

WEST TISBURY
CONSERVATION COMMISSION
MINUTES OF MEETING
July 7, 2026

Present: Ernie Thomas, Noah Froh, Robert Myhill, Chris Lyons, Whit Griswold, Peter Rodegast

Absent:

Staff Present: Angela Luckey

Also **present for all or part of the meeting:** Cody Coutinho, Debbie Black, Chris Cottrell, Gil Kerlikowske, David Smith, Bryan Collins, George Sourati

Call to Order: Whit called the meeting to order at 5:02 pm

Approve Minutes – Minutes for Tuesday, June 16, 2026

Ernie made a motion to approve the minutes as amended, seconded by Peter

Roll call vote: Noah-aye, Ernie-aye, Robert-aye, Peter-aye, Whit-aye

Continued Hearing:

Whit opened the continued hearing at 5:12 pm

5:10 PM/ of Map 14 Lots 14 & 14.1/SE79-491: a public meeting under the requirements of G.L. Ch.131 § 40, as amended, and the West Tisbury Wetlands Protection Bylaw and regulations to consider a **Notice of Intent** filed by Vineyard Land Surveying & Engineering, Inc., on behalf of Corinne Field for a project located at **369 & 399 Reservoir Road** to trim and remove vegetation to maintain a view channel and to install a replacement domestic water supply well.

Cody Coutinho joined the table to present the project.

Discussion focused on previous questions raised by board at the last meeting around tree trimming:

- Confirmation of who will be doing the work. Cody confirmed that Seven Gates would be doing the work with hand tools. Ideally, they would like to leave the trimmings there rather than hauling them out.
- Species of proposed trees to be trimmed were determined to be speckled alder. This is a native species but when cut it promotes more growth. Tree is right on the pond in the wetland.
- Comparison images and site visit images were reviewed for context.
- Proposed cutting is on an abutter's property, the Schmidt family. Applicant has received permission from the Schmidt family.
- Amount of trimming proposed is 12 to 18 feet. The full height of the tree is unknown, but it is estimated that 12-15 feet of the tree would remain after trimming.
- A view existed back in 2006, to the applicant's knowledge there has not been cutting since then.

Regulatory considerations:

- Excerpts were read from regulations for Bordering Vegetated Wetland (BVW) Section 10.55 in the Wetlands Protection Act.
 - o Where a proposed activity involves the removing, filling, dredging, or altering of a BVW, the issuing authority shall presume that such area is significant to the interests specified in the Act.
 - o This presumption is rebuttable and may be overcome upon a clear showing that the BVW does not play a role in the protection of said interests.
 - o Regulations go on to provide general performance standards from there.
 - o This can be interpreted as that the board can allow it but only if it can be shown that the BVW does not play a role in protecting the wetlands or interests.

- The discussion of this Notice of Intent is whether trimming of this tree would alter the wetland and its functions. It is for the applicant to show that this activity would not do any harm to the resource area.
 - o Potential removal of shade on the pond and concerns of cyanobacteria.
 - o Concerns if debris from cutting were to be left in place. This can be addressed by hauling out cut branches.
 - o Trees will survive if branches are only being cut. This would be a one-time cutting and applicants would come back if they wanted to cut more in the future.
- Concerns remain about setting a precedence for cutting in the BVW.

Water line portion of application:

- Trenching for water is 40 feet from wetlands on one side and 60 feet from wetlands on the other side.
- Well Option 1 is preferred and well option 2 is the second choice if option 1 does not work.
- Proposed trench is the width of the bucket and can be backfilled as the water line is laid out.

Robert made a motion to approve the Notice of Intent as presented. Ernie seconded the motion.

Discussion on the motion: Continued resistance on the tree trimming portion of the application. Peter said he could amend the motion to approving the well work but not the trimming. Cody requested for a continuance instead.

Robert withdrew his motion and noted that whatever the applicant can do to prove there would be no harm done would be helpful.

Ernie made a motion to continue the public hearing to July 21, 2026, at 5:50 pm, seconded by Robert.

Roll call vote: Noah-aye, Ernie-aye, Chris-aye, Robert-aye, Peter-aye, Whit-aye

New Public Hearing:

Whit opened the new public hearing at 6:18 pm.

