

Conservation Commission
Zoom Minutes August 17, 2021 9:00 AM Town Hall
Zoom: 983 4771 9441
FINAL

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

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

Also in attendance: Reid Silva, Chris Alley, Peter Neilly, William Henchy, Gilbert Wilcox, Jane Kaplan, Ron Rappaport, Erik Hammarlund, Robin Smith, Russell Smith,

Mr Murphy opened the meeting at 9:00 and appointed Doug West a voting member.

Action: The minutes from August 17, 2021 were approved unanimously by roll call vote

Request for Determination of Applicability

Applicant: Peter Neilly.

Address: 22 Blackberry Lane (AP7-3.1)

Project: The applicant would like to place spoils from the installation of a new septic system in their back yard to level an area adjacent to the dwelling. A portion of the yard within the 100-foot buffer zone of a Bordering Vegetated Wetland. A plan was presented showing the area where the spoils would go.

Action: a motion was made to find a negative determination with the condition that the Conservation Agent approve adequate siltation barriers, specifically a line of hay bales at the edge of the fill and a siltation fence a few feet away from the bales on the downhill side and inspect the installation of these barriers prior to the fill being moved. Approved unanimously by roll call vote

Request for Determination of Applicability

Applicant: Donaroma's

Address: 10 Cygnet Way (AP 24-34.2)

Upon the site visit it was determined that this project needs an NOI.

Action: a motion was made to find a positive determination and require a full NOI.

Discussion: Reid Silva – MacIssac driveway/ parking (SE12-845)

Reid presented a plan and explained that the dwelling is built, the previously approved plan does not reflect what the homeowner would like to do with the driveway. They propose to increase the parking area near the garage (was previously a small turnaround, proposed can fit a couple vehicles), move portions of the driveway further into the buffer zone and create a circular driveway in front of the dwelling.

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After discussion, the commission found the changes to be substantial and declined to approve the changes as de minimus.

Discussion: Chris Alley – 2 Rogers Way – 2 additional trees added to previous OC (minor modification SE12-860)

Chris presented a copy of the approved plan from SE12-860 with two added Russian olive's to be removed (with property owner's permission) on the abutting property and asked for a one time pruning of two trees that had not been included in the original request. There is no annual maintenance proposed for these two additional trees.

Upon discussion, the Commission found the changes to be de minimus and approved the actions.

Update: RMJ Dock (SE12-855) – Agent report

Kara reported that upon measuring the dock, she found it to be approximately 23% larger than permitted. This was only for the dock portion as she did not have measurements of the landward side decking to compare the built portion to.

After discussion the Commission asked that the Nixon's obtain an as-built survey from a professional land surveyor or engineer to present to the Commission.

Kara also noted that there was a floating dock found to be in the water at the property that is unpermitted and tied up too shallow to be considered to be permitted. Mr. Smith advised that it was his brother's and he would get in touch with him and have him remove it. Letters/e-mails will be sent to both the Smith's and the Nixon's regarding the Commissioner's requests.

Administration:

- Conservation Agent appointment recommendation to Select Board

Kara asked that the Commission make a formal recommendation to the Select Board to have her appointed as the Chilmark Conservation Agent.

A motion was made and approved unanimously by roll call vote

- FIRE/EMS Consultant fee

After some discussion it was advised to send the invoice to the Fire/EMS Building Committee when it arrives.

Action: A motion was made to close the hearing and passed with all in favor via roll call vote.

Respectfully submitted by Kara E. Shemeth, Board Administrator

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Documents Shared at Meeting:

- *Sketch of RMJ pier* – Kara Shemeth
- *Fill Diagrams* – Peter Neilly
- *Neilly sketch on SSDP* – SBH Inc
- *Landscape Management Plan Chilmark, Mass. Prepared for Rogers Lane Nominee Trust and Allen-Posin Realty Trust* – SBH Inc. August 30, 2021
- *Plan of MacIsaac property* – VLS (not on file with Chilmark Conservation Commission)