

Conservation Commission
Zoom Minutes May 18, 2021 9:00 AM Town Hall
FINAL

Present for the Conservation Commission and attending the zoom call were:

Chris Murphy, Chairman, Joan Malkin, Pam Goff, Sandy Broyard, Candy Shweder, Doug West, Russell Maloney, and Kara Shemeth (staff).

Also in attendance: Reid Silva (VLS), Brian Madden (LEC), Mark Manganello (LEC), Atty. Brian Wall, Walter Meinelt, Jane Greene, Ursula Goodenough, Jessica Sanseverino, Rona Kiley, Peter Bruce, Caroline Van Valkenburgh, Michael Van Valkenburgh, Susan Stammel, Peter Loges, David Loges, John Abrams, Kimberly Angell (9:24), Mallory Watts (9:31), Christopher Alley (SBH) Commissioner Bob Hungerford did not attend.

ZOOM Meeting ID: 935 7047 4997

Mr. Murphy brought the meeting to order at 9:00 AM

Discussion: Minutes from 5/4/21

ACTION: A motion was made by Pam to accept the minutes as written.

The motion was seconded and passed with all in favor via a roll call vote.

Discussion: SE12-840 – Thurlow CoC – Kara reported that the necessary plantings and stone had been installed as outlined in the Order of Conditions. Mr. Thurlow submitted photos and Kara made a site visit prior to the hearing to confirm conditions.

ACTION: A motion was made to issue the Certificate of Compliance for SE12-840.

The motion was seconded and passed with all in favor via a roll call vote.

Discussion: SE12-842 & SE12-862 – Merkel – Chris Alley SBH – Chris explained that the applicants would like to extend a proposed screened porch with living space above which alters the approved plan (SE12-842). It was noted that the porch/living space does not encroach on resource areas any more than already approved plans (SE12-842). The applicant would also like permission to mow an existing grass road that will allow the landscapers to access the northern meadow for the approved mowing. The grass road is within the 100' buffer zone but is well established (SE12-862).

ACTION: A motion was made to find the changes minor and in no need of a new Notice of Intent.

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The motion was seconded and passed with all in favor via a roll call vote.

ACTION: A motion was made to approve the proposed amendments, specifically the mowing/maintenance of the existing grass road within 100' of wetlands (SE12-862) and the addition of a screened porch with living space above to the approved plans (SE12-842).

The motion was seconded and passed with all in favor via a roll call vote.

Continued Public Hearing - NOI SE 12-863 - Of a Feather LLC

Representative: Reid Silva (Vineyard Land Surveying & Engineering)

Address/AP: 146 Quenames Road; AP 23-7:

Eligible voters: Chris, Pam, Candy, Joan, Russell, Doug: All voters were present and Mr. Murphy opened the continued hearing at 9:05 am.

Reid Silva reviewed the site plans and spoke to the engineering of the structure exceeding the FEMA standards for construction in a flood zone.

Structural aspects discussed:

- Proposed dwelling reduced from 4000 sq ft to 2100 sq ft of living space
- Proposed dwelling is elevated on greenheart piers
- All electric, no fuel
- Septic System designed to be water tight

Brian Madden from LEC Environmental Consultants (LEC), discussed the development of a Conservation Restriction and Habitat Management Plan with NHESP.

Mark Manganello from LEC submitted a report on the project on behalf of the applicant and Atty. Brian Wall submitted a request for a variance (both on file).

Discussion:

There was dialogue regarding the mature cedars in the proposed construction area, Mr. Silva stated that the plan was to remove or move them, that the Limit of Work could be reduced to save some cedars and there is no plan at this time to remove/move any other than the ones in the work area. Invasive species removal is also proposed for the cedar grove which will increase the grove's health and according to Mr. Wall, the applicants would welcome planting conditions for the area.

Commissioner Doug West expressed his concerns about the long term sustainability of enforcing a habitat management plan. Regarding the applicant's case for a variance, he stated that he did not feel that the fact that

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the property is rare and unique was a good rationale to permit a variance. In his view, the rarity of the property actually weighs against the grant of a variance.

There was discussion and concern that the Conservation Restriction and the Habitat Management plan at this stage were vague and that a true alternative site has not been explored.

Mr. Wall made the point that the Conservation Restriction will protect a large amount of the property while building to the north near the other structures would fall out of the Conservation Commission's jurisdiction and the Conservation Restriction would not be needed. Mr. Madden spoke to the benefits of Conservation Restrictions and gave a general overview of how they are executed.

There was discussion of the next steps, does the Conservation Commission rule first or does NHESP? At 10:25, Mr Silva asked for a continuation till July 6 so that the details of the Conservation Restriction and Habitat Management plan could be ironed out and allow for time for all parties to review the proposed documents.

ACTION: A motion was made to continue the hearing to July 6, 2021 at 9:05 am via Zoom (or in-person depending on legislation at the time).

The motion was seconded and passed with all in favor via a roll call vote.

Discussion: **Bliss Pond Farm CR – MV Land Bank** – The Town Administrator has asked for the Conservation Commission's input on the proposed Conservation Restriction on Bliss Pond Farm. Pam stated that it has been in development with the Land Bank for several years.

ACTION: A motion was made to have the Conservation Commission to endorse the proposed Conservation Restriction to submit a letter of support to the Select Board.

The motion was seconded and passed with all in favor via a roll call vote.

Administration: The next zoom meeting will be Tuesday 6/1/21 at 9:00 am with two scheduled site visits on Monday 5/31/21.

With no further business to discuss the meeting was adjourned.

Respectfully submitted by Kara E. Shemeth, Board Administrator