5:40 PM/ of Map 6 Lot 8: a public meeting under the requirements of G.L. Ch.131 § 40, as amended, and the West Tisbury Wetlands Protection Bylaw and regulations to consider a **Notice of Intent** filed by Sourati Engineering Group, LLC, on behalf of Paul's Point Area Realty, LLC for a project located at **223 John Cottle Road** to demolish an existing single-family residence and construct a new single-family residence with associated utilities. The proposed work is located within 100' of a Bordering Vegetated Wetland.

George and Bryan presented the project.

- Proposal to demolish ~95-year-old house and rebuild new cottage on one floor, elevating the floors of the new structure by about 30 inches.
- New house will be two bedrooms and winterized.
- Current house is partially on a slab and partially on piers. New dwelling will have a crawl space with utilities and a concrete floor.

Site plan review:

- There is an intermittent stream that goes all the way down to the beach. Included in the NOI application is a report from LEC consultants confirming that it is an intermittent stream and not a perennial stream.
- Existing cottage is 19 feet from the edge of the wetland.
- Current edge of clearing is shown on the plan.
- Comparisons of square footage in the No Disturbance and No Build zones between the existing structure and proposed structure.

- Reduced square footage of structures within the No Disturbance zone from 141 sq ft to 78 sq ft.
- New structure will convert open patio into an addition:
 - Existing house is 1006 sq ft without deck sq ft included
 - New house is 1324 sq ft, with deck it is 1530 sq ft
- Existing septic system on site to tie into and a fairly new well.
- Going to slightly elevate the grades to match change in elevation
- Limit of work is not shown on current plan but will be kept tight to the house (about 5 feet on the sides) and will not go out as far as the existing edge of clearing.
 - Limit of work and updated square footage will be added to final plan.

No plan to do any extensive landscaping but would come back with a landscaping plan. No plan to cut any trees or clear any vegetation.

Motion to approve NOI as presented with limit of work and square footage revisions on forthcoming plan. Sediment controls will consist of snow fencing with silt fence on the inside.

Motion made by Ernie, seconded by Peter

Roll call vote: Noah-aye, Ernie-aye, Chris-aye, Robert-aye, Peter-aye, Whit-aye

New Business:

5:30 pm - 40 Norton Farm Road discussion with Gil Kerlikowske and David Smith (solar installer) about unpermitted installation of solar and trimming within the Riverfront Area.

- Solar work:
 - Received a building permit for ground mounted solar and a Certificate of Completion on December 30, 2022, after solar unit was installed building department found a plan with wetlands and directed them to the Conservation Commission.
 - Installer had looked at the GIS map on the town website and did not see a wetland in this area. The maps are only guidance and do not always accurately reflect wetland areas.
- Clearing of area was another question:
 - Gil, the property owner, in the fall of 2022 had cleared up to the pre-existing fence line after a cyclone storm took down trees. This clearing was within the Riverfront Area.
- Other concerns of concrete being dumped in the stream and a pipe directing water from the house out into the stream
 - Gil said the concrete had been removed and the pipe had been capped.

Board considered how to move forward to get this solar installation and vegetation clearing officially on record. Filing a Request for Determination (RDA) was floated with an as-built plan. Concerns were expressed that the board would not be able to condition an RDA determination and there may be a desire to require restoration for areas cleared.

Noah made a motion for the property owner/solar installer to file an after-the-fact Notice of Intent, Peter seconded the motion.

Roll call vote: Noah-aye, Ernie-aye, Chris-no, Robert-aye, Peter-aye, Whit-aye

Time will be reserved for topics that the Chair did not reasonably anticipate.

- Motion to approve and sign Certificate of Compliance for old Order of Conditions SE79-181
Ernie made a motion, seconded by Peter
Roll call vote: Noah-aye, Ernie-aye, Chris-aye, Robert-aye, Peter-aye, Whit-aye

- Motion to approve and sign Certificate of Compliance for old Order of Conditions SE79-161
Ernie made a motion, seconded by Noah
Roll call vote: Noah-aye, Ernie-aye, Chris-aye, Robert-aye, Peter-aye, Whit-aye
- Corrected OOC for Map 39 Lot 12 May 2025 Conditions – clerical corrections
 - Board signed corrected OOC – vote not required.
- Robert will be here the next meeting but away until Labor Day. He can attend the August meeting remotely but will not be around for site visits.
- Whit made the suggestion of creating laminated sheets with examples of the different resource areas (like IVW, Riverfront, BVW, Intermittent streams), including different buffer distances and terminology for acronyms. This would serve as a resource to be passed around during meetings.
 - Angela will look at any existing resources and work on a first draft to run by the Board.

