

Conservation Commission  
Zoom Minutes November 2, 2021 9:00 AM  
Zoom: 979 1561 8707  
FINAL

Present for the Conservation Commission and attending the zoom call were: Chris Murphy (Chair), Pam Goff, Candy Shweder, Sandy Broyard, Joan Malkin, Russell Maloney, Sarah Khedouri (alternate) and Kara Shemeth (staff). Alternate Doug West was not in attendance.

Also in attendance: Reid Silva, Tom W., Hugh Taylor, Jeannie Smith Taylor, Jessica and Matthew Harris, Jeffrey Baker, Atty. William Henchy, Atty. Erik Hammarlund, Robin Robertson, Robin Smith, Russell Smith, Brian Jones, R. Smith, Tusy Culos

Mr Murphy opened the meeting at 9:01 and roll call was taken.

**Action:** A motion was made to approve the October 5<sup>th</sup> Minutes  
Passed unanimously by roll call vote

**Action:** A motion was made to approve the October 19<sup>th</sup> Minutes  
Passed unanimously by roll call vote

At 9:03 Alternate, Sarah Khedouri was appointed as a voting member for the duration of today's meeting

Prior to the first hearing opening, Russell Maloney recused himself as he is an abutter.

**Public Hearing SE12-881– Jessica & Matthew Harris**

Address: 277 North Road AP 14-9

Representatives: Reid Silva (Vineyard Land Surveying) and Jeffrey Baker (Architect)

Project: The applicant proposes to remove an existing guest house and shed and to construct and maintain an addition to an existing dwelling. Portions of the work will be largely within the buffer zone to a BVW, however all of the work will be located within currently cleared and maintained lawn area. A site visit took place Monday 11/1/21.

Reid presented an aerial and plan of the site. There was some discussion of the mowed area denoted as wetlands on the plan and that they applicants would like to install a physical barrier and allow the area to revegetate naturally. There was some concern about the proximity of this area to the proposed structure and Commissioners advised that they would like to see the area re-flagged and re-plotted on the plan prior to moving forward with any approvals.

Jeff Baker, the architect, and the applicants discussed the original house being from 1724, on the historic register and an important piece of the islands heritage.

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Ms. Harris spoke of the family's desire to be stewards of the historical and agricultural aspects of the land while allowing a space for their family of 8 to thrive. Mr. Baker explained that the length of the connector hallway was designed to allow focus on the historic house and allow the new addition to blend with the landscape and existing structure.

Commissioners expressed that the efforts and intent to restore the property were impressive and suggested exploring the shortening of the connector and re-flagging the wetlands to find a solution that would reduce the distance to the wetlands.

Russell stated (as a member of the public) that he did not see how this project, as designed, would be a detriment to the resource area. There was some further discussion of the site and project.

**Action:** A motion was made to continue the hearing to December 7<sup>th</sup> at 9 am.  
Passed unanimously by roll call vote

**Public Hearing SE12-882 – Randall D. Weis Real Estate Trust and the Margaret J. Weis Real Estate Trust**

Address: 76 Old Farm Road AP 7-19

Representative: Reid Silva (Vineyard Land Surveying)

Project: The applicant proposes to construct and maintain an addition to an existing dwelling. The proposed addition will be constructed over an existing deck and is within the wetland buffer zone. A site visit took place Monday 11/1/21.

Reid presented an aerial and plan of the site and gave a description of the project (addition to back of the house with a frost wall foundations). There was some concern from commissioners regarding mowing in the resource area and buffer zone, further discussion established that there should be stones placed at regular intervals 15' to 25' off the wetlands to deter further mowing. A plan showing siltation fencing 15'-25' off of the existing structure should be submitted prior to work beginning.

**Action:** a motion was made to approve the project as presented with additional plans requested showing the proposed siltation fencing and the requested stones demarking 15' to 25' off the wetlands.

Approved with the following conditions:

1. The general contractor is to meet on site with the Conservation Agent and review all aspects of the proposed work prior to work commencing.
2. Notification is to be given to the Conservation Agent when work is scheduled to begin.

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3. Siltation barriers/ fencing and stones must be in place (as shown on plan) and approved by the Conservation Agent prior to work beginning.
4. A copy of this Order and the site plan dated 11/4/21 shall be available on site at all times while work is being done.
5. There is to be no further cutting and/ or mowing between the stones and the wetlands.

Passed unanimously by roll call vote

**Discussion:** RMJ Dock As-Built

Reid Silva presented the as-built (on file) that showed a 1 sq ft difference between what was permitted and what was built. The rotation was slightly different than the approved plan. Reid felt that the constructed pier was in significant conformance with the approved plans. There was some discussion regarding the lack of notification (currently the topic of ongoing litigation).

As the applicant has not requested a Certificate of Compliance, it was determined that there was no action for the Commission to take at this point.

**Discussion:** 1 Glasshouse Way (AP26-16)

Kara explained that a Commissioner had reported that there was possibly some unpermitted work going on at this address. Kara did a site visit after receiving the report and discovered that there was significant re-building of a studio on the property that was 4' from the stream. Upon further investigation it was determined that there were no permits for the work from either the Conservation Commission or the Building Department. The homeowner (Tom Wisniewski) explained that because they were doing the work themselves they didn't think that permits were necessary.

At the applicant's request, a site visit was scheduled for Friday, November 5 and a hearing scheduled for Tuesday November 16, 2021.

**Administration:** Kara relayed that the Town was looking to pave Squibnocket Road now that the bridge was done and they had secured funds and the necessary documents to do so. While parts are within the buffer zone, because it is a municipal project it was determined to be exempt and it would not be necessary to file an NOI. Commissioners asked that Kara send a letter to Tim Carroll expressing this and asking that when doing the work, care is taken to avoid the western edge of the road on the northern side of Storcks Nest Lane as (AP35-47) as there are wetlands present there.

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With nothing further to discuss, the meeting was adjourned at 10:41 am

Respectfully submitted by Kara E. Shemeth, Conservation Agent

Materials Shared at Meeting:

Aerial images of Harris and Weis sites (Chilmark GIS)

*Site Plan in Chilmark, Mass. Prepared for Matthew and Jessica Harris – October 13, 2021*

*Site Plan in Chilmark, Mass. Prepared for Randall D. & Margaret J. Weis – October 18, 2021*

*As-Built Plan of Land in Chilmark, Mass. Prepared for Robert Nixon – October 25, 2021 (PIER)*