

The Brickyard

Vegetation Management Maintenance Request for Determination of Applicability



The Trustees of Reservations
860 State Road
Vineyard Haven, MA 02568
September 27, 2023



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The Trustees of Reservations
860 State Road
Vineyard Haven, MA 02568

September 27, 2023

Carolyn Stoeber
Chilmark Conservation Commission
401 Middle Road, P.O. Box 119
Chilmark, MA 02535

Dear Ms. Stoeber,

Please accept this Request for Determination of Applicability for a vegetation management maintenance project at The Brickyard in Chilmark, MA. The project entails the vegetation management of a clearing project completed in 2018 to restore the natural ecosystem, remove invasive/exotic plants, preserve the viewshed of the ocean and historic structures, and minimize the impact of invasive species on the historic structures. The proposed project is outside of the 100-foot buffer zone of wetland regulated areas except for the removal of invasive/exotic plants species such as autumn olive, Japanese honeysuckle, and bittersweet. All removed plant material will be chipped and removed offsite.

We look forward to discussing the project with the Conservation Commission and look forward to working with you to uphold and maintain the beauty and cultural history of this iconic and beloved site.

Sincerely,

Darci Schofield
Islands Portfolio Director
The Trustees of Reservations



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability Chilmark Municipality

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Project Description (cont.)

2. a. Activity/Work Description (use additional paper and/or provide plan(s) of Activity, if necessary):

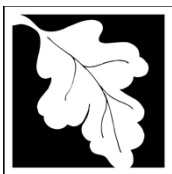
Restore and maintain access to historic monuments, preserving monuments; remove invasive plant species to restore native habitat; and restore 2018 clearing and maintain vegetation management plan. (see attached)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



C. Determinations

1. I request the Chilmark Conservation Commission make the following determination(s). Check any that apply:

- a. whether the **area** depicted on plan(s) and/or map(s) referenced above is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced above are accurately delineated.
- c. whether the **Activities** depicted on plan(s) referenced above is subject to the Wetlands Protection Act and its regulations.
- d. whether the area and/or Activities depicted on plan(s) referenced above is subject to the jurisdiction of any **municipal wetlands' ordinance** or **bylaw** of:

Chilmark
Name of Municipality

- e. whether the following **scope of alternatives** is adequate for Activities in the Riverfront Area as depicted on referenced plan(s).

D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Signature of Applicant September 27, 2023
Date

Signature of Representative (if any) _____
Date

Project Description

The Brickyard is adjacent to Menemsha Hills Reservation, a property of The Trustees of Reservations (The Trustees) and is accessed from the Menemsha Hills Reservation (MHR) via a trail which connects the Lower Loop Trail to the Brickyard. Access for the public is via this hiking trail. The Brickyard property itself is 21 acres and comprises the remains of a 19th century brick making operation which provided employment for both island workers and labor brought in from Quebec.

The Trustees seeks to continue to preserve, maintain and restore the important historic monuments in the Lower and Upper Yards of the Brickyard for longevity and the public's enjoyment. The Brickyard contains massive granite walls which delineated the property bounds on the south and eastern edges as well as numerous foundations for the mechanism which was used to turn clay into bricks for use on the island and for mainland urban construction in the mid-1800's. Remnants of these historic structures and a pier which once extended into Vineyard Sound for sailing ships to move this heavy cargo to its faraway destinations in New York, Newport and Boston (Figure 1). The public views encompass most of the Elizabeth Island

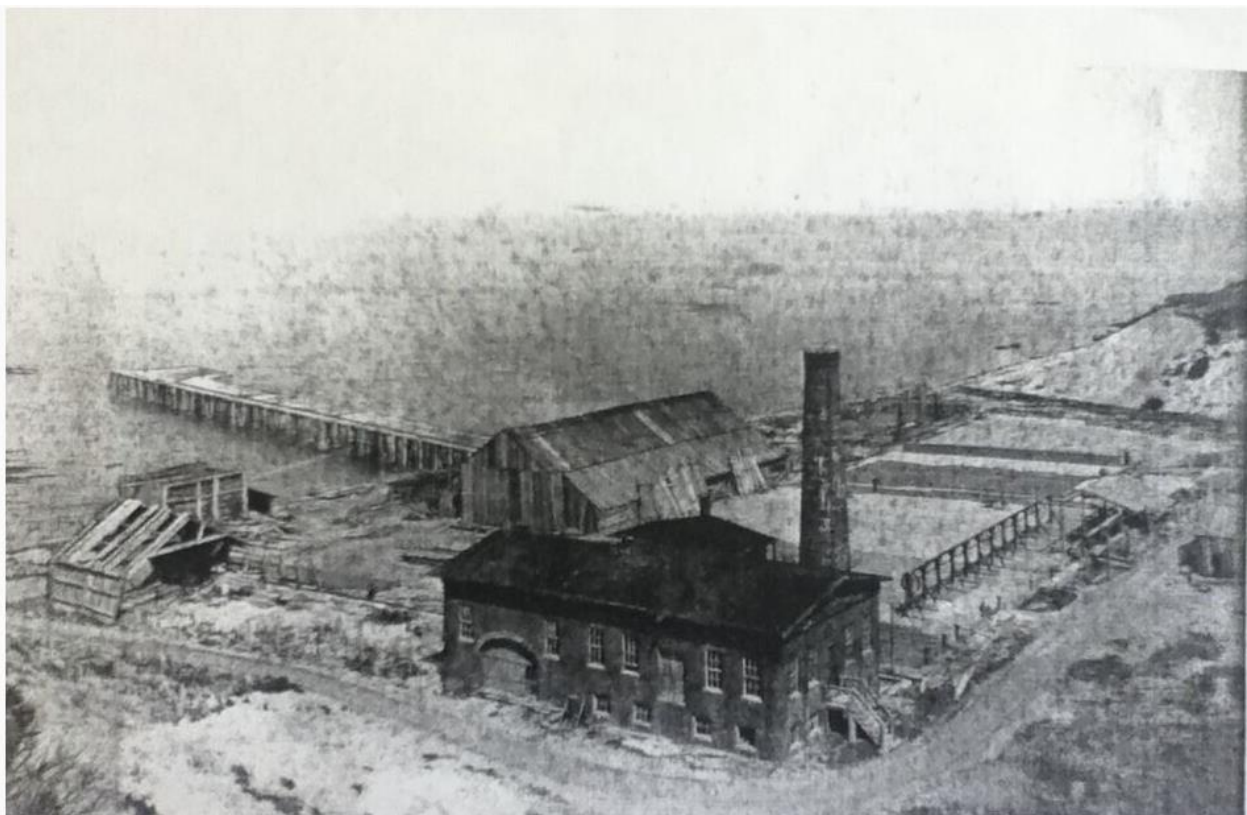


FIGURE 1 *BRICK AND TILE (HARRIS BRICKYARD OPERATION) FROM 1868-1890. SEVERAL MONUMENTS OF THE OPERATION REMAIN AT THE BRICKYARD, INCLUDING THE BRICK CHIMNEY. THE PROPOSED PROJECT SEEKS TO MAINTAIN THE VIEWSHED OF THESE MONUMENTS AS WELL AS PREVENT FURTHER DEGRADATION BY INVASIVE PLANT ROOTS.*

chain from Cuttyhunk to Naushon as well as views looking south to Aquinnah and the Gay Head Light. The rocky beach at the Brickyard provides access to the public for picnicking, swimming, fishing, and nature exploring. The site is being interpreted for the public with walking programs and pending funding, new interpretive signage.

