

WEST TISBURY  
CONSERVATION COMMISSION  
MINUTES OF MEETING

January 13, 2015

**Present:** Peter Rodegast, Prudy Burt, Whit Griswold, Nate Morgan, Binnie Ravitch, Michael Turnell and Tara Whiting

**Staff Present:** Maria McFarland

**Also present for all or part of the meeting:** Carter Hakala, Tom Della Rocco, Kara Shemeth, Chuck Sullivan and Tom Rockwood

The meeting was called to order at 5:04 P.M.

**Minutes:** Minutes of the December 9 meeting were approved as revised. Binnie abstained. Minutes of the December 16 meeting were approved as revised.

**Continued Public Hearings:**

**Map 1 Lot 50/SE79- 352:** Ross Engelman, for property owned by Beach Pebble Realty Trust located at 30 Beach Pebble Road, to construct an addition to an existing single-family dwelling. The addition would alter 1,260 feet of the outer buffer zone to a coastal bank.

Chris Alley submitted a revised plan showing a 10 foot wide access path for future beach nourishment for the revetment approved under Order of Conditions (SE79-270). Chris said it is not as wide as the one needed for the original construction of the revetment because there will not be a need for a large excavator. Chris said a small bobcat can be lowered onto the beach.

The well house will be taken out and a new well drilled once the footprint of the addition is cleared. The proposed location of the well is outside of the 100 foot buffer zone but the location still has to be approved by the Board of Health. If the well ends up being within the buffer zone, the applicant will submit a revised plan to the Commission showing the final location.

Mr. Engleman requested that he not be required to have dry wells. Instead he would like to have two downspouts that run to day light. The board said that was fine as long as there was crushed stone placed at the point where the downspouts run to daylight to mitigate erosion.

Waste water from the outdoor shower shall be drained into a three (3) foot deep leach bed lined with crushed stone.

Chuck Sullivan, architect for the Englemens, was asked to limit any trim detail on the deck to the first set of footings of the deck on the northwest water side of the house so that vegetation can grow.

There being no public comment, and no further discussion among the members, the public hearing was closed. A motion was made and seconded to approve the project as proposed in the Notice of Intent and shown on the project plan dated January 12, 2015. All in favor.

Special conditions to include the following:

- Pre-construction site visit
- Limit of work marked by erosion control measures as shown on the project plan.
- No stockpiling on the water side of the house
- Landscaping plan to be submitted for review and approval
- Final location of well
- Crushed stone shall be placed at the point where the downspouts run to daylight.
- Final design of deck on the North West side of the house.

**Map 3 Lot 15/SE 79-350:** Thomas Rockwood on behalf of Elizabeth Rockwood, Trustee of the Rockwood/Vineyard/Nominee Trust for property located at 78 Bartimus Luce Road. The project consists of the placement of compatible beach sand, coir logs, jute netting and plantings on the face of a coastal bank to stabilize erosion of the bank caused by groundwater seepage.

Tom Rockwood was present via conference call. Tom Della Rocco was also present for the applicant. This hearing was continued to this evening to allow Greg Berman of the Woods Hole Sea Grant time to provide a follow up report after reviewing the NOI and project plans. This report dated January 6 was noted for the record and discussed. Revisions to the construction sequence submitted by the applicant on December 12 and January 13 were also reviewed.

#### **Issues Discussed:**

- Bank Profile: In response to Greg Berman's comments, the bank failure centerline profile plan (Exhibit 8 to the NOI) was changed to show that the graphed lines connect at a point on the top of the bank that has not seen recent elevation changes.
- Project Plan: A revised Coir Log Placement & Vegetation Planting Plan (Exhibit 12 to the NOI) was submitted with the following changes:
- The first 20 feet from the toe of the bank will not be filled. Planting will be done in the existing soils.
- Addition of a row of 7 low profile, deep rooted native shrubs (bearberry) in a row three feet inland from the top of the bank failure. (See below).
- Addition of 10% switch grass on the lower level of plantings.
- Addition of 4x4 stakes to secure coir logs on the upper 10 feet of the repair: Tom Della Rocco said this revision was made in response to the Berman report that there was not enough detail provided by the applicant concerning how the contractor will access the slope for planting. Berman recommended the use of 4x4 stakes instead of the size originally proposed. Tom said he will not be stitching the coir logs together. They will be anchored with 5 stakes per log. There would be 4 to 5 feet of fill placed in the crevice and then the coir logs placed on the fill. The goal is to provide as much of a planting surface as possible in order to give the plants the maximum opportunity to establish.
- Sediments: The volume of fill was reduced from 124 CY to 81 CY. However the applicant has requested approval to use up to 90 CY. This represents a 27% reduction in the amount of fill to be used. Tom Della Rocco will drop off a sample of the sediment from the face of the bank. The fill they will use is material excavated from a site in Aquinnah and stockpiled at John Keene Excavation.

