

GOSNOLD CONSERVATION COMMISSION

November 16, 2021

10:00 am via Zoom

Present:

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

Also in Attendance: Gail Blout, Mel Dorr, Dennis Lynch, Jim Norman, Kate Parker, Mark Rasmussen, Reid Silva
Kate Parker

The meeting was called to order by Chairman David Warr at 10:06 am.

1. Hearing for the Notice of Intent filed by Mel Dorr.

Chairman Warr opened the Hearing at 10:06 am.

Engineer, Reid Silva, reviewed the Notice of Intent to build a one bedroom guest house, upgrade the existing septic system as well as connecting it to the new guest house.

- The septic system is designed to be 30' from the top of the coastal bank and the guest house is at least 52' from the coastal bank.
- Access to the construction site will be by landing craft with three trips planned to deliver materials and equipment. Thereafter, workers will arrive by boat.
- Excess fill, estimated to be 50-75 yards, will be bagged and removed by landing craft to Cuttyhunk or the mainland.
- Utilities for the guest house will be connected from the main house and require a minimal amount of trenching.
- The guest house has been designed as and the Board of Health has approved it as a one bedroom house.

David Warr cautioned that the material removed from the construction site to Cuttyhunk should not be placed in the Protected Resource Area (PRA). Reid Silva assured the GCC that the fill is clean, sandy fill. Denny Lynch will be coordinating the removal and placement of the material. He agreed that the GCC will be advised of the location where the fill will be placed as a condition prior to getting a building permit or doing any work on the site. He will notify the GCC the site where the material will be placed and how it is getting there.

Michael Parker noted that the new septic system would probably be better than the existing old cesspool. He asked about how the issue of nitrogen infiltration into the outer harbor or Martha's Vineyard Sound has been addressed. Mr. Silva replied that there is a concern for nutrient contribution especially in a limited or impaired body of water or a confined water body such as the inner harbor but there has not been a concern of overloading the ocean with nutrient contribution from septic systems. This is not a confined water body that the septic system drains into, but the ocean itself which is not impaired.

Michael Parker noted that there are siltation controls around the work site for the leech field and some along the south portion of the property behind the proposed building. Could there be siltation control around the entire work site? Reid Silva agreed that construction fencing could be brought along the north side and down to the back side of the building to encapsulate the area. This would give a clear delineation of the construction site.

Wyatt Garfield asked for clarification that this project, which is more than 100' from the PRA, is still under the GCC purview or should it go to the zoning board? In response it was stated that the project meets all of the zoning setbacks but it is within buffer zones to PRA's that GCC is charged to protect.

Mark Rasmussen asked if there had been a sand analysis and if the material would be appropriate for strengthening the beach next to the property. Reid Silva responded that when the material is excavated it will be mixed with organics from the upper layer and difficult to separate. Furthermore, it is a relatively small amount of material, 50 yards from the septic system excavation and 25 yards from the foundation excavation.

Once separated it will be a small amount of material and may not be worth the effort of spreading it on a dune and disturbing the vegetation on the dune. If the amount of material was 200 yards, it could be worth the effort but with the amount of material in this project it might be more of a disturbance than a benefit.

Michael Parker made a motion to approve the plan for this project as presented taking into account the comments made during the discussion of the project. Four (4) Commission members voted Yes; 0 members voted No. The motion carried.

Reid Silva concluded that he would revise the plan to show the limit of work fencing as discussed and he will work with Denny for the disposal site of the excess fill. He will provide the GCC with this additional information.

The NOI Hearing was closed at 10:39 am.

2. Buzzards Bay Coalition (BBC) Discussion of Restrictions on Spaulding Property

This discussion is being held off until the Holly Spaulding's response is complete and the conservation restrictions can be determined.

3. Board of Selectmen Request to Amend OOC for Pumpout Station

Gail Blout requested the removal of item #25 on the Order of Conditions which prohibits any other use of the pumpout station. By removing this restriction the tank could be used for a bathroom facility established at the Coast Guard House Welcome Center.

In a report submitted by BCC Mark Rasmussen the septic waste removed from the pumpout station in the past 4 years was as follows:

2018	5000 gal
2019	8500 gal
2020	5500 gal (COVID19 year)
2021	7500 gal

The BBC pumps out the pumