

Meeting Minutes - Chilmark Conservation Commission  
September 1, 2022 (9 am)

Commissioners present: Candy Shweder (Chair), Russell Maloney, Sarah Khedouri, Joan Malkin, Pam Goff, Doug West (Associate Member)

Commissioners absent: Sandy Broyard, Chris Murphy,

Staff: Kara Shemeth (Agent)

Public in attendance: Reid Silva, Carlos Montoya,

Meeting called to order and Doug West appointed as a voting member.

**9:04 – Public Hearing SE12-896 - Notice of Intent**

Applicant: Frank V. Sica

Address: 0 Gosnold Way (AP 20-28)

Representative: Reid Silva, VLS

Project: Application to plant native grasses and plants to restore a recently cleared agricultural area. Portions of the clearing extended into a BVW and the buffer zone thereto. Locust posts are proposed to be installed to delineate the limit of clearing to be maintained.

Documents Shared: Site Plan, Aerial

Reid explained the site and the previous permitting (walking trails) and since then a sheep pasture has been created and landed on the Con Com's radar. The wetlands were re-flagged and the original flagging was a bit more conservative and the clearing has actually allowed them to get a better delineation of the wetlands. The new plan proposes to install locust posts to define the buffer zones and deter mowing. This allows the cleared areas to reestablish in the buffer zones at setbacks varying from 15'-25', 15' in areas that are cleared, 25' in areas that have not been. The goal is to allow for the sheep to continue to graze.

Chris spoke of the responsibility of the Commission to protect the wetlands and the buffer and asked why the locust posts aren't proposed at 100'. Reid stated that the proposal doesn't propose any activity in the resource and used Vickers as an example of a similar project that worked well. Carlos spoke in favor of Reid's proposal based on the topography and characteristics of the property. Sarah asked about the stones and Leo stated that there was no plan to build a wall, it's a place for the property owner to store materials.

The drainage between the two wetlands was not flagged as wetlands and doesn't contain the vegetation that usually defines wetlands.

A motion was made a second to continue to the 9/1 meeting to allow for a second site visit and for the wetlands to be reflagged.

**Action:** A motion was made, and seconded, to close the hearing.  
Passed unanimously.

### **Public Hearing SE12-895 - Notice of Intent**

Site Visit took place Monday 8/15/22

Applicant: Signal Hill Homeowners Assoc. c/o Tim Rich

Address: Shotnaigher Lane (AP 1-10)

Representative: Tracey Smith, SBH

Project: Application to enlarge an existing curb cut and refinish existing asphalt and apply asphalt to an existing gravel surface, within the buffer zone of BVW.

Documents Shared: Site Plan, Aerial

Tim Rich gave a brief history and explained that it is a public safety issue and there is no intent to increase the use. The road is dangerous when entering and exiting and increased deliveries have brought more traffic to the lane.

Tracey Smith shared the site plan and reviewed the resource areas. She explained that a small amount of stone wall along South Road would be taken out to widen the apron. The entrance would then be asphalted (current gravel), existing asphalt would get a 1" overlay of new asphalt. A portion of Signal Hill Lane would get asphalt and would be pitched in a manner to utilize the catch basin. Currently gravel is running off and into the wetlands. Joan asked if alternatives had been explored and noted that asphalt is not ideal for runoff. Russell added that anything but asphalt on this particular road would make winter travel difficult and most of the road is already paved.

**Action:** A motion was made, and seconded, to close the hearing.

Passed unanimously.

**Action:** A motion was made, and seconded, to approve with standard conditions and the following additional condition:

- Applicant is to speak with the Chilmark Building Inspector regarding the Town bylaws surrounding stone walls and if necessary, repurpose the stones that need to be moved to expand the road entrance.

Passed with 5 yay and 1 nay (Malkin)y via roll call vote

### **Public Hearing SE12-894 - Notice of Intent**

Site Visit took place Monday 8/15/22

Applicant: 239 State Road LLC

Address: 239 State Road (AP 33-49)

Representative: Chris Alley, SBH

Project: Application to construct a tennis court, with associated site work, within the buffer zone of BVW.

Documents Shared: Site Plan, Aerial

Chris Alley reviewed the history of the property and spoke of the RDA regarding the house construction that came before the Commission in recent months. The tennis court is proposed at the northern end of the property. The wetlands are to the northeast on the adjacent property (same property owners). The well house is right on the property line and will eventually be removed. The court runs east-west. Surface is laykold with a concrete pad below. The material doesn't have the kind of runoff that concerned Commissioners previously. It was noted that the materials for the house construction are currently being stored in the buffer,

the foundation will be backfilled soon and will be out of the buffer zone shortly. Rise of about 2' from east to west and applicant proposes that the finished grade of the court be equal to existing grade on the wetland side. After discussion it was determined that the finished grade of the court should be equal to the existing grade on the western side, which will reduce the necessity of excavation and would allow the court to be pitched in a manner that all drainage would occur outside the buffer zone.

**Action:** A motion was made, and seconded, to close the hearing.  
Passed unanimously.

**Action:** A motion was made, and seconded, to approve with standard conditions and the following additional conditions:

- This permit is contingent on the modifications below having been reviewed and approved by the Chilmark ZBA and Site Review Committee.
- The finished court elevation is to be no lower than the highest adjacent grade.
- All drainage of the court is to take place outside the buffer zone.
- During construction, all spoils are to be stored outside the buffer zone.

Passed unanimously via roll call vote

**Action:** A motion was made, and seconded, to accept the 8/2/2022 minutes as written.  
Passed unanimously.

With nothing further to discuss, the meeting was adjourned at 9:43 am

Respectfully Submitted by [kara shemeth](#), Conservation Agent

Minutes to be approved at future Conservation Commission Meeting