

GOSNOLD CONSERVATION COMMISSION
May 12, 2023
10:30 am via Zoom and in person at Town Hall

Present:

Conservation Commission: David Warr, Chairman; Chris Hart, Leo Roy, and Lisa Wright. Other attendees included Selectboard Member Gail Blout, Town Consultant Michael Milanoski, and Highway Supervisor Seth Garfield.

The meeting of the Town of Gosnold Conservation Commission (GCC) was called to order by Chairman David Warr at 10:34 am, and members and guests welcomed.

0. Introduction

Chairman Warr reviewed the agenda. He said that we had advertised a public hearing for moving the Coast Guard Visitor Center bathroom facility, but that plans for the type of bathroom and location were in flux. He suggested that we table the matter for now. The Commission agreed. Mr. Warr said that we needed a public hearing to approve a change in the foundation design for the Fuel Farm project, and opened the advertised hearing pursuant to M.G. L. Chapter 131, Section 40. He said that we had previously discussed and approved the change, and asked if there were any other questions or discussion.

Leo Roy made a motion to close the Public Hearing, accept the change in foundation design, and amend the Order of Conditions, which was seconded by Chris Hart. There being no further discussion, there were four votes in the affirmative. The motion carried.

1. Approval of Meeting Minutes

Chairman Warr thanked Mr. Roy for drafting and circulating the minutes.

Mr. Roy made a motion to accept the April 10, 2023 meeting minutes as written and distributed. Mr. Hart seconded the motion. There were four votes in the affirmative. The motion carried.

2. Amended Order of Conditions

This item was previously addressed.

3. Fuel Dock Pilings

Chairman Warr said that we had received a Request for Determination of Applicability (RDA) from the Harbor Committee to add six pilings to the Fuel Dock, and asked Mr. Roy to explain. Mr. Roy began by saying that nothing on Cuttyhunk was simple or straightforward. He said that the Harbor Committee had voted to replace the existing dinghy float on the west side of the Fuel Dock with three floats along the south side of the fueling pier. Six pilings were needed to secure the floats, hence the RDA. He said that the Town had also requested a Minor Modification from the Department of Environmental Protection (DEP) to the original Chapter 91 license for the Fuel Dock which was issued in 1910. During DEP's review, they determined that the Town was out of compliance with its license, due to the existing Water Taxi float on the east side, and the existing dinghy float on the west side, which were never permitted. DEP recommended that we withdraw the request for a Minor Modification, which would have been denied, and instead apply for a new Chapter 91 license for the Fuel Dock. Mr. Roy reported that we complied with DEP's recommendation, and have engaged Foth to prepare a new Chapter 91 license application, but that the process usually took about a year. He said that the addition of the three new floats would therefore be delayed until a new license was issued. Given this turn of events, he said that the Town was withdrawing the RDA. Instead, Mr. Roy said that the Harbor Committee was hereby notifying the Commission that it was proposing to relocate several pilings pursuant to the **General Provisions for Incidental Repairs**. He said that Don Lynch's barge was expected to be in the harbor later this month, to replace a broken piling at the Marina and to relocate a couple, and that the Harbor Committee wanted to take advantage of the opportunity to unbolt and relocate the six existing pilings about a foot to the south of the fueling pier. Seth Garfield asked about the existing dinghy dock on the west side. Mr. Roy said that he was also notifying the Commission that the two pilings and existing dinghy float and ramp would also be temporarily relocated for the summer to the north, along the fueling pier. He said that he hoped for approval of the updated Chapter 91 license by next spring so we could add the three new floats. The sense of the Commission was to support this approach.

4. Public Comment

Selectboard Member Gail Blout said that options for a bathroom facility at the Coast Guard Boathouse Visitors Center were still being explored, and asked if the Commission would consider allowing a portable restroom trailer to be connected to the Buzzards Bay Coalition (BBC) holding tank. Chairman Warr said that he was comfortable with that, provided that arrangements were made for regular servicing and pumping out of the tank. Lisa Wright said that she was on the fence regarding the whole idea of a bathroom facility in that location. Mr. Roy said that he was supportive of connecting the trailer to the existing holding tank, if it was amenable to the BBC. Ms. Blout said that the BBC had previously expressing a willingness to allow the connection, if the Town participated in the cost of pump-out.

Ms. Wright said that the Visitors Center Committee had agreed to abandon the Green Flush Toilet option at their meeting yesterday, but noted that Health Agent Karen Walega and Building Inspector Andy Bobola had spent quite a lot of time working on its approval. Ms. Blout said that she would contact them and thank them for their efforts.

Chairman Warr said that he was in receipt of some photographs of work being done in and near the resource area across from Mr. Garfield's house. He said that he had called Mr. Garfield for an explanation, and was told that the work was for punch list items, and was a continuation of work that was authorized in the existing Order of Conditions (OOC) for the Water Project. Mr. Warr said that he had previously raised issues about the condition of the resource areas between Four Corners and the Fish Dock, and that he was told that they would be addressed as part of the review and approval of the Certificate of Compliance for the project, but if the recent work was an attempt to restore the resource area, he would have appreciated notification before work was going to be performed. Mr. Garfield said that as Highway Supervisor he was responsible for overseeing the punch list work. He said that the need for the contractor to return to the island to do the punch list work had been discussed at several Selectboard meetings at which Mr. Warr was present. He said that DigIt had addressed the several apparent leaks and the crushed drain pipe at his house, and that while they were on island they removed the excess gravel out of the marsh, as Mr. Warr had requested. Mr. Roy said that we all had issues with imperfect communication regarding activities on Cuttyhunk. He said that he vowed that henceforth he would try to improve communication around upcoming project work, and endeavor to keep Chairman Warr informed in advance. Mr. Garfield said that for years he had been asking for regular meetings between the committees and department heads to improve communication and coordination. Mr. Roy said that he would be on the island on Saturday, and suggested that he, Mr. Garfield, and Chairman Warr inspect the resource area to see if further restoration work was needed.

Chairman Warr said that he hadn't yet drafted the OOC for the Veckatimist Barn project on Naushon that was approved at our last meeting, but that he hoped to do so shortly. Mr. Roy offered to help if needed.

5. Adjournment

The meeting was adjourned at 11:09am.

Respectfully Submitted,
Leo P. Roy

Approved August 14, 2023