

GOSNOLD CONSERVATION COMMISSION

July 12, 2021

1:00 pm via Zoom

Present:

Conservation Commission: David Warr, Chairman; Wyatt Garfield, Leo Roy, Michael Parker, Lisa Wright

Also in Attendance: Bill Austin(Vineyard Land Surveyors), Gail Blout, Horace Garfield, Marla Garfield, Rosemary Goettsche, Jennifer Lowell, Kate Parker, Sarah Smith, Fran Veeder, Terry Ziegler

The meeting was called to order by Chairman David Warr at 1:17 pm

Order of Business

- Minutes of 4/9/21, 5/29/21 & June 11, 2021 Meetings
- Hearing on NOI to Install & Maintain a Septic Upgrade within Buffer Zone
- Building Inspector/Conservation Agent

1. Minutes of 4/9/21, 5/29/21 & 6/11/21 Meetings

Leo Roy made a motion to approve the minutes of 4/9/21, 5/29/21 and June 11, 2021 with the following edits to the April 9th minutes

- *at the top the date has an extra 2 on it, and*
- *replace "A motion was made to close the public hearing and the Town **will agree** to allow more than 21 days for the **appeal period as** the Order of Conditions..." with "A motion was made to close the public hearing and the Town **agreed** to allow more than 21 days for the **issuance of** the Order of Conditions...." Lisa Wright seconded the motion. Four Commission members voted in favor, there was one abstention. The motion was carried.*

Chairman Warr noted that in the future the approved minutes of the GCC meetings will go on the Town Website

2. NOI to Install & Maintain a Septic Upgrade within the Buffer Zone

An NOI was submitted by the Lowell's presenting a plan to install and maintain a septic system upgrade within the buffer zone replacing the current leeching trench located within the lawn area.

Bill Austin from Vineyard Land Surveyors reviewed the plan to replace the existing leeching trenches with new trenches upgrading the system. It keeps the existing tank, there are the same number of bedrooms so there is not an increase in flow and the trenches are a little bigger than the old trenches. It is a very tight lot, there is not much else that can be done, and they end up being 86' from the Protected Resource Area (PRA).

The Board of Health has given a waiver to Title V for a 10% reduction in area. Mr. Austin confirmed that one of the five bedrooms has been relocated to the barn so that the flow stays the same. The construction does require bringing in about 30-40 yards of sand which

a contractor would supply. Mr. Austin suggested making it a condition that any material brought in not be stock piled in a PRA.

Mr. Roy pointed out that the application is as a single-family home, but it is actually, a multi-unit dwelling, and an additional dwelling is being created in the barn. This does not affect the Title V calculation which is based on bedrooms, not on kitchens or bathrooms. If it was 5 bedrooms and is still 5 bedrooms, then the calculations as shown are the same. In terms of the application, it is more of a commercial property, multi-unit as opposed to a single-family home.

Mr. Austin agreed to a condition that requires hay bales be placed along Bay View Road to protect the catch basin.

Mr. Parker noted that he had no objection to the NOI going forward based on the 14' discrepancy, a new septic system in place is better than worrying about the 14'. What is troubling is that the application suggests that this is a residence when in fact it is a commercial building with a store and rented apartments. The second thing that is a concern is the notion that the number of bedrooms is an indicator of flow. Given that the building inspector may not monitor the ongoing use of the rooms, perhaps the flow calculations should be based on 6 bedrooms. How does the present flow calculation compare to that of the flow calculation of this as a commercial building? Finally, Mr. Parker agreed that the storage of the sand or other building materials required for this project should be an order of conditions as suggested.

Fran Veeder noted that to be considered a bedroom the room must have a closet.

Michael Parker stated that while the GCC has no control over the number of bedrooms the property has or whether it is considered a single-family residence or a multi-unit commercial building; the project is within the 100' Protected Resource Area which the GCC is charged to protect. If someone asks for a waiver to be allowed within the 100' PRA it seems out of place for that person to say the GCC has no business questioning the number of bedrooms or if it is a commercial building. In allowing the waiver the GCC would hope that the applicant would be committed to use only 5 bedrooms and certify to us that they would only use 5 bedrooms.

Terri Ziegler did confirm that they have removed beds from one of the bedrooms, it is being used as a closet and they are considering enlarging the doorway to use the room as a sitting area.

Michael Parker made a motion to issue an Order of Conditions to Install & Maintain a Septic Upgrade within Buffer Zone as filed with the additional special conditions.

- *No storage of materials to be placed in the Protected Resource Area with the requirement for notification by the installer as to where and how that material will be stored prior to placement,*
- *Appropriate erosion and sediment control must be installed, and*
- *The property will be limited to five (5) bedrooms, as stated in the NOI.*

Leo Roy seconded the motion. Five Commission member voted in favor of the motion. The motion was carried.

3. Building Inspector/Conservation Agent

It was noted that the Building Inspector, Andy Bobola, plans to attend the August 13, 2021 meeting.

4. Comments

Leo Roy requested that the agenda be posted when the meetings are posted.

Gail Blout mentioned that at the Board of Selectmen's meeting it was noted that Foth will be sending a request to amend the Order of Conditions with respect to the time frame to be able to work from January – May 31st to qualify for the \$800,000 grant.

Leo Roy mentioned that the general provisions for incidental repairs were discussed but they were never finalized. Chairman Warr said they could be addressed at the August meeting as well as what Filing Fee charges would be appropriate to establish.

The next meeting will be August 13, 2021.

The meeting was adjourned at 2:21 pm

Respectfully Submitted,
Kate Parker