The proposed vegetation management maintenance project is to maintain clearing completed in 2018. It includes mowing of existing native shrubs and herbaceous plants, removal of invasive plants like autumn olive, Japanese honeysuckle, and bittersweet, and removal of chipped plant debris. Prior to the 2018 clearing project, many of the native plants at the Brickyard were covered with invasives. The clearing project allowed these native species to resprout. Additionally, the project will include native host plantings for moths per MNHESP direction. This includes planting 10 beach plum and 10 bayberry plants away from trails. However, regular management and removal of the invasive species is the only way to achieve restoration goals. Additionally, the proposed project will protect the historic structures from degradation by keeping plant roots, especially invasive plants, whose roots are penetrating the structures, continue to restore the areas ecological value, and elevate the visitor experience in viewing these historic structures. The subject area is approximately 3.5 acres and located adjacent to a DEP Wetlands Coastal Bank, Coastal Beach, and Perennial Stream (i.e., Roaring Brook). It is also located entirely within an NHESP Priority Habitat PH70 (Appendix A-Maps).

The Brickyard lies within listed Priority Habitat (Box turtles and rare moths) and as such work to maintain the vegetation within the Lower and Upper Yards will be limited to October 2023 through March 2024 following state guidelines box turtle protection. The proposed vegetation management maintenance of the 2018 clearing project will occur outside of the 100-foot buffer from the coastal bank, coastal beach, and Roaring Brook stream except for removal of invasive trees, shrubs, and herbaceous species within the 100-foot buffer. The project will mow the remainder of the vegetation but keep native trees and shrubs to maintain the stability and filtering ability in protecting the wetland regulated areas and for state-listed rare moths. This will serve to restore the site for state-listed species and improve the viewshed of the ocean and historic structures. All debris from invasive plant control will be chipped and/or removed from the site (Appendix B-Habitat Management Plan and Brickyard Plants). Since the existing vegetation within the designated areas to be mowed is low and mostly herbaceous wildflowers and grasses, no additional material will need to be removed.

Roaring Brook Construction (Robert Elliston) will mow approximately 3.5 acres in the Lower and Upper Yards extending 4 feet beyond the granite wall to allow the public to experience the scope of the 19th century brick operation. Roaring Brook Construction will use chain saws, line trimmers with metal blades, walk behind brush cutter, backhoe, and hand tools to perform the clearing. A backhoe will be used to clear a pile of old chips from the 2018 project, located in the Upper Yard. The project entails only mechanical vegetation management. There is no application of herbicides or pesticides for this project.

Brickyard History

The current site contains many of the old gear works, water wheel pit, massive granite block walls, an old industrial chimney remnant as well as scenic and ecological resources. Figure 2 outlines existing trails, fencing, and existing and proposed signage at the site that enhances the visitor experience and protects the historic monuments.



FIGURE 2 BRICKYARD SITE MAP INDICATING TRAIL, FENCING, AND SOME SIGNAGE LOCATIONS.

Brickmaking Operation and Historic Monuments

In 2019, The Trustees contracted with Public Archaeology Lab to prepare a three-part report and recommendations: First, the firm conducted intensive historical research which included a detailed site history, historic context and assemblage of primary source deeds, documents, maps, and photographs that will be used for site interpretation and stabilization. Second, the firm conducted on-site archaeological investigations to better assess the significance of the site and to interpret the above ground remains of the Harris Brickyard ruins. Finally, the firm contracted with Trivium Interactive, a museum interpretation and visitor experience consultant, to prepare recommendations for visitor circulation and interpretation.

The Brickyard ruins are also known as the Nathaniel Harris Brickyard, located on both sides of Roaring Brook in Chilmark. The Harris family retains ownership of the ruins on the east side of Roaring Brook; The Trustees received a conservation restriction for the ruins on the west side of the brook in 1990 and subsequently received the property as a bequest from the estate of Flora Harris Epstein. The brickyard ruins are located on an approximately 5.5-acre site within an 18-acre parcel that is now part of the Menemsha Hills reservation. The Harris family bequest encouraged the preservation and interpretation of the industrial ruins to reservation visitors.

The earliest mention of making bricks at Roaring Brook from local clay found within the surrounding hills is found in a 1681 deed, with no specific indication of the exact location of the brickmaking operation. This early use was part of a mixed farming operation and not part of an active commercial brickmaking company. Before 1728 a grist mill and dam were built on Roaring Brook immediately north of the Harris Brickyard site. In 1837 William Mitchell began a small commercial brickyard in the vicinity of the ruins. Other mills along Roaring Brook included an 1849-50 paint mill, where local clays were ground and dried to create pigments for paints. In 1846 Charles Smith and James Barrows began the first large-scale commercial brick-making operation on the current brickyard site. Their brickyard included a large



FIGURE 3: ROARING BROOK DAM AND SLUICEWAY, LATE 19TH CENTURY (MARTHA'S VINEYARD MUSEUM)

brickyard, wharf, boardinghouse and the first overshot water wheel that powered the industrial site.

In 1850 their brickyard produced 600,000 bricks valued at \$2,400 – a substantial seasonal industry for the period. In 1854 Albert F. Chandler became a part owner and in 1856 the brickyard was enlarged. Between March of 1858 and December 1859 other investors buy interests in the operation and the brickyard changes its name to owners Mudgett & Andrews, who advertise bricks for sale on ‘favorable terms.’ The 1860 the brickyard was still producing over 600,000 bricks per year.

Between 1864 and 1866 William Durgin was acting as agent for Boston-based investors, purchasing mineral and water rights across the island to supply raw materials for the brickyard which was operated as a subsidiary of James Edmond & Co, a company based on Liberty Square and Federal Street in Boston, selling pig iron, coal, sewer pipe, fire clay goods, fire brick, chimney cans, vases, clay, moulding and fire sand, and kaolin.

19th century brickmaking in Chilmark involved five main processes. First the clay was mined from the island’s shoreline, cliffs and in deep hand-dug pits that followed the clay deposits until they were too deep to be useful. Second, the clay was tempered by grinding, filtering, soaking and mixing the clay and water mix until it reached an even consistency. Then the clay was molded into wooden or iron-clad molds that were coated with sand to make brick removal easy once the bricks had begun to dry. When ready, the bricks were flipped out of the molds and laid in the drying yard for 2-3 weeks to remove moisture. Finally, the bricks were finished in a wood-fired kiln and processed for shipping or sale.

