

Conservation Commission
Zoom Minutes October 5, 2021 9:00 AM Town Hall
Zoom: 947 6440 7248
DRAFT

Present for the Conservation Commission and attending the zoom call were:
Chris Murphy (Chair), Pam Goff, Candy Shweder, Russell Maloney, Sandy Broyard, Doug West (alternate) and Kara Shemeth (staff).

Also in attendance: Reid Silva, Susan Greely, Ryan Rossi, Don Smith, Robin Smith, Keene & Kenny Architects, Sloan, Clark Goff, Gilbert Wilcox, Erik Hammarlund, William Henchy

Mr Murphy opened the meeting at 9:00 and noted that the 18 Green House Lane Enforcement Order agenda item would be postponed to the October 19 Hearing

Discussion: Menemsha Harbor Dredging (SE12-876) - Division of Marine Fisheries (DMF) Time of Year Restrictions (TOY) restrictions.

Regarding the upcoming dredge project, Harbor Master Ryan Rossi explained that as a working harbor, there is no winter flounder in the harbor nor are there horseshoe crabs in the beach area that is the proposed site for dredge spoils. He noted that these habitats were mapped in these areas but in actuality, the species are not found there. The difficulty with the TOY restrictions is that because of the different dates for the two species, the overlap doesn't allow for dredging and spoil distribution to be coordinated. HM Rossi asked that the Conservation Commission allow the approved dredging to take place without the constraints of the TOY restrictions.

The Harbor Master's request was discussed and seen as very reasonable. There was discussion about the need to hold hearing regarding the DMF TOY restrictions and come to a consensus regarding working in Menemsha Harbor as this issue comes up with most in-water projects. (The issue will be advertised and put on a future agenda).

There was some discussion about using these, or dredge spoils at Squibnocket. Kara will look into the feasibility regarding planning, permitting, cost etc.

Action: a motion was made to find no TOY restrictions necessary for the approved dredge project.
Passed unanimously by roll call vote

Mr. Murphy appointed Doug West a voting member at 9:23.

Discussion: Construction Storage Containers in Menemsha for the Larsen's Demo/rebuild (SE12-873)

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Kara relayed that there has been a request from Bob Sloane, to put two storage containers at either the shell parking area or on Karsten's Larsen's lot for the duration of the Larsen's demo/ rebuild (October 2021- May 2022).

The Commissioners felt that if Karsten is agreeable to having the containers on his lease lot then that is a better location given the shell parking lot's proximity to resources areas.

Action: a motion was made to have the Conservation Agent oversee the placement of containers and review the site with Karsten Larsen's lot being the first choice location and the shell parking lot being the second. A letter from Karsten, approving this should be on file with the Conservation Agent.

Passed unanimously by roll call vote

Discussion: RMJ Dock

Kara explained that Atty. Hammarlund asked to be on the agenda to request a stop-use order for the pier at 16 Harbor Hill. She advised that she had spoken to Mr. Nixon Monday and he had explained that they had John Packer out to the pier to bring it in to compliance and Vineyard Land Surveying was scheduled to have their field crew there Friday to locate the pier as-built. Atty. Hammarlund stated that the Commission has asked for a plan of what was built and took issue with the Nixon's having Mr. Packer make changes to the pier. Reid Silva stated that RMJ had a valid Order of Conditions and therefore is able to do the work to bring the pier into compliance. There was some discussion as to the ownership of the pier and it was reiterated that that is not a Conservation Commission issue. Chair Chris Murphy asked if any of the Commissioners wanted to make a motion to issue a stop-use order. None did and the as-built plan is expected to be reviewed at the November 2nd hearing.

Discussion: Fire/EMS Landscape Plan

The Commissioners were glad to see the proposed screening along the shared property line with the Parsonage. There was some confusion with which of Town Hall parking plans was being proposed (the submitted landscape plan had several versions). Kara was asked to communicate with the Fire/EMS Building Committee regarding the parking and suggesting a concrete or hard pack style walkway rather than the proposed boardwalk due to safety concerns and the reality of the wetland area being home to quite a bit of fill already.

Certificate of Compliance requests (SE12-521 and SE12-879)

Applicant: Raymond Shea and Kerry & Frank Binder

Addresses: 11 Hammett Lane (AP 8-43) and 40 Blueberry Ridge Lane (AP 8-66)

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Projects: Both projects were found by the Conservation Agent to be completed in reasonable conformance of the Order of Conditions.

Action: a motion was made to issue both Certificates of Compliance
Passed unanimously by roll call vote

Action: a motion was made to approve the draft minutes from 9/21/21
Passed unanimously by roll call vote

Respectfully submitted by Kara E. Shemeth, Conservation Agent

Materials Shared at Meeting:

Landscape Plans – Chilmark Fire EMS Headquarters – September 24, 2021