- **Maintenance provisions:** In the event of a future failure of the bank, the applicant will have to come back to the Commission to determine next steps if any.
- **Buffer Strip:** The Berman report recommends a 5 to 10 foot no-mow zone along the top of the bank so that over time there would be a natural colonization of the top of the bank. Mike and Prudy expressed concern that 7 bearberry plants would be insufficient, and the bearberry while appropriate, might not take. After discussion on this aspect of the plan, it was agreed that there should be a variety of appropriate native plants and a larger area be planted. Tom Della Rocco will submit a revised planting plan. This area will be monitored for a couple of seasons before deciding whether to plant the entire top of the bank.
- **Waiver:** The applicant has requested a waiver to allow temporary operation of machinery and alteration of the buffer zone in order to access the bank and plant the top of the bank at the top of the failure area.

There being no public comment and no future discussion, the public hearing was closed. A motion was made and seconded to approve this project as revised and to approve the request for a waiver to temporarily alter the No-Disturbance Zone. . The vote in favor was unanimous.

Special conditions to be reviewed and approved at the next meeting will include the creation of a 10 foot wide no mow zone at the top of the bank, a pre-construction site visit, and a more detailed planting plan and inventory.

### **New Business:**

**Map 15 Lot 6/Donovan:** Carter Hakala was present on behalf of his family to explain the unauthorized work in the buffer zone including the construction of a retaining wall, expansion of the driveway, construction of a car port and stone enclosed shower. Mr. Hakala will submit an after-the-fact request for Determination of Applicability and an accurate site plan showing all the projects that have taken place on this property together with his proposal for restoration of the buffer zone. No action was taken.

### **Old Business**

**Map 3 Lot 91/Lambert's Cove Beach Path subcommittee/update:** Mike asked members what they thought of placing a stone bench at the top of the dune for people to rest on. Responses to the idea included concerns that it would sink into the sand and sand would scour out around the bottom. A wooden bench somewhere along the wooded path would be a better location. No action was taken.

**Map 39 Lot 11/SE79-344:** Request for approval of change order under special condition #5: Wilkinson Ecological submitted a written request and access plan to relocate access to the gabion/coir log array during times of high pond to perform beach nourishment under special condition #15. A motion was made and seconded to approve this revision as a minor change to the order that does not require a formal amendment.

**Mill Brook Watershed Study:** Prudy gave the members a brief update on the RFP. The watershed study committee is negotiating the scope of work for the study that is somewhat reduced from what was in the RFP. Prudy explained that the committee has essentially agreed to a reduced scope of work for the same amount of money that the Town allocated for this study. A review and summary of existing data and the morphometric study have been eliminated from the study and the numbers of monitoring rounds and

monitoring sites have been reduced. A motion was made and seconded to send a letter to the Board of Selectmen expressing the Commission's concern that the study will be incomplete.

Prudy also asked the board to consider undertaking baseline water quality testing on the Tiasquam River. No action was taken.

**Administrative:**

Certificates of Compliance approved and signed:

**Map 11 Lot 109/S379-334/Blue Sky LLC:** Partial Certificate of Compliance for lots 1, 3 and 4

**Map 1 Lot 50 SE79-270Sundin:** Certificate of Compliance for revetment

There being no other business to conduct, the meeting adjourned at 7:00 PM.

Respectfully submitted,

Maria McFarland  
Board Administrator  
APPROVED