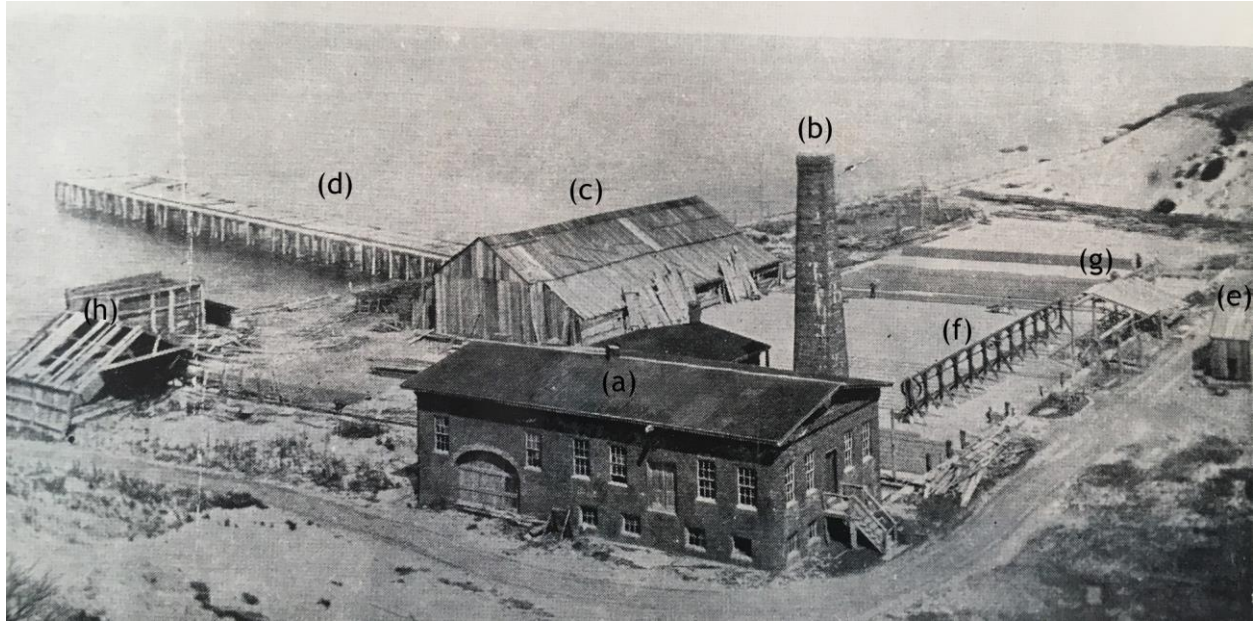


Figure 4: Harris Brickyard c. 1880. Labeled buildings are a) engine house; b) chimney stack; c) drying shed; d) wharf; e) water wheelhouse; f) line shaft for machinery; g) machine shed; and h) unknown structures (Trustees Archives & Research Center)

In 1866 Nathaniel Harris, a Boston area banker, became owner of the brickyard, presumably to rescue a failing bank loan or investment. The company was called the Vineyard Brick & Tile Works but was equally well known as the Harris Brickyard on the island. Harris invested a great deal of money into the brickyard operation, paying for upgrades that might make the company more financially viable. Harris replaced the overshot water wheel with a new brick engine house and wood fired steam engine that powered a horizontal line shaft and two state of the art brick machines that could increase production. When the supply of wood became scarce on-island and shipping wood for the furnace was too costly, he built a new overshot water wheel in 1884 and connected it to the other end of the line shaft to power the brick machines. These two brick machines, though seemingly small in illustration, weighed 7,000 pounds each. Clay was poured into the top of the machine where it was tempered by a series of horizontal knives and then pressed into molds at the bottom of the machine. One operator was required to insert the empty molds and remove the completed bricks. Thanks to the careful clearing of the brickyard site, a discovered name plate from the machine was cleaned and led to this company catalog image.

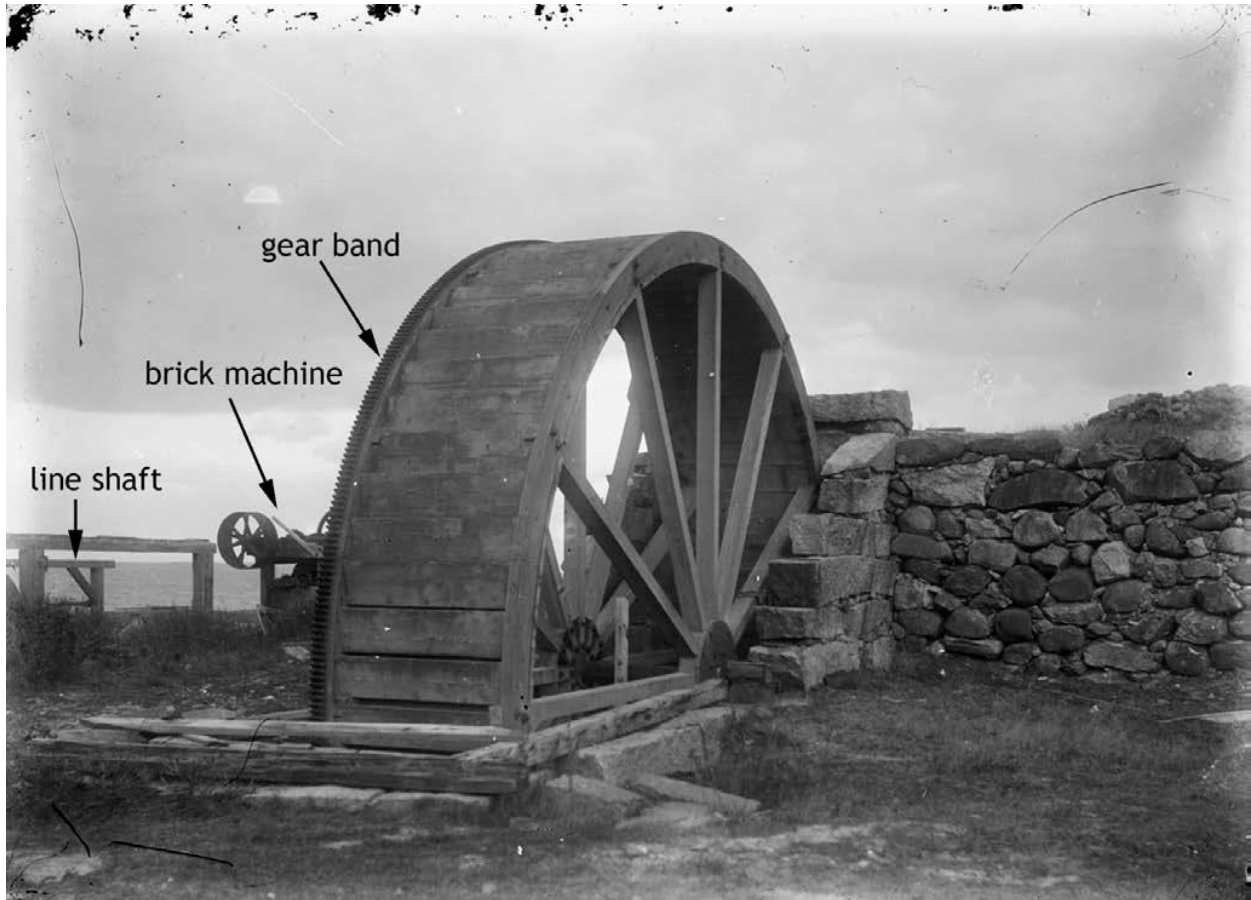


Figure 5: 1884 overshoot water wheel, brick machine, and line shaft remains c. 1900 (Martha's Vineyard Museum)

After Nathaniel Harris died in 1880 his sons took over management of the brickyard which ceased operation in 1888. In 1895 his two sons, Charles and Sidney Harris, incorporated the Chilmark China Clay Corporation and repurposed the brickyard flume and water wheel to power the mining of kaolin clay in the cliffs immediately west of the former brickyard. They shipped "china clay" to mainland ports as far north as Portland Maine. This fine white clay was used to crate fine china that was often hand painted and then fired for use. It was also used as an additive in confectionaries when sugar was short during World War I, and is the active ingredient in Kaopectate, a digestive medicine.



