

MINUTES

Wednesday, March 3, 2021 - 4:00 pm
Oak Bluffs Conservation Commission
Meeting via Zoom

Members present: Joan Hughes, Terry Appenzellar, Sharon Cooke, Ron Zentner, Alice Goyert, Rose Ryley, and Margaret Klugman

Others present: Dan Martino, Chris Alley, Craig Dripps

Martino's Seafood – NOI for the 2 acre aquaculture site between the Cottage City Oyster Farm and Eastville Beach jetty which is currently used as a research project, but would like to make it permanent. Dan Martino has not applied to Oak Bluffs Selectmen for another aquaculture license.

A motion was made by Terry Appenzellar and seconded by Ron Zentner to continue the hearing in September 2021 after the aquaculture license is approved. All voted in favor.

Prospect Girls LLC – NOI for renovation at 14 Temahigan including a new septic system, garage with bedroom above and construction of a 12' x 52' swimming pool in the backyard. Chris Alley of Schofield, Barbini and Hoehn presented detailed plans of the renovation which included a separate garage with bedroom above, a 12'x52' swimming pool in the back yard and installing a new 8 bedroom septic system in the front of the property and filling the old failing system in the back yard. Chris Alley had gone before the Oak Bluffs Zoning board for approval, ZBA moved for a continuation as the swimming pool would be in the Conservation Commissions jurisdiction and because the property is under contract, a bedroom above the garage could not be permitted due to a 5 year residency requirement. The ZBA asked Town Counsel to advise as to whether or not a prospective buyer could apply for a building permit. Neighbors had concerns about the scope of additions and possible runoff and drainage into the nearby properties and wetlands. Joan Hughes read several letters from abutters about their particular concerns including Cheri LePage, Harriet Dewey and Holly Crosbie Foote. Because the property is under contract, there were questions of the legality of permitting under future owners. Most of the questions raised had to do with the zoning and not the Conservation Commission. The Oak Bluffs Zoning Board had not decided about the bedroom over the garage, and the lack of specific answers from Town Counsel. The Commission decided to table the NOI until the ZBA hears from Town Counsel.

A motion was made by Terry Appenzellar and seconded by Sharon Cooke to continue the hearing to April 7, 2021 at the next meeting. Joan Hughes, Terry Appenzellar, Ron Zentner, Sharon Cooke, and Margaret Klugman voted in the affirmative, Rose Riley voted in the negative. The motion passed.

Approval of Minutes from February 2, 2021.

Ron Zentner made a motion seconded by Sharon Cooke to approve the February 2, 2021 meeting minutes. Motioned was unanimously approved.

Certificate of Compliance- Jason Colberg 258 Newton Ave seawall project. The construction portion of the Order of Conditions has been completed; however the planting and vegetative plan that was part of the Order of Conditions was not done. Rosa rugosa was not planted as required. George Sourati of Sourati Engineering was not present at the site visit. The Certificate of Compliance could not be approved because not all of the work was completed as detailed in the Order of Conditions. The order requires 2 years of successful growth before a certificate can be issued.

Discussion about the restoration plan for the enforcement action against Melvin. The plant inventory was completed and the damage is extensive. Moving forward with legal action to ensure someone pays for the damages.

Craig Dripps expressed his wishes to the Commission that he would like permission to do selective cuttings on the Bluff (which is owned by the Town) opposite his home at 202 East Chop Drive to maintain his view. It would be a one-time pruning and closely monitored by a licensed arborist. It was agreed that most vegetation could be cut no lower than 36 inches and pruned properly to the specific plant. A commissioner would meet with him to review the appropriate vegetation to prune and a follow up site visit by commissioner(s) after to confirm that cutting was done appropriately.

Meeting adjourned at 5:00 pm.

Respectfully submitted,

Lis Peterman