

## Conservation Commission Minutes 02/06/19

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, Beth and Paul Henry Mayhew, Cathy Thompson, Debbie Hancock, Tim Carroll, Scott Bermudes and Josh Scott also attended. Maureen Eisner and Russell Maloney did not attend.

The meeting came to order at 12:30 PM.

**DETERMINATION OF APPLICABILITY; REID SILVA FOR THE FARM GROUP NOMINEE TRUST; 521 South Rd.; AP 26-88:** Mr. Silva reviewed the plan to replace an existing failed septic system with an upgraded system. The new 1500 gallon septic tank and a portion of the septic lines are within the 100-foot buffer zone of an isolated wetland. The closest work is approximately 55 feet from the wetland edge. He added there will only be temporary disturbance and the existing cess pools will be abandoned and filled. The Commission asked where the siltation barriers will be located. Mr. Silva sketched the proposed locations on the site plan which were approved. With no public comment a motion was made for a negative determination. The motion was seconded and passed unanimously with six in favor.

**DETERMINATION OF APPLICABILITY; SCOTT BERMUDES FOR GREG CRAIG; 9 Sheep Pen Lane; AP 33-53:** Mr. Bermudes reviewed the detail plan to install ground lighting for a walking path to the front door and install a flagstone walkway along the west side of the house. The project is within the 100-foot buffer zone of a wetland. The closest work is approximately 25 feet from wetland edge and is for the flagstone walkway. He pointed out there is a stone wall between the work area and the wetland that will protect the wetland from runoff. He added there will be some excavation to make the grass walking path level for the ground lighting. All excavation spoils will be removed from the site. The Commission asked if solar path lighting would suffice and therefore not require trenching. Mr. Bermudes said the owners prefer electric lights and added the trench will be dug with a small chain digger. After further discussion a motion was made for a negative determination as the project will not have a negative impact on the performance of the resource. The motion was seconded and passed with five in favor and one opposed (Mr. Murphy).

**NOI SE 12 - 837; REID SILVA FOR RACHEL GRACE HICKEY; 35 Menemsha Crossroad; AP 26-137, 138:** Ms. Malkin opened the public hearing at 12:47 PM. The site visit observations to demolish the existing house and build a new one were discussed. All activity is within a wetland resource. Before presenting any proposals Mr. Silva requested the hearing be continued to March 6 @ 12:30 PM. This will provide time to prepare an alternative location for the new house that is possibly outside the wetland. A motion was made and seconded to accept the request. The motion passed unanimously with six in favor.

**NOI SE 12 - 836; REID SILVA FOR THE TOWN OF CHILMARK; Basin Rd.; AP 27.1-126:** Ms. Malkin opened the public hearing at 12:50 PM. Mr. Silva reviewed the plan to construct a new pedestrian sidewalk along Basin Road. The sidewalk will consist of gravel hardener and be located on Land Subject to Coastal Storm Flowage. Approximately 1040 sq. ft. of the resource will be altered. He added a sidewalk section will be cut into the slope of the DiMaura property at the bend before the bridge over the creek and salt marsh. The Commission asked for water runoff drainage details along this steep slope. Mr. Silva explained there will be a stone retaining wall along the slope to support the edge. There will also be a 12 inch grass strip from the outside edge of the sidewalk to the edge of the road pavement to provide a drainage surface. He said a gravel bed is planned to support the stone retaining wall and explained he could also add gravel from the stone wall to the planned grass strip for added drainage. The Commission asked if the grass strip and gravel could be sloped from Basin Road toward the stone retaining wall to direct the water runoff away from the salt marsh. Mr. Silva agreed.

Ms. Hancock said she has lived here her entire life and did not think this project will have any impact on the water drainage. With no further public comment a motion was made to close the hearing at 1:10 PM. The motion was seconded and unanimously approved. A subsequent motion was made to approve the plan with the following special conditions: 1. There shall be a gravel drainage bed under the stone retaining wall and this gravel base will extend past the stone wall toward the grass section. 2. The grass section and exposed gravel drainage area shall be sloped from Basin Road toward the stone retaining wall. The motion was seconded and with no further discussion passed unanimously with six in favor.

**DISCUSSION AMENDED SE 12 – 527; JOSH SCOTT FOR BRANDON; Old Fields Path; AP 16-7.3:** Chuck H. explained an Order was issued in 2006 to develop this lot with a new house. In 2008 the Order was amended to add view clearing. In 2012 the expansion of the view clearing area was allowed with the condition there shall be no tree or shrub removal within 25 feet of the top of the Coastal Bank; In 2013 a Certificate of Compliance was issued with the on-going condition any future view maintenance

plans shall be approved by the Commission before work begins. The owner would like to expand the view clearing scope of work again. The Commission discussed the site visit observations for the requested removal of four large pitch pine trees that are 45-65 feet from the top of the coastal bank and the two failing pines that are on the shoreline. They also discussed the location of two grass-seeded walking trails and the degree of mowing that has taken place – especially within 25 feet of the top of the bank. After much discussion the following agreements were reached: 1. The four large pitch pine trees may be removed and the stumps ground. This will provide more light and room for the oak trees to flourish. 2. The two failing pines on the shoreline may be cut provided the stumps and roots remain in place to help stabilize the foot of the bank. 3. The southern seeded walking path will be abandoned and closed off at the end near the house with at least 15 low bush blueberry plants and 75 more at the pond side of the path. The 25-foot section from the top of the bank is a no cut zone. Low bush blueberry plants shall be planted in this 25-foot section to delineate the 25-foot limit of the zone and to revegetate the area from the 25-foot line to the top of the bank. 4. A specific site plan shall be provided to the Commission showing the specific numbers, types and locations for the new plantings and the closed off walking path before any work begins. A motion was made and seconded to accept these terms. The motion passed unanimously with six in favor.

#### **ADMINISTRATION:**

The draft January 16, 2019 meeting minutes were reviewed and approved as presented by consensus.

Signatures:

Determination of Applicability Farm Group Nom. Tr.; AP 26-88.  
Determination of Applicability Craig; AP 33-53.  
Order of Conditions SE 12 – 836; Town of Chilmark; AP 27.1-126.

The next meeting will be Wednesday, February 20, 2019 @ 12:30 PM.

With no further business to discuss the meeting adjourned at 1:40 PM.

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