FIGURE 6: CHILMARK CHINA CLAY CORPORATION, c. 1895-1915 (HARRIS FAMILY ARCHIVES/TRUSTEES ARCHIVES & RESEARCH CENTER)

By 1915 the clay operation was defunct and the industrial remains of both operations were left to storms and tidal surges. The 1938 hurricane, with its associated high tides and massive storm damage was the most devastating storm to ruin both operations. There is almost no evidence left of the clay works, which were largely wooden buildings and flumes. The brickyard, however, with its 19th century stone, brick and metal construction, retains many more visible ruins.

In 2019 the Public Archaeology Lab researchers and archaeologists investigated the brick yard remains and developed a very thorough technical report and National Register nomination for the brickyard site. Tribal Historic Preservation Officers from the Wampanoag/Aquinnah nation worked closely with the archaeology team but given the extensive reworking of the site between 1846 and 1895 there were little to no tribal remains discovered during the site investigation. Traditional tribal uses of the area's natural resources, including the iron, clay and kaolin deposits are documented as part of the technical report and it is likely that some tribal members worked the seasonal brickyard along with French Canadian laborers. Because of the seasonal nature of the work, these communities are not documented in census records but are captured in Harris family oral histories, company records and in Wampanoag/Aquinnah oral histories.

Though the technical report details all findings from the 2019 season, the results can be summarized as follows:

1. The team divided the site into five activity areas: The Manager's Office/Headquarters area, the Upper Yard, Upper Yard East, Lower Yard, and Shoreline Beach Area.
2. The c. 1866 Manager's Office & Headquarters foundation remains clear above ground. The building was a two-story square building with a small ell attached to its eastern end with a porch that ran across the front of the ell addition. Domestic shards found in this area documented its office/residential purposes, including bits of Victorian etched lamp shade glass, pipe stems and painted dinnerware, and date the building to the Harris era of operations. This building sat at the southwestern edge of the brickyard overlooking the entire manufacturing operation.
3. The Upper Yard is a large, flat open yard approximately 260 feet x 220 feet across. It is enclosed by dry-laid stone and granite block retaining walls and is believed to be the location for delivery and storage of the raw clay used to make the bricks. The 1884-wheel pit remains for the overshot water wheel sit in the northeast corner of the yard, at or near the probable location of the earlier water wheel. There remains significant evidence of the 24-foot diameter, 5-foot-wide wheel, and its gears in the 12-foot-deep pit. Archaeologists also found the wheel shaft that connected the

wheel to the line shaft in the lower yard. Their technical report outlines the details for the entire power system from flume to wheel to line shaft to brick-making machines.



FIGURE 8: WATER WHEEL PIT AND GEARS (PAL PHOTO)



FIGURE 7: PINION GEAR, SHAFT AND BEARING TO POWER LINE SHAFT IN LOWER YARD (PAL PHOTO)

4. A high dry-laid granite block retaining wall separates the Upper Yard East from the Upper Yard. The wall starts at the water wheel pit and runs south before fading into the hillside. This area contained evidence of an unexpected earlier cellar hole and buried brick wall that sat on the rise overlooking the wall. It is suspected that these remains are for an earlier brickyard manager's house or office that pre-dates the Harris-era office and may be associated with the Smith and Barrows Brick Works (1846-1859), the Mudgett and Andrews Brick Works (1859-1864), and/or an earlier brickmaking operation. There is little evidence of this building above ground except a depression in the site topography. Shards found in these test pits include early to mid- 19th century domestic ware. This yard also includes a series of cantilevered granite blocks extending over the wall separating it from the Lower Yard. These long stones are the remains of the flume base that supported the wooden flume which diverted water from the dam above the brickyard to the overshot water wheel.



Figure 9: Cantilevered granite blocks indicating former support of flume (PAL photo)

5. The Lower Yard was the heart of the industrial operations. Remains in this area include the c. 1866 horizontal line shaft and its gears and pulley system, the top gear remains of the two brick making machines, the foundation remains of the 1866 brick steam engine house, the pulley assembly that drove the line shaft from the steam engine and later from the overshot water wheel (after 1884), the 55' tall remains of the 1866 chimney stack that vented the steam engine fires, and the barely visible remains of the 1866 brick kiln, identified by its cast iron doors and framing which allowed bricks to be added and removed from the kiln. This area contained the massive wooden roofing systems for the drying yard, none of which remain extant today.

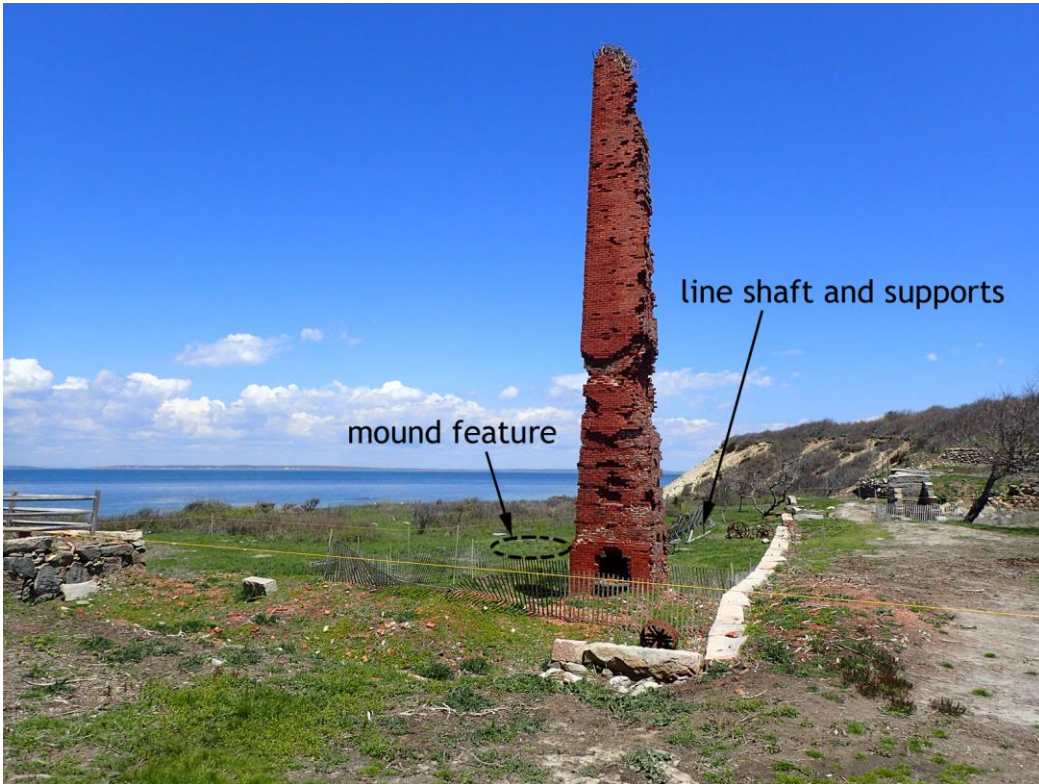


Figure 10: Lower yard (PAL photo)



