—not torn down. The south side roof water drainage will have gutters with four down spouts. Each down spout will have a small 18” deep gravel catch basin to contain erosion. The Commission asked for more of the natural vegetation to be restored on the south side of the work area.

The existing foundation for area 4 will be used. The structure is too rotten to facilitate renovation. It will be demolished and re-built.

With no further public comment a motion was made to close the hearing at 2:20 PM. The motion was seconded and unanimously approved. A subsequent motion was made to approve the plans as presented and discussed with the following special conditions:

The following site plans and documents were approved with hand-written amendments as shown:

- Cestar Narrative hand-dated 2/1/17 for areas 1, 2, 3 and 4.
- Conservation document drainage plan D1.0 north side hand-dated 10/19/16
- Area of proposed grading dated 1/30/17
- Renovation area sketch plan revised 1/30/17
- Grading plan dated 1/30/17
- Area 2 foundation sketch plan revised 1/30/17
- Basement schematic plan of sub-slab drainage system revised 1/30/17
- Basement schematic plan of sub-slab drainage system section B-B revised 1/30/17
- Sketch 1 in Chilmark, Mass. (excavator methods and path) Dated 1/23/17
- Sewage disposal system upgrade with siltation barriers revised 5/4/16
- Conservation document L1.0 “removal plants only” hand-dated 10/19/16

Special Conditions:

- As shown on the renovation area sketch plan revised 1/30/17 “Area 1” a total of 294 sq. ft. of house, porch and decking shall be removed from the west side of the structure next to the stream. Hand tools shall be used for the demolition.
- A combination of snow fencing with silt fence shall be installed along the limit of work area as shown on the sewage disposal system upgrade with siltation barriers revised 5/4/16 and approved by the Conservation Agent (CA) before work begins. These barriers shall be kept in good condition and remain on site until the re-vegetation and lawn areas are re-established.
- The propane tank may be buried behind the garage as shown on the renovation area sketch plan revised 1/30/17.
- Arsenic-free pressure treated wood shall be used for the new deck framing.
- The construction staging area shall be confined to the driveway within the limit of work area.
- All debris shall be removed from the site on a daily basis or stored in a covered dumpster located on the existing driveway within the limit of work area.
- The applicant shall return to the Conservation Agent and/or the Commission with a detailed revised and expanded native re-landscape plan; also show the grading and stone surface areas; show the south side handling of roof-water runoff (4 downspouts draining into 18” deep catch basins for each). The Conservation document drainage plan D1.0 north side hand-dated 10/19/16 was approved for the north side of the house and garage.
- 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.
- The outside stairs from the NW deck and outdoor shower as hand-drawn on the renovation area sketch plan revised 1/30/17 was approved.

The motion was seconded and with no further discussion passed with six in favor and one opposed (Mr. Murphy).

ADMINISTRATION:

The January 18, 2017 meeting minutes were reviewed and approved as presented by consensus.

The following Document was signed:

Amended Order of Conditions SE 12 – 760 Cestar; AP 32-40.

With no further business to discuss the meeting adjourned at 2:30 PM.

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