

Conservation Commission
Zoom Minutes August 3, 2021 9:00 AM Town Hall
FINAL

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

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

Also in attendance: Reid Silva (VLS), Tim Carroll, Aaron Schiller, Alberto Rodriguez, Cassie Bradley, Jason Zhao, Jane Kaplan, Ron Rappaport, Tracey Smith (SBH), Elise Elliston
ZOOM Meeting ID: 933 4765 5295

Mr Murphy opened the meeting at 9:00 and appointed Doug West as a voting member for the day's hearings.

Action: The minutes from July 20, 2021 were approved unanimously by roll call vote

Public Hearing - NOI (SE12-878) – Larsen's Fish Market

Project: Demolition and removal of existing building and construction of new building

Representative: Reid Silva, Vineyard Land Surveying & Engineering
Address: 56 Basin Road (AP21-1.4)

Reid Silva presented the plans (dated 7/7/21) showing the proposed building that will replace the existing fish market. The impacts for the Con Com to consider were discussed and determined to be the control of debris and sediment and control of potential runoff into the harbor. There is a tight tank proposed for washing, etc. There are no proposed restroom facilities in the structure. The existing slab is to be cut and removed. The goal is to begin work in October 2021 and be ready for Opening Day in May 2022.

Action: A motion was made to approve the project as presented 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.
3. Siltation barriers and fencing must be in place (as shown on plan) and approved by the Conservation Agent prior to work beginning.
4. Spoils must be removed from the site daily.
5. Site is to be secured after the building is removed and soils compacted.

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

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Public Hearing - NOI (SE12-860) – 2 Roger's Lane Nominee Trust

Project: View Maintenance

Representative: Tracey Smith, SBH, Inc.

Address: 2 Roger's Way

Project Proposal: This was a time sensitive project that came before the commission in early 2020 and several trees in the original proposal were removed under a RDA. The applicant would like to obtain an Order that would allow for mowing of the meadow and hand trimming of 11 trees shown on the revised plan.

Action: A motion was made to approve the project as presented with the following conditions:

1. Semi-annual (2x a year) mowing is permitted as shown on the approved site plan.
2. Hand trimming of the 11 trees denoted on the plan is permitted, no heavy machinery is allowed.
3. These conditions are to continue in perpetuity, any changes to the maintenance plan must be approved by the Chilmark Conservation Commission.

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

Public Hearing - NOI (SE12-879) – BINDER

Project: Septic System Upgrade/ Installation

Representative: Reid Silva, Vineyard Land Surveying & Engineering, Inc.

Address: 40 Blueberry Ridge Lane (AP 8-66)

Project Presentation: Septic system upgrade proposed within the 100' buffer zone to BVW.

Reid explained that the leaching field has failed and this location puts the new system 94' from the wetlands, it could fit 100' from the wetlands but the extra 6' helps get it further from the established well and also saves two large trees from needing to be cut down to accommodate the field.

Discussion: Doug West spoke to the need for the Conservation Commission to have some oversight of Town Boards and Committees that are making decisions within buffer zones. While Conservation doesn't have the authority to override other Boards' decisions, he stated that the Commission has a broad responsibility to protect the Natural Resources of the community.

Action: A motion was made to approve the project as presented with the following conditions:

1. Siltation fence to be installed, as shown on the plan, and approved by the Conservation Agent prior to work commencing.
2. The contractor is to meet on site with the Conservation Agent and review all aspects of the proposed work prior to work commencing.

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3. Notification is to be given to the Conservation Agent when work is scheduled to begin and when the system is installed.
4. A copy of this Order and the septic system design plan, dated 7/14/21, shall be available on site at all times while work is being done.
5. This Order is contingent on the Chilmark Board of Health approving the application.

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

Discussion: Elise Elliston (SE12-824)

Elise has been the Brickyard Beach Association (BBA) contact person for a project through Trustees of Reservations (TTOR) property. TTOR would like them to build a 30' boardwalk through an area that has remained wet post-trail creation. The TTOR would also like BBA to remove the siltation fencing but leave the hay bales to decompose. The Conservation Commissioners advised having Kara walk the area with Elise to determine if the siltation fencing should come down and asked that Elise come back before them when TTOR has given her specification for the boardwalk.

ADMINISTRATION

CoC Negroponte – A request for a Certificate of Compliance for SE12-697 was received. It is an Order for construction of a new dwelling and the associated landscaping. Kara did a site visit and found the project to be complete and in compliance and advised issuing the Certificate of Compliance.

Action: A motion was made to issue the Certificate of Compliance
The motion was seconded and passed with all in favor via roll call vote.

ITEM: An e-mail was received from the owners of 458 North Road to trim the bamboo along their pond for an upcoming memorial (8/14/21). They are planning to come before the Commission later in the year with a NOI for a garage and landscaping plan. It was advised that they be able to hand prune the bamboo to 2' high in an area to be determined by Kara on a site visit with the owners.

ITEM: The Select Board would like the Commission's input on the fencing in front of the harpooner statue in the dunes in Menemsha. The town has received correspondence asking that the fencing be taken down as it is hindering access to the pathways. The Commission felt that the Select Board needs to address the legality of the path access and that they would like them to ask the Conservation Commission to come up with a restoration plan.

Respectfully submitted by Kara E. Shemeth, Board Administrator

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Documents Shared at Meeting:

- *Site Plan of Land in Chilmark, Mass. Prepared for Larsens Fish Market – VLS 7/7/21*
- *Landscape Management Plan Chilmark, Mass. Prepared for Rogers Lane Nominee Trust – SBH – revised 6/30/20*
- *Proposed Septic System UPGRADE on Land in CHILMARK, MASS. Designed for Kerry Binder – VLS - 7/14/21*