Figure 12: West pulley and line shaft (PAL photo)



FIGURE 11: EAST PULLY ON LINE SHAFT (PAL PHOTO)

6. The Shoreline Beach Area holds the remains of the c. 1867 massive shipping pier that extended out into the water from the brickyard. Mostly notably the high concentration of granite blocks and stone rubble are the remains of the wharf bulkhead. One wooden pylon from the wharf remains, as does the collapsed brick drain outlet from the water wheel tail race – the outlet for water from the water wheel pit, though no underground drain or suspected alignment for the tailrace could be found during the investigation.

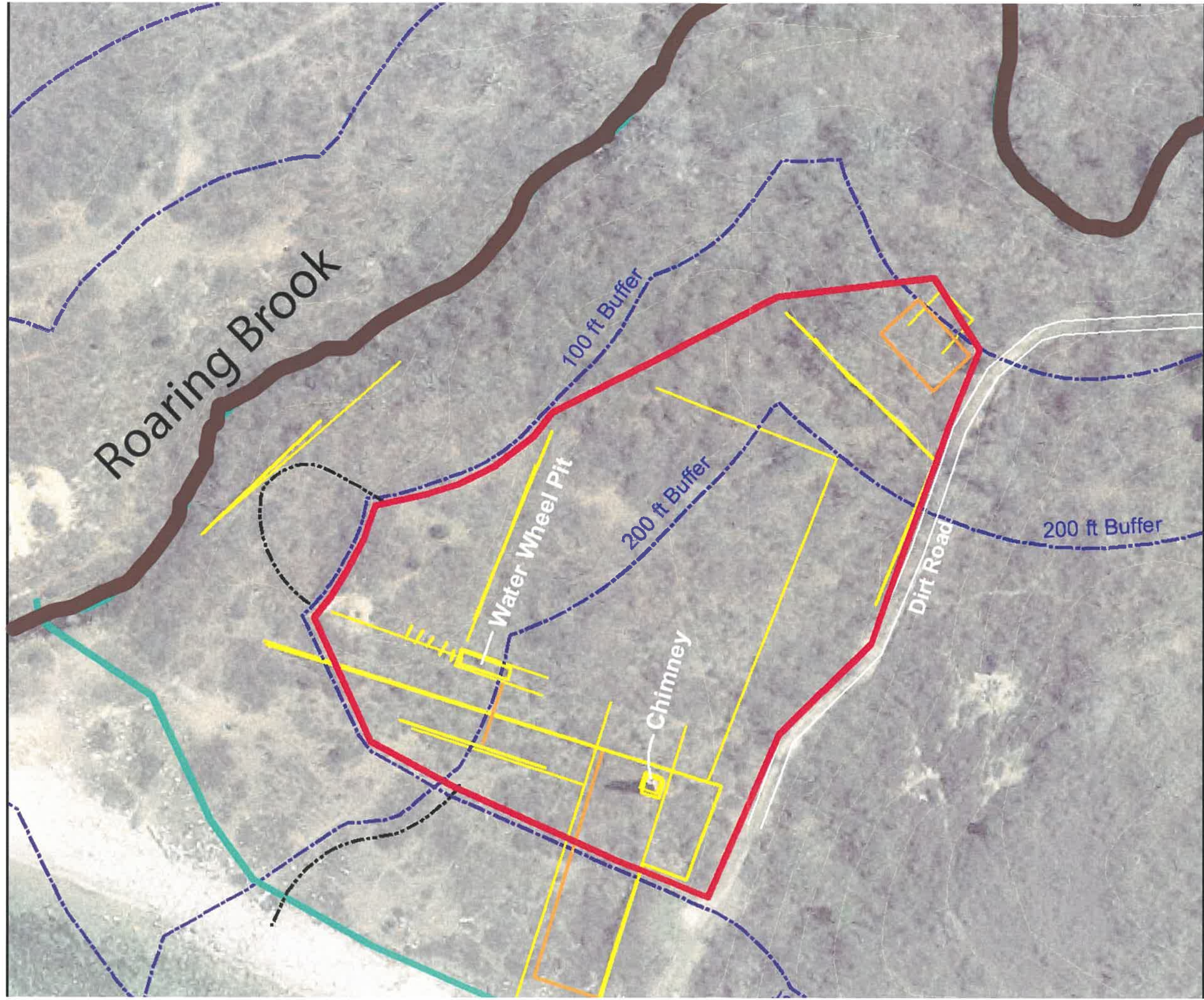
The brickyard remains that exist on Trustees land are the c 1866-1888 industrial core of the brickyard. The east side of Roaring Brook, which remains in private Harris family hands, contains the remains of the residential buildings and the tram and cart paths that led to and from the brickyard. This brickyard was a seasonal operation and supplied dormitory-style housing for workers coming from off-island. At its height in the 1880s, the brickyard reportedly employed 75 seasonal workers, including teamsters hauling clay from town clay pits to the yard. The brickyard produced 60 bricks per minute, the equivalent of 30,000 bricks per day or 800,000 bricks per year. The brickyard and the nearby paint mill and grist mill on Roaring Brook formed a small but important industrial community that employed a combined total of 100 seasonal workers producing brick, paint products and flour used on the island and exported via schooner to ports throughout the Northeast.

The archaeologists have recommended the brickyard as nationally significant under National Register of Historic Places Criterion A (contributions to our understanding of industry and brickmaking at Roaring Brook and in Eastern Massachusetts) and the socioeconomic development of Chilmark and Martha's Vineyard as the largest 19th century industrial operation on the island. The brickyard is also nationally significant under the National Register of Historic Places Criterion D for its potential to yield additional

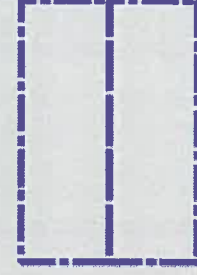
research information. It also holds local and statewide significance under Criterion C in the areas of industry and engineering.

