

Conservation Commission Minutes 02/15/17

FINAL

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

The meeting came to order at 12:30 PM.

CONTINUED PUBLIC HEARING NOISE 12 - 784; REID SILVA FOR OLS MVY, LLC; 11 Flanders Lane; AP 27.1-204;

Eligible voters: Candy, Sandy, Pam, Joan, Bob: Ms. Shweder opened the continued public hearing at 12:40 PM. Mr. Silva reviewed the resource area buffer zones that are impacted. He added the water drains into a swamp or bog near Marsh Road where there is an intermittent stream that flows to Menemsha Pond. He reviewed a revised site plan dated 2/15/17 that reflects the comments raised at the February 1 meeting. The house location is at elevations 72-75. The land slopes away to the west and down to elevation 55.

Mr. Ehrman reviewed the revised plans and narrative dated 2/15/17 to tear down the existing dwelling and build a new dwelling, eventually build a detached garage with a bedroom, construct an upgraded septic system, relocate the parking area, 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 swamp wetland. Mr. Ehrman said the well was relocated to the existing driveway near the house and is slightly farther from the wetland edge – 37 feet. There will be no foundation under the screened porch as originally proposed. It will have a cantilever support system. The structure's footprint in the buffer zone is 186 sq. ft. smaller than the current house. The propane tank will be buried outside the buffer zone. A solar array is planned and will be either ground-mounted or placed on the planned garage roof. The garage and a ground-mounted solar system would also be outside the buffer zone. All excavation will approach the work area from the upland side of the site—outside the buffer zone.

The Commission thanked Mr. Ehrman for the revisions and discussed how the revised plan will not be detrimental to the interests protected by the Wetland Protection Act and Town Bylaw: 1. The wildlife habitat will not be compromised as the construction site is in an already cleared area for the house, lawn and driveway. The relocated septic system outside the buffer will benefit the ground water. The planned surface water runoff containment system as described will be an added benefit versus the current structure.

With no public comment a motion was made to close the hearing at 1:15 PM. The motion was seconded and unanimously approved. A subsequent motion was made to approve the revised plans as presented with the following special conditions:

The revised plans and narrative dated 2/15/17 are approved as presented with the following special conditions:

- The screened porch shall have a cantilevered support system with no foundation. The screened porch can never be enclosed or converted into additional living space.
- Construction fencing and siltation barriers shall be installed as shown on the site plan and approved by the Conservation Agent (CA) before work begins.
- To prevent erosion the fencing and siltation barriers shall be maintained in good condition and left in place until the re-landscaping and lawn has become established.
- Additional hay bales and silt fencing shall be installed on the resource side of the new well to contain well cutting erosion. The tailings shall be stored on the upland side of the well away from the wetland edges.
- The applicant shall return to the Commission with a detailed landscape plan and a roof water runoff and containment plan before the new construction phase begins.
- All excavators shall approach the work area from the upland side of the house that is outside the resource buffer zone.
- All excavation spoils shall be stored and contained with construction fencing outside the resource buffer zone or removed from the site daily.
- All demolition and construction debris shall be stored in a covered dumpster located outside the resource area buffer zone or removed from the site daily.

- The applicant shall return to the Commission if the neighbors choose to bury the power lines down grade from the house and in the resource area and buffer zone.
- There shall be an onsite conference among the general contractor and relevant subcontractors to review the conditions of this Order before work begins.

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

CERTIFICATE OF COMPLIANCE SE 12 – 502; Molinari; 53 Wequobsque Rd.; AP 30-115, 116.1: Chuck H. explained an Order was issued for a set of seasonal beach stairs in April 2006. The stairs were never installed and the Order expired. He recommended issuing the Certificate as an invalid Order of Conditions. A motion was made and seconded to accept the report and declare the Order of Conditions invalid. The motion passed unanimously with five in favor.

CERTIFICATE OF COMPLIANCE SE 12 – 585; Molinari; 53 Wequobsque Rd.; AP 30-115, 116.1: Chuck H. explained an Order was issued to replace the expired Order for a set of seasonal beach stairs in July 2009. The stairs were never installed and over seven years have passed since the Order was issued—which is longer than the allowed extended deadline in the Permit Extension Act issued in 2008. The Commission did not issue the Certificate of Compliance as the Order has expired.

FOLLOW UP DISCUSSION: COSUTTA CR THAT IS MANAGED BY VCS; 10 Eben's Lane; AP 13-21: Chuck H. explained Kathleen Tilton purchased the property in October 2016 and would like to re-route the driveway and easement. Ms. Malkin said she has no problem with the proposed relocated driveway and fencing. The Commission agreed and re-affirmed its earlier vote to approve the plans as proposed.

ADMINISTRATION:

The draft February 1, 2017 meeting minutes were reviewed and approved as presented by consensus.

The following documents were signed:

Order of Conditions SE 12 - 784; OLS MVY; AP 27.1-204.
Certificate of Compliance SE 12 – 502; Molinari; AP 30-115, 116.1.

With no further business to discuss the meeting adjourned at 1:45 PM.

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