Administrative:

- Map 15 Lot 1 – 274 Indian Hill Road Review of Restoration Planting Monitoring site visit 6/8/26
Noah and Robert recused themselves and left the room as Robert is an abutter and Noah works for Sheriff's Meadow who is an abutter.
- **Peter disclosed that he occasionally does work for Sheriff's Meadow but is not an employee.**

This was the last monitoring site visit of the updated enforcement order. Discussed site visit and observations.

- Chris L. and Peter were the commissioners present at the monitoring site visit.
- Plantings looked fine with a few shrubs and trees weather worn.
- Restoration area is fenced in.
- Question raised about the abandoned roadway. Still looks passable with a vehicle but was only freshly abandoned about 6 months ago after the last discussion around an RDA application.

Ernie expressed an internal conflict with the work done on this property.
Brandon Faneuf was present but did not have any additional comments.

Restoration was found to be satisfactory and the board expressed interest in doing follow-up visits in future years to monitor growth. Chris C. said the board was welcome to do follow-up site visits. He will also be coming before the Board with an NOI for other proposed work on the property.

Angela will write a letter to Chris C. summarizing this discussion and noting that the board reserves the right to conduct monitoring site visits with permission from Chris C. to access the property.

- Develop working group for Coastal Resilience Zone Regulations
 - Discussed the possibility of establishing a working group to work on Coastal Resilience Zone Regulations. Two members from the Energy/Climate committee are willing to be in the working group and Kate Guiney said she would be willing to draft minutes.
 - Angela will ask Sue Hruby to contact Robert to provide some more information on the structure of the working group and the time commitment.
- Approval of iPad Purchase for meeting minutes and site visit photos – to be split with ZBA
 - Whit had previously approved the purchase, and the Board was in favor of splitting the purchase of an iPad for minutes and site visits.
- Educational mailing outreach for properties within ConCom jurisdiction.

- Angela obtained a list of mailing addresses for properties within ConCom jurisdiction. She will work on a draft informational flyer.
- Thumb Point Cove review
 - The Board received copies of Bryan McCormack's 2024 report prior to the meeting. This report reviewed the sand nourishment as part of two Orders of Conditions and their connection to the shoaling at Thumb Point Cove. This is what Mal Jones came in to discuss at the June 16 meeting where the Board asked Angela to investigate the matter further. In Bryan's report it was mentioned that there is less sand movement than if the revetment wasn't there, and that this is a very dynamic system within Tisbury Great Pond.
 - Angela spoke with Bryan and he can do another review of this for the Board. Angela also spoke with George Sourati as he has been the representative for applications tied to these Order of Conditions.
 - George comments during the meeting:
 - How far would the Board want to investigate this, as a comprehensive look would involve the entire pond.
 - Fiber rolls must be covered with sand to be effective. In the approval of the original Orders of Conditions, it was agreed to apply an amount of nourishment that is less than what would naturally erode. Seth Wilkinson is the company that does the nourishment.
 - Kent Healy oversaw opening the pond when this Order was drafted and at that time the pond would not be allowed to get as high before opening the cut.
 - Now the pond is allowed to get higher for a better flush. Since the pond is higher there is more erosion all around Tisbury Great Pond when there are storms or strong winds, and therefore more sand movement.
 - Board notes:
 - Very dynamic and moving system with pros and cons of any solution that might be presented.
 - Any action would require comprehensive study.
 - Multiple groups affiliated with the pond, one of which is a riparian owners association that might want to look into this more.
 - Angela will draft an update letter to send to Mal and will share Bryan McCormack's contact with George Sourati.
- **Correspondence:**
 - MV Hunt Club and Brian Athearn regarding deer processing facility
 - Board received copy of correspondence prior to meeting. Angela notified the board that Brian Athearn and Joe Capece, President of the MV Hunt Club, have been invited to the July 21 meeting to discuss.

Noah made a motion to adjourn at 7:22 pm – all in favor

Respectfully submitted,

Angela Luckey – Board Administrator