Appendix A

Maps

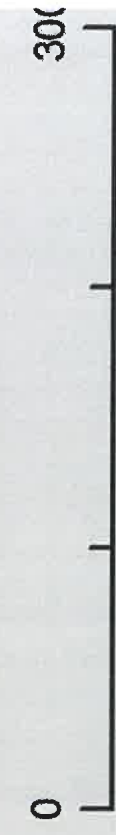


- Wetland Delineation from MassGIS/DEP 1:12,000 Wetlands data
- Features from 1991 Site Plan which are visible on aerial photo
- Features from 1991 Site Plan which are not visible on aerial photo
- Extent of Proposed Clearing
- Proposed Trail Route



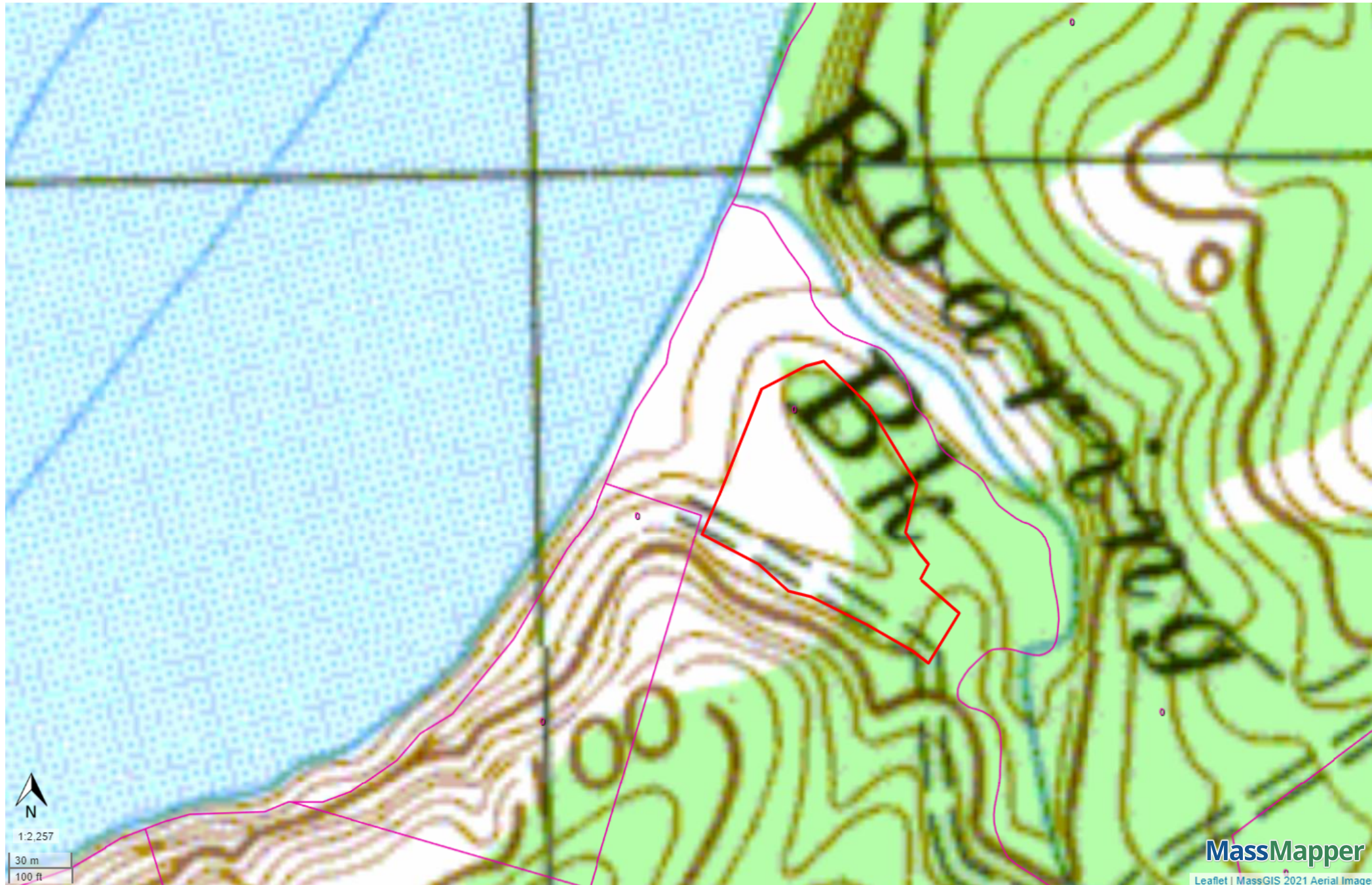
100 ft. Wetland Buffer
200 ft. River Front Buffer

