

Conservation Commission Minutes 12/20/17

FINAL

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

The meeting came to order at 12:31 PM.

CONTINUED PUBLIC HEARING SE 12 – 805; REID SILVA FOR MV-PINEVIEW-1, LLC; 18 Moses West Rd.; AP 32-78; Eligible voters: Candy, Joan, Pam, Sandy, Chris, Bob, Maureen: Ms. Shweder opened the continued public hearing at 12:33 PM and confirmed the eligible voters are present. Mr. Silva explained the owners decided to relocate the re-built guesthouse outside of the Commission's jurisdiction and requested the application be withdrawn without prejudice because the entire project is now outside all resource areas and buffer zones. A motion was made and seconded to accept the request. With no discussion the motion passed unanimously with five in favor.

CLARIFICATION OF CONDITIONS DISCUSSION EZRA SHERMAN FOR JACK DAVIES; SE 12 – 804; 12 Stone Ridge; AP 25-135: Mr. Sherman reviewed an updated site plan dated 12/20/17 outlining the limits of the conditioned 20-foot no cut zone. It protects the newly discovered isolated wetland and continues south along the west side terminating at the approximate end of the slate patio as shown. The Commission agreed. The Commission further discussed how the lawn around the west, south and east sides of the house is mowed to the wetland edge and a small portion has expanded into one of the wetlands on the southeast side. The Commission asked Chuck H. to send a letter to the owner asking him to voluntarily provide a 20-foot no-cut buffer along the wetland edges and suggest delineating them with native woody vegetation. Mr. Sherman presented an alternative method of delineating the conditioned no cut zone. It uses buried granite posts that are approximately one foot deep and 2 inches above ground—instead of the 2-foot stones. The Commission said this is new information and suggested the applicant propose an alternative when he returns with the landscape plan for the no cut zone. A motion was subsequently made to amend the special conditions to clearly define the established no cut buffer as follows:

- The updated wetland delineations and the addition of an isolated wetland as shown on the revised site plans dated 12/6/17 are approved.
- The enclosed addition with a 110 sq. ft. slab-on-grade foundation and outdoor shower with a gravel drainage surface as shown on the site plans dated 12/6/17 are approved.
- Before construction begins the applicant shall return to the Commission or its designee with a revised site plan with the following additional features plus a specific re-vegetation plan.
 - A 20-foot wide no cut buffer zone from the edges of the newly delineated isolated wetland and running 20 feet from the wetland edge southwest of the house. The 20-foot no cut buffer shall terminate between the middle and end of the slate patio as shown on the site plan.
 - This 20-foot no cut buffer zone shall be planted with native plant species only. This planting plan and supporting planting narrative shall be approved by the Commission or its designee before work begins.
 - There shall be no landscape maintenance, fertilizing or mulching of any kind within the re-vegetated 20-foot no cut buffer zone.
 - There shall be no deposits of landscape cuttings placed within the 20-foot no cut buffer zone or within the 100-foot wetland buffer zones.
 - The outside limit and edge of the 20-foot no cut zone shall be marked with stones that are approximately 2'X2'X2' (8 cubic feet). The applicant may propose an alternative method to delineate the no cut zone for consideration when the landscape plan is discussed. The stones shall be placed approximately five feet apart to allow for unobstructed wildlife movement.

The motion was seconded and passed unanimously with five in favor.

DISCUSSION REID SILVA FOR SHEUER; SE 12 – 206; 267 State Rd.; AP 33-5: Mr. Silva explained a Certificate of Compliance was issued for a pier into Menemsha Pond in 2016. He added the new owner wants to build a boat lift at the end of the pier which will require a few additional pilings to be installed in the pond. Mr. Silva said he only wanted to discuss the possibility with the Commission. He reviewed several photos of the lift system which is quite prevalent in Florida where boats are left in the water year-round. The Commission asked if there will be additional bottom disturbance of eel grass habitat caused by the device when lowered into the water. Mr. Silva did not have the specific depth of the system.

Upon consideration the Commission felt this would cause un-needed disturbance for the use of a seasonal recreational boat. Mr. Silva thanked the Commission for its time.

TOPIC NOT ANTICIPATED BY THE CHAIR: Chuck H. explained the neighbor dispute regarding a garden fence that was installed around the perimeter of an expanded garden as allowed in the Order of Conditions for SE 12 – 744; AP 27-2. He said the abutter's attorney asked if the fence posts located in the buffer zone and not shown on the approved site plan are a violation of the scope of work. The Commission asked Chuck H. to send a letter to the abutter explaining the allowed fence posts as follows: The garden fence approval was a part of the expanded footprint for the garden—even though some of the fence post locations were not shown for the expanded garden's entire perimeter. Virtually all gardens have deer fencing and the fence around the original garden was shown on the approved site plan. The decision to allow the expansion of the garden considered the expanded land use within the context of its impact on the performance of the wetland buffer zone. This is why the expanded garden was allowed but, specifically confined to the part of the yard that was already cleared of brush by the previous owners.

ADMINISTRATION:

The draft December 6, 2017 meeting minutes were reviewed and approved as presented by consensus.

The next meeting will be Wednesday, January 3, 2018 @ 12:30 PM.

With no further business to discuss the meeting adjourned at 1:20 PM.

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