



Meeting Minutes - Chilmark Conservation Commission  
December 21, 2023 at 9 am via Zoom

Commissioners present: Candy Shweder (Chair), Sandy Broyard, Stephen Kass, Gary Mottau; Jane Rabe, associate member

Commissioners absent: Sarah Khedouri, Joan Malkin, Chris Murphy

Staff: Carolyn Stoeber

Public in attendance: Juan Gelez, Catherine Thompson, Jeremy Scott Wood

The public meeting was called to order at 9:02 am by Candy Shweder.

Request for Determination of Applicability

Applicant: Juan Gelez on behalf of Richard Brady (owner)

Address: 11 Molly's Way (AP 27.1-54)

Project: unpermitted deck construction

Site visit conducted: November 13, 2023

Documents shared: photos of the site, building plans

The RDA was submitted in response to a deck that was re-decked without a permit. A stop work order was issued by the building department and in order to get the proper permitting, the project needs approval by the conservation commission. The deck will be finished in the original foot-print, using mahogany, and the underpinnings remained the same. The commission noted that if the project had followed correct protocol, a barrier would have been set up to protect the resource area, debris would have been required to be removed daily, and any other applicable conditions for the project. The commission clarified that all building projects should apply for a building permit from the building department in the future and the building and zoning officer will direct the application to the appropriate departments.

**Action:** A motion was made, and seconded, to find a negative determination and approve the project after the fact. Passed unanimously via roll call vote.

Request for Determination of Applicability

Applicant: Catherine Thompson

Address: 43 Menemsha Inn Rd. (AP 21-48.1)

Project: removing 5 oak trees

Site visit conducted: December 19, 202

Documents shared: photos from the site visit, wetland delineation of the abutting property

The property owner, Catherine Thompson, presented the project as a view clearing for her neighbor. Josh Scott will be doing the work. The commission asked if the stumps needed to be ground since taking the trees down to the ground would kill the trees and roots and negatively affect the ecology of the bank. Without a formal delineation of the property, according to the delineations available for nearby and abutting properties, the trees are assumed to be in the buffer zone, but it is unclear exactly how far from the wetland. The commission asked if the owner would be amenable to having the neighbor replant some native shrubs to make up for the canopy lost by



the view clearing. Alternatively, if the trees were coppiced, they would continue their interaction with the soil and the canopy would remain when the trunks branched.

**Action:** A motion was made, and seconded, to find a negative determination with the trees being allowed to be cut at breast height. Passed unanimously via roll call vote.

**Action:** A motion was made, and seconded, allow a Request for Amendment to the Order of Conditions for SE12-906 (Merkel/Shanus) and not require a new NOI for the crawlspace foundation. The public hearing is scheduled for 1/4/24. Passed unanimously.

Administrative approvals for minor tree trimming and vine removal at 35 Larsen Lane, 37 Larsen Lane, and 490 North Rd were recommended to the commission. More extensive tree maintenance in the buffer zones will be discussed 1/4/24 in an RDA for 35 Larsen Lane and 490 North Road.

**Action:** A motion was made, and seconded, to ratify the administrative approvals presented. Passed unanimously.

The FY 25 budget was unavailable at the time of the meeting and will be presented at the 1/4/24 meeting.

**Action:** A motion was made, and seconded, to recommend to the Select Board that Carolyn Stoeber be appointed as Conservation Agent. Passed unanimously via roll call vote.

The meeting was adjourned at 9:53 am.

Respectfully Submitted by Carolyn Stoeber  
Minutes to be approved at the 1/4/24 Conservation Commission Meeting