



Meeting Minutes - Chilmark Conservation Commission  
January 4, 2024 at 9 am via Zoom

Commissioners present: Candy Shweder (Chair), Sandy Broyard, Stephen Kass, Joan Malkin, Gary Mottau, Jane Rabe

Commissioners absent: Sarah Khedouri, Chris Murphy

Staff: Carolyn Stoeber

Public in attendance: Chris Alley, Deborah Hancock, David "Buck" Martin, Greg Milne, Amelia Salzman, Todd Vanderhoop

The meeting was called to order at 9:00 am by the chair, Candy Shweder, who appointed Jane Rabe a voting member.

Request for Determination of Applicability

Applicant: David "Buck" Martin

Address: 10 Basin Rd (24 Basin Rd) (AP 27.1-109)

Project: Tie into existing town waterline on property, install dry well and gravel on west wall of building, correct failed waste pipe

Site visit conducted: January 2, 2024

Documents shared: None

Mr. Martin described the project at the former Menemsha Deli requiring trenching to tie in to the water pipe and digging to fix the angle of the septic pipe. The trenching is within the buffer zone, but in a previously disturbed area. The western wall repair will include removal of invasive species and soil against the building as a result of erosion and installing a gravel well for drainage.

**Action:** A motion was made, and seconded, to find a negative determination for trenching and dry well installation with the applicable standard conditions and specifically making sure that the trench gets refilled on the same day it is dug, the invasive plants that are moved during the construction or installation shall be removed and disposed off site. Passed via roll call vote.

The public hearing for the Request for Amendment SE12-906 was opened at 9:05am.

Applicant: Stephen Merkel and Robin Shanus

Address: 17 Howell Lane (AP 27-3)

Project: construct crawlspace foundation under existing building partially within buffer zone

Site visit conducted: January 2, 2024

Documents shared: Site Plan for the entire site, Building Plan for the building with proposed crawlspace foundation (the "Camp")

Greg Milne introduced the project by sharing a site plan showing the crawlspace foundation partially within the buffer zone of the wetlands, but the entire building is within the Riverfront Area. Chris Alley clarified where the buffer zone and riparian zone limits were indicated on the plan. The renovation of the Camp was not included in the Order of Conditions which is why the Amendment is being sought. The commission asked if the building was being rebuilt. Mr. Milne replied that the only portion of the building being rebuilt is the connecting porch, which will not survive the move of the building that is necessary to dig the foundation. The commission asked if the building could be moved or reoriented to bring the building out of the buffer zone. Mr. Milne expressed the owner's affection for the site and



location of the buildings and their reluctance to change the layout of the buildings on the property. The rot and insect damage was discussed. Though Mr. Milne does not anticipate extensive damage that would require rebuilding, only replacing minimal joists and siding, the commission will require an amendment if the building will be replaced.

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

The commission discussed the impact to the wetland of the foundation being dug in the same place or moved 5 feet to be outside the buffer zone to the wetland. It was noted that though the siltation fence was onsite, it was not adequately installed.

**Action:** A motion was made, and seconded, to approve the amendment with the existing and standard conditions with an additional condition requiring a return to the commission if the building will need to be replaced. Passed via roll call vote with one no vote (Gary Mottau).

#### Request for Determination of Applicability

Applicant: Casey Decker

Address: 21 Eliot Ave (AP 33-28)

Project: New screen porch built on top of existing exterior deck

Site visit conducted: October 31, 2023

Documents shared: Site plan with updated wetland delineation, building plans, photos of the house  
Casey Decker introduced the project by showing the site plan and the building plans. The commissioners were interested in the intended future use of the space and discussed conditions intended to limit the overall impact of the site on the wetlands less than 50 feet away.

**Action:** A motion was made, and seconded, to make a negative determination to add a screen porch to existing deck with the condition that it will not be enclosed in the future. Passed via roll call vote with two no votes (Stephen Kass and Joan Malkin).

#### Request for Determination of Applicability

Applicant: Todd Vanderhoop

Address: 490 North Road (AP 27.1-213)

Project: tree maintenance related to fallen and rotting trees

Site visit conducted: January 2, 2024

Documents shared: None

Todd Vanderhoop described the project as a tree that has blown over from the root system and is propped on a tree requiring work. Removing a limb that's extended over the garage will remove the prop of the leaner. The leaning tree is in the buffer zone.

**Action:** A motion was made, and seconded, to find a negative determination for the work proposed and approve the work on both trees as presented with the standard conditions and the condition that the leaning tree is cut no lower than 4 feet from the ground. Passed unanimously via roll call vote.

#### Request for Determination of Applicability

Applicant: Todd Vanderhoop

Address: 35 Larsen Lane (AP 27.1-70)

Project: tree maintenance to save portion of tree

Site visit conducted: January 2, 2024

Documents shared: None



Mr. Vanderhoop described the tree work proposed in the application as a large red oak that has a codominant leader, split at the base. The side leaning towards Deb Hancock's residence will hit her house if it fails. The proposed work is eliminating the hazard by removing half of the tree. With no targets on the other side, there isn't a threat to trying to preserve the remaining tree.

**Action:** A motion was made, and seconded, to find a negative determination for the work proposed and approve the tree work as presented with the standard conditions. Passed unanimously via roll call vote.

CONTINUED Notice of Intent (SE12-920 )

Applicant: John Hastings

Address: 8 Abels Neck Rd (AP 30-67)

Project: Install a 15' x 40' lap pool.

Site visit conducted: December 5, 2023

The applicant requested a continuance until March 7, 2024.

A request for an Extension to the SE12-865 Order of Conditions was presented by Amelia Salzman. Due to permitting requirements from multiple agencies, Chilmark Pond requires additional time.

**Action:** A motion was made, and seconded, to extend the expiration date 3 years for SE12-865. Passed unanimously via roll call vote.

The Conservation Commission's initial budget request was discussed. The salary information will be added by the accountant after the wage and compensation study is completed. The areas of the budget that show an increase in FY 25 are dues and memberships which are exclusively paid by Chilmark in contrast with previous years when the Conservation Agent could split costs between the two towns where she worked. Travel is increasing as training and conferences are now in-person and not exclusively online. Four new members to the Conservation Commission and a new Conservation Agent are reflected in the increase in professional development.

**Action:** A motion was made, and seconded, to approve the budget request as presented. Passed unanimously via roll call vote.

**Action:** A motion was made, and seconded, to approve the minutes from December 7, 2023. Passed unanimously via roll call vote.

**Action:** A motion was made, and seconded, to approve the minutes from December 21, 2023. Passed via roll call vote, with Joan Malkin abstaining.

**Action:** Ms. Shweder declared, as Chair, in the absence of a quorum at the joint meeting with the Board of Health on December 20, 2023, that the minutes from that meeting are approved.

The meeting was adjourned at 9:59 am.

Respectfully Submitted by Carolyn Stoeber  
Minutes to be approved at the 2/1/24 Conservation Commission Meeting