



Oak Bluffs Conservation Commission
MINUTES
Thursday, June 17, 2021. 3:30 - 4:30 pm
Oak Bluffs Library

Members Present: Joan Hughes (Chair), Terry Appenzellar, Ron Zentner, Sharon Cooke, Rose Ryley, Alice Goyert

Others Present: Kara Shemeth (SBH), Matt Kramer, Craig Dripps (ECA), Maura McGroarty,

Joan Hughes, Chair called the meeting to order at approximately 3:30 pm. Kara Shemeth, Project Surveyor for Schofield, Barbini & Hoehn (SBH) Inc., is representing the clients of L & R Realty Trust at 20 Vineyard Ave, and for the Jensen clients at 274 Seaview Ave.

L & R Realty Trust. 20 Vineyard Ave. – A Request for Determination of Applicability (RDA) for the proposed replacement of a single-family dwelling, with three individual dwelling units. The plan includes an upgrade to a new Title V septic system and associated site work. Kara Shemeth discussed logistics of the 20 Vineyard Ave property while reviewing plans of the new proposed buildings with the Commission. Terry Appenzellar asked how the new footprint will compare to the existing footprint of the building. Joan Hughes brought up various issues revolved around the septic system. It was pointed out that the ZBA will have to be consulted in this case. It was determined that the septic system is okay for approval. The proposed new dwellings are expected to have crawl spaces, in comparison to the existing dwelling which contains a full basement. Terry Appenzellar inquired if the RDA will have to be amended, and it was determined it will not. Matt Kramer discussed his personal experience with flooding as he is a neighborhood resident. Terry Appenzellar moved for a negative determination, Ron Zentner seconded the motion, and Commission members unanimously voted in favor.

274 Seaview Ave- Certificate of Compliance Request. - Kara Shemeth revealed photos of property showing that pavers are now level with grass. New plantings look healthy along with the new tree planted in compliance with request. Terry Appenzellar motioned to approve certificate, Joan Hughes seconded the amendment, and the Conservation Commission members unanimously voted for approval.

East Chop Bluff, Foth Engineering, Extension for Order of Conditions. - Current Order of Conditions is expiring in July, so applicants are asking for a 3 year extension under the same conditions. Terry Appenzellar moved to approve the 3 year extension, Alice Goyert seconded the motion, and the Conservation Commission members were unanimous in approving the extension. Foth engineering has hired outside of the FEMA approved engineering groups, as is required for this project. It is revealed that a 60/40 grant is what this grant will be. The logistics of the project will have to be determined, including how the rocks will be transported in. Terry Appenzellar noted that using a barge is not feasible to bring in the large toe rocks, and questioned if that could be reconsidered. Joan Hughes mentioned the water depth may be an issue, and present eelgrass beds could pose a problem as it then becomes a state issue. More questions will be asked with Foth engineering group. It is estimated that 6 million dollars will be needed for this project. Rose Ryley asks for some precedence with projects similar to this one. Terry Appenzellar brings up the OB pier which has some similarities. It is infrastructure money that FEMA will be providing as asked by Craig Dripps, and followed by with an answer of yes by the Committee. The Harbor Jetty is another project comparable in terms of cost and logistics.

Other Business:

Minutes. - Minutes recorded from previous meeting were deemed more detailed than necessary and will need to be summarized. Terry Appenzellar agreed to attempt to summarize the last hearings minutes.

Chrystal Lake, ECA. – Joan Hughes mentioned that the Notice of Intent for this project is 54 pages long. The Conservation Commission may consider hiring their own expert to guide the Commission through the process of what could be a particularly complicated NOI. LLC did this NOI for the clients. ECR was hired to do an overall evaluation. A decision was made to produce black and white copies of the original map, due to saving costs. Anyone who wishes can see the colored original map at the conservation office. Possible hires are discussed for the Conservation Commission. The Restoration Permit, like the one in this case, is a new process for the Conservation Commission. Joan Hughes discussed pesticide use around Chrystal Lake properties. Rose Ryley mentioned this is an opportunity to create new limits for pesticide applications. Terry Appenzellar discussed the history of Chrystal Lake properties. It is pointed out that the state still has oversight as it is a Great Pond albeit privately owned. In order to implement this plan it is expected to double, or triple the total cost. Terry Appenzellar calculated there is approximately 4500 feet of perimeter around the lake. This upcoming review of the proposal is for 19 view easements. The proposed plan is to eliminate all non-native and invasive plants. However because of climate change many of these non-native plants may be better

conditioned to survive the changing climate better than some of the native plants. Joan Hughes discussed that the plantings have to be cared for which also costs additional money. Sharon Cooke asks if there are experts around to ask for advice. Terry noted some past mistakes made by East Chop Association in consultation with the Commission resulting in the acidification of the pond, and elimination of wildlife formerly present there, including fish, heron and at least one otter. Because it is a Great Pond there is public access even though it is privately owned. Joan Hughes brings up global warming concerns regarding Chrystal Lake, including increased storm surges. Terry Appenzellar mentioned depth of the pond is surprisingly only 4-5 inches across.

Lachowitz Decision. - This case has been in the process of review for 9 years, with lawsuits going on for about 4 years. Greenstein will be asked to make a list of what he wants to be cut in an ideal world, and given to Joanne Lachowitz. Conservation Commission will have final say on what will be contained in the approved plan. Original Order of Conditions will likely be less restrictive than today's Conditions, as it has been over 20 years since the original Orders were created. Sharon Cooke brought out the original Order of Conditions for the Commission to review.

The meeting adjourned at 4:30 pm by the Chair, Joan Hughes.

Respectfully submitted,

Zac Wannamaker