Elevation Contours 3 meters (~ 10 ft.)
Aerial photo background 2014

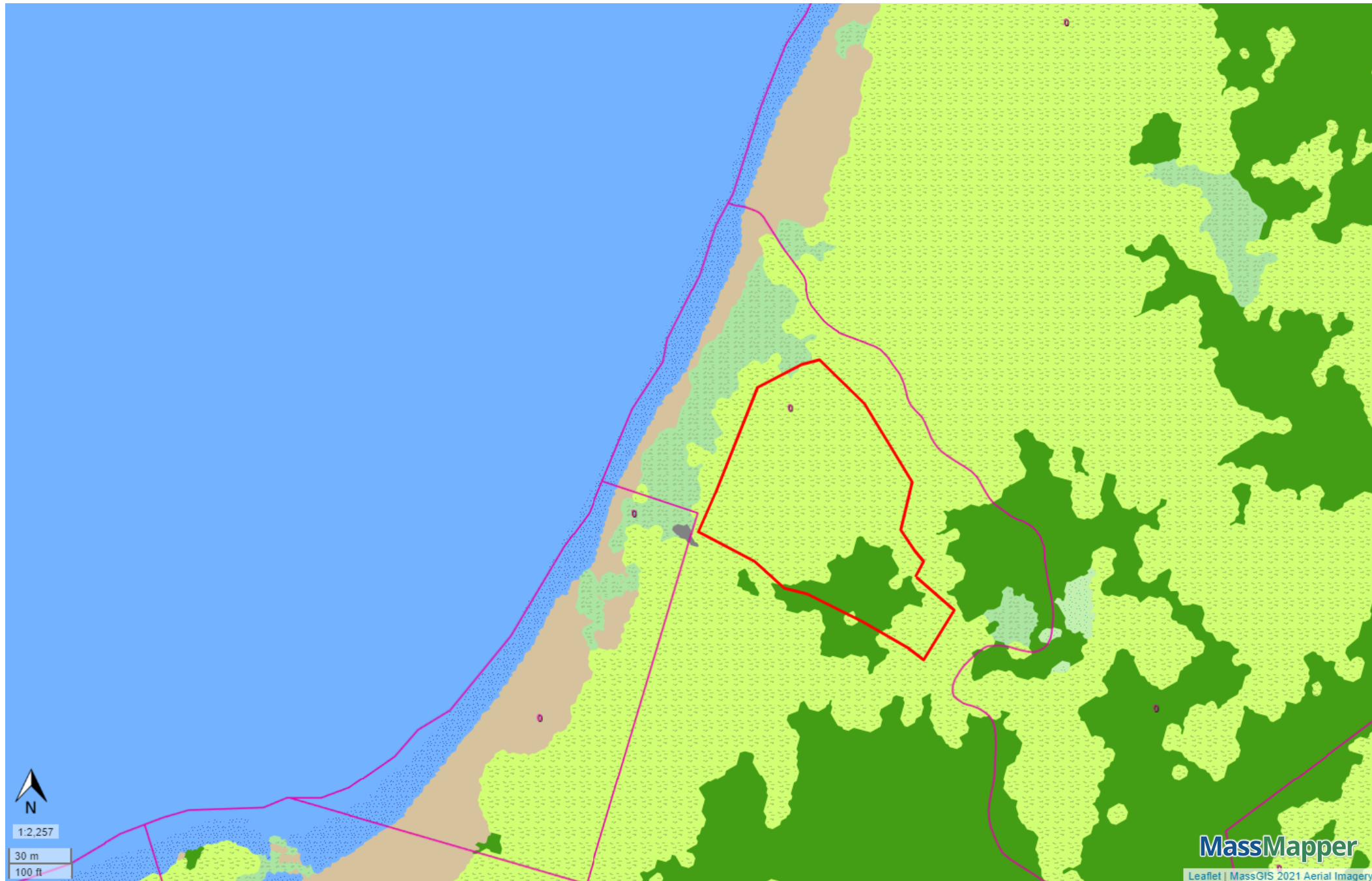


Brickyard Vegetation Management Maintenance-USGS Topo Map

Property Tax Parcels
USGS Topographic Maps



Brickyard Vegetation Management Maintenance -Land Cover



- Property Tax Parcels
Land Cover Land Use (2016)
- Residential - Single Family
 - Residential - Multi Family
 - Residential - Other
 - Commercial
 - Industrial
 - Mixed Use - Primarily Residential
 - Mixed Use - Primarily Commercial
 - Mixed Use - Other
 - Other Impervious
 - Right-of-way
 - Cultivated
 - Pasture or Hay
 - Developed Open Space
 - Deciduous Forest
 - Evergreen Forest
 - Grassland
 - Scrub or Shrub
 - Bare Land
 - Forested Wetland
 - Non-forested Wetland
 - Saltwater Wetland
 - Water
 - Unconsolidated Shore
 - Aquatic Bed

Brickyard Vegetation Management Maintenance-DEP Wetlands



USGS Rivers and Streams 25k

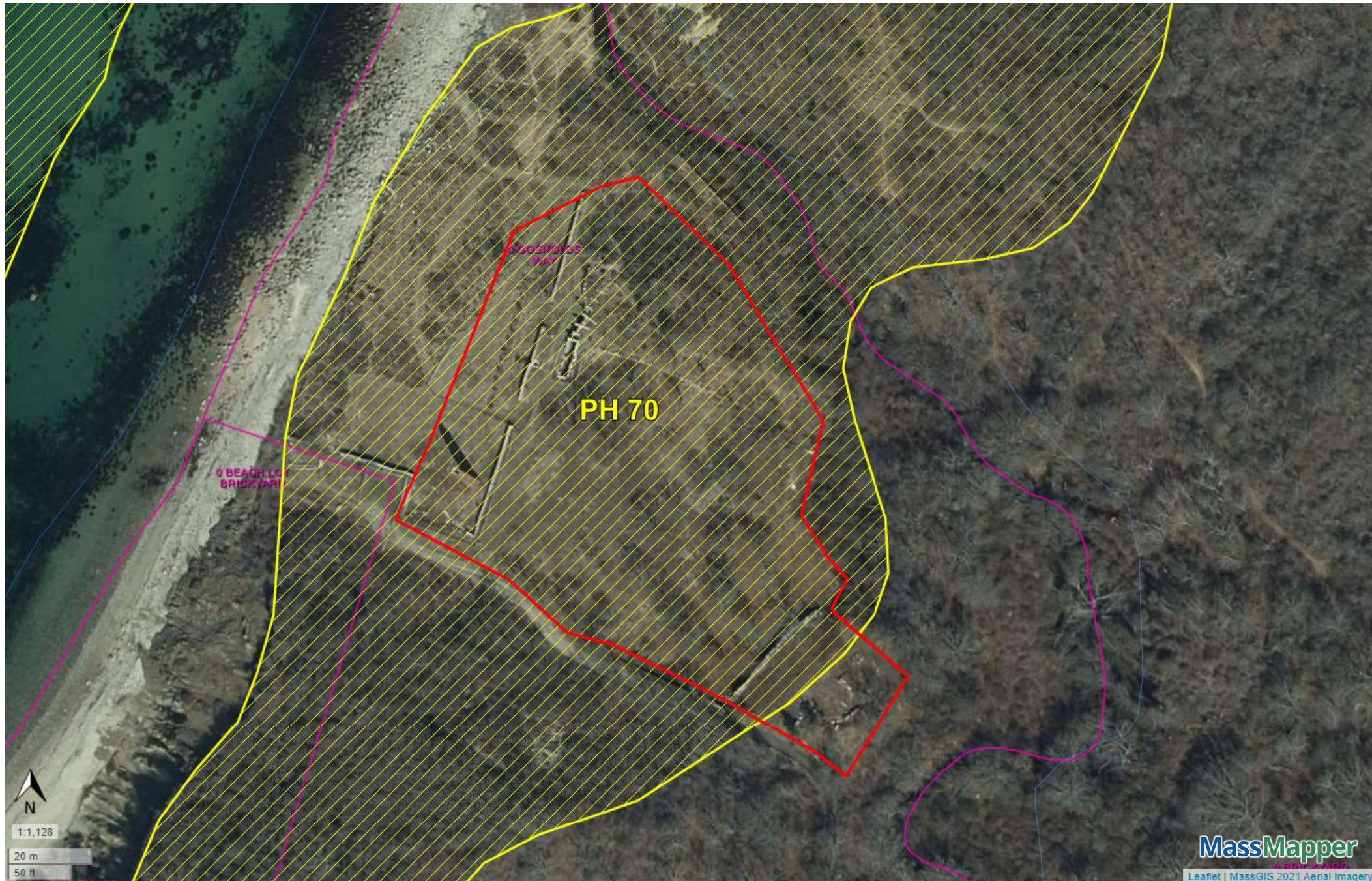
- Stream
- INTERMITTENT STREAM
- SHORELINE
- INTERMITTENT SHORELINE
- MANMADE SHORELINE
- DITCH/CANAL
- AQUEDUCT
- DAM
- CHANNEL IN WATER

DEP Wetlands Detailed

- Barrier Beach System
- Barrier Beach-Deep Marsh
- Barrier Beach-Wooded Swamp Mixed Trees
- Barrier Beach-Coastal Beach
- Barrier Beach-Coastal Dune
- Barrier Beach-Marsh
- Barrier Beach-Salt Marsh
- Barrier Beach-Shrub Swamp
- Barrier Beach-Wooded Swamp Coniferous
- Barrier Beach-Wooded Swamp Deciduous
- Bog
- Coastal Bank Bluff or Sea Cliff
- Coastal Beach
- Coastal Dune
- Cranberry Bog
- Deep Marsh
- Barrier Beach-Open Water
- Open Water
- Rocky Intertidal Shore
- Salt Marsh
- Shallow Marsh Meadow or Fen
- Shrub Swamp
- Tidal Flat
- Wooded Swamp Coniferous
- Wooded Swamp Deciduous
- Wooded Swamp Mixed Trees

Property Tax Parcels

Brickyard Vegetation Management Maintenance-Priority Habitat



USGS Rivers and Streams 25k

- Stream
- INTERMITTENT STREAM
- SHORELINE
- INTERMITTENT SHORELINE
- MANMADE SHORELINE
- DITCH/CANAL
- AQUEDUCT
- DAM
- CHANNEL IN WATER

NHESP Priority Habitats of Rare Species

-
-

Property Tax Parcels

Appendix B
Habitat Management



Habitat Management Plan

Menemsha Brickyards Site

This project, and management of the site after the project will be filed as exempt from MESA review under exemption #15, “active management of State-listed Species habitat.” The current composition of plant species at the Menemsha Brickyards site is a mixture of native and many non-native species. This area is identified as Priority Habitat for native moth species, and already contains many host plant species, including Bayberry, Blueberry, Scrub Oak, Huckleberry, and Beach Plum; which has recently been documented as a host plant for the Dune Noctuid (*Sympistis riparia*) and Coastal Heathland Cutworm (*Abagrotis benjamini*) in Massachusetts. (please see Appendix C for a full list of species found on-site)

The scope of management which qualifies this project for exemption under active management of a State-listed Species habitat include:

1. Selective, non-mechanical clearing of the site, outside of the 100’ buffer zone to clear areas for visitor interpretation of the area around historic factory ruins. We will identify and flag native plant species that are identified as host plants for native moth species, which will not be removed during clearing.
2. Depending on the presence and numbers of native host plants on-site (determined during the clearing process), planting of native host plants including: scrub oak (*Quercus ilicifolia*), lowbush blueberry (*Vaccinium angustifolium* and *V. pallidum*), native huckleberry and bayberry species (*Gaylussacia* and *Myrica* spp.)
3. Invasive Species Control – Throughout the upper and lower yard, we would like to control invasive species through cut stump and foliar herbicide application methods.
4. Annual or Biennial mowing and/or selective cutting/pruning to promote low-growing maritime shrubland habitat.

This site includes historic factory ruins, which we want to provide visitor access and interpretation. To accomplish this, we will include natural surface trails through the site, utilizing soil surfaces and native grasses, as well as some split rail fencing around sensitive resources and safety concerns.

Brickyard-Menemsha Plant List

Site visit conducted 11/16/2017

The following species were found at the Brickyard (Target native species are in green):

- Japanese honeysuckle: Found throughout the area. It was along the road at least 20ft deep and made up much of the understory.
- Autumn olive: Found scattered throughout the area. It was more frequent on the southern edge. Also in upper Yard.
- Bittersweet: Thick along the southern edge and along the road. It was also found around the chimney and wheel works. It was found to a lesser extent closer to Roaring Brook. Also in Upper Yard
- **Pokeweed**: Few in number only along the road
- Multiflora rose: Found mostly along the south/southeastern edge and along road. Also found around the chimney and wheel. Not very common elsewhere. Also in Upper Yard
- **Grass-leaved goldenrod**: Made up much of the understory along trail and along road
- **Black Oaks**: Dominant tree found throughout the area.
- **Deer Tongue Grass**: Along road
- Queen Anne's Lace: Along road
- **Smooth Shad**: On beginning of trail near road and a few further along trail (southeast portion of area)
- **Smilax**: Common along trail and around chimney. Less further in.
- **Viburnum** (Arrowwood): Along right side of trail and in smaller amounts throughout
- Mullein: Along southern end of path beside chimney. None further in.
- **Grape vine**: Some found along path. Small amounts.
- One **elderberry** found along trail beside chimney
- **Black Cherry**: Small numbers. Near wheel.
- **Poison Ivy**: Small amount throughout
- **Common Milkweed**: Some just past chimney where habitat opens up slightly and some in upper yard.
- **Bayberry**: Past Chimney where trail leads along more open northeastern edge.
- **Blueberry**: Small amounts where trail is more open and closer to wall along upper yard.
- **Scrub Oak**: Mixed in with black oak and bayberry along trail by roaring Brook and more open edge along northeast.
- **Huckleberry**: Closer to upper yard and Roaring Brook. Small amounts.
- One **white oak** near road and upper yard
- Small amounts of **wavy-leaf aster**, **winterberry**, **beach plum**, and **winged sumac**

Overall this habitat was made up of many invasives with a few natives. Many of the native plants, especially the black oak, were covered in invasives. They could benefit from being cut

and allowed to resprout. Native plants could be flagged and left where possible while the invasives are removed. The target species were present in very low numbers.

Appendix C

NHESP Exemption Letter 2018



MASSWILDLIFE

DIVISION OF FISHERIES & WILDLIFE

1 Rabbit Hill Road, Westborough, MA 01581
p: (508) 389-6300 | f: (508) 389-7890
MASS.GOV/MASSWILDLIFE

Jack Buckley, *Director*

February 1, 2018

Chilmark Conservation Commission
Town Offices
P.O. Box 119
Chilmark MA 02535

Christopher Kennedy
The Trustees of Reservations
PO Box 2106
Vineyard Haven MA 02568

RE: Applicant: Christopher Kennedy
 Project Location: Menemsha Brickyard, 0 Gosnold's Way
 Project Description: Menemsha Hills Management Plan
 DEP Wetlands File No.: 012-0807
 NHESP Tracking No.: 06-19770

Dear Commissioners & Applicant:

The applicant listed above has submitted a Notice of Intent and Habitat Management Plan (dated 12/18/2017) to the Natural Heritage & Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife (the "Division"), in compliance with the rare wildlife species section of the Massachusetts Wetlands Protection Act Regulations (310 CMR 10.59).

MA WETLANDS PROTECTION ACT (WPA)

Based on a review of the information that was provided and the information that is currently contained in our database, the Division has determined that this project, as currently proposed, will **not** adversely affect the actual Resource Area Habitat of state-protected rare wildlife species. Therefore, it is our opinion that this project meets the state-listed species performance standard for the issuance of an Order of Conditions.

Please note that this determination addresses only the matter of **rare** wildlife habitat and does not pertain to other wildlife habitat issues that may be pertinent to the proposed project.

MA ENDANGERED SPECIES ACT (MESA)

Based on a review of the information that was provided, the Division has determined that this project, as currently proposed, appears to be exempt from MESA review pursuant to 321 CMR 10.14 which states: "[t]he following Projects and Activities shall be exempt from the requirements of 321 CMR 10.18 through 10.23..."

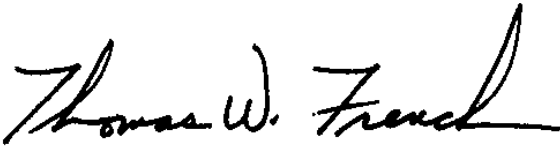
MASSWILDLIFE

(15) the active management of State-listed Species habitat, including but not limited to mowing, cutting, burning, or pruning of vegetation, or removing exotic or invasive species, for the purpose of maintaining or enhancing the habitat for the benefit of rare species, provided that the management is carried out in accordance with a habitat management plan approved in writing by the Division”

Any changes to the proposed project or any additional work beyond that provided may require a filing with the Division pursuant to the MESA regulations.

Please note that this determination addresses only the matter of state-listed species and their habitats. If you have any questions about this letter, please contact Emily Holt, Endangered Species Review Assistant, at (508) 389-6385.

Sincerely,

A handwritten signature in black ink that reads "Thomas W. French". The signature is written in a cursive style with a large, sweeping flourish at the end of the name.

Thomas W. French, Ph.D.
Assistant Director

cc: MA DEP Southeast Region