

Conservation Commission Minutes 04/17/19

FINAL

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

The meeting came to order at 12:35 PM.

NOISE 12 – 839; REID SILVA FOR KEVIN AND ELIZABETH OLIVER; 139 Tea Lane; Map 3 Lot 1: Ms. Malkin opened the hearing at 12:37 PM. Mr. Silva reviewed the site plan dated 2/12/19 to redevelop the lot. A pre-existing, 3-bedroom 788 sq. ft. house located within a wetland will be removed and the area restored. An existing 375 sq. ft. studio located within the 100-foot buffer zones of a wetland and man-made pond will be removed. An existing 1,400 sq. ft. driveway located in a buffer zone and a wetland will be abandoned and re-vegetated. A total of 2,563 sq. ft. of structure and driveway will be removed from the wetland and wetland buffer zone. A new 3-bedroom house, garage and sunroom with a 1,600 sq. ft. footprint are proposed and located within the 100-foot buffer zones of the wetland and pond. The closest sections of this structure are 13 feet from the wetland edge and 50 feet from the pond. A new well and a high-capacity infiltrator bed septic system are also proposed. The well is in the buffer zone and 14 feet from the wetland edge. The leach field is in the buffer zone and 53 feet from the wetland edge.

Mr. Silva emphasized that the plan will encourage less direct human activity within the wetland areas because both habitable structures will be removed from the wetlands. He added the crawl space foundation will be shallow and only about one foot below the existing grade because of the high water table. The Commission discussed the site visit observations and agreed this is the only location for the house and an improvement over the current conditions. With no public comment a motion was made to close the hearing at 12:50 PM. The motion was seconded and unanimously approved. A second motion was made to approve the plan as presented with the following special conditions:

1. A revised site plan shall be provided to the Conservation Agent (CA) before work begins. It will show the limit of work boundaries, the staging area and location for the covered dumpster; the perimeter of the managed lawn area and the remaining wetland and buffer zone areas that will not be mowed or maintained after revegetated; new driveway location; siltation barrier locations for the new well and the remainder of the site.
2. A landscape plan shall also be provided to support the revised site plan. It shall include the wetland areas and overall site planting plans.
3. The construction fencing along the limit of work and the siltation barriers for the well and overall site shall be installed and approved by the CA before work begins.
4. The new house will have a shallow crawl-space foundation. All excess excavation spoils shall be removed from the site daily.
5. All construction debris shall be stored in a covered dumpster located in the staging area or, removed from the site daily.

The motion was seconded and with no further discussion passed unanimously with six in favor.

CERTIFICATE OF COMPLIANCE SE 12- 804; EZRA SHERMAN FOR JACK DAVIES; 12 Stone Ridge; AP 25-135:

Chuck H. explained an Order was issued in December 2017 to build an addition and outdoor shower approximately 45 feet from a wetland edge. Additional wetland protections and landscaping were conditioned in addition to the specific work site revegetation. He shared several photographs of the completed work and recommend the project is in full compliance. A motion was made and seconded to accept the report and issue the Certificate. The motion passed unanimously with six in favor.

DISCUSSION CARLOS MONTOYA FOR MATHEW CESTAR; 11 Hill Land; AP 32-40:

The purpose is to discuss the plan for complying with the Enforcement Order issued at the April 3rd meeting. Mr. Montoya said he has been hired to perform the restorations as outlined in the Enforcement Order. He added that he is not addressing the specific enforcement measures in the Order. He reviewed a narrative dated 4/9/19 outlining his site observations and recommendations for moving forward. The key actions and dates were agreed as follows:

- Staked coir logs shall be installed as soon as possible along all of the original existing lawn edges to the south, west and north of the house. These will not only help contain water runoff erosion but also delineate the no touch areas outside the coir logs and toward the resource areas.

- Water bars shall also be installed as soon as possible to re-direct the rain water runoff that is eroding the walkway from the driveway toward the wetland and cleared area south of the house.
- No revegetation shall be done in the near term. In late June or early July Carlos and Chuck H. shall re-visit the site to document what species have re-grown in the mowed areas beyond the coir logs. This will be considered when designing a recommended plan to restore the area back to its natural state.
- Mr. Motoya will also provide recommendations to satisfy the area's permanent delineation and protection from mowing as outlined in the Order as 2'X2'X2' rocks.
- Mr. Montoya will include a recommendation on a walking path solution to replace the wood-chip filled path in the wetland running from the house, down the gradual bank to the pond.
- A specific plan shall be prepared and reviewed with the Commission at its Wednesday, August 7, 2019 meeting when the owners will be on-island and available to attend the meeting and discussion.

DISCUSSION NEW FIREHOUSE LOCATION: Ms. Goff referred the the four site plans hanging on the wall from the previous evening's Selectmen's meeting. They identify possible footprints and re-development plans for a new, larger firehouse in its current location. They also show a new EMT barn and central Tri-Town facility for all three towns on the lot (Map 26 Lot 94) that voters will either approve or deny buying at the April 22, 2019 Annual Town Meeting for this use.

Ms. Goff asked Mr. Carroll why these specific plans were not brought back to the Commission for discussion and before asking voters to agree to the land purchase. As shown the new firehouse is less than 10 feet from the new wetland delineation as indicated on the VLSE site plan dated 4/9/18. After much discussion back and forth the Commission agreed to the following next steps that should be done before any plans move forward for the firehouse project.

- The Town shall hire a licensed and certified wetland specialist—ideally from off island—to identify the type of wetland that is delineated on the 4/9/18 site plan. This very well could be a continuation of the extensive wetlands that border the east side of Menemsha Crossroad and continue on the west side of the road. This wetland network eventually flows into Chilmark Pond.
- The report shall identify the importance of the wetland and the interests it serves that should be protected under the Wetland Protection Act and the Town's Wetland Protection Bylaws.
- This information will then help the Commission identify the best way to protect this wetland and the interests it serves and help determine the minimum setback distance from the wetland edge that must be preserved as a wetland buffer zone. These determinations should be provided before a specific plan for a new firehouse is designed in earnest.

ADMINISTRATION:

The draft April 3, 2019 meeting minutes were reviewed and approved as amended by consensus.

Signatures:

Order of Conditions SE 12 – 839; Oliver; AP 3-1.
Certificate of Compliance SE 12 – 804; Davies; AP 25-135.

The next meeting will be Wednesday, May 1, 2019 @ 12:30 PM.

With no further business to discuss the meeting adjourned at 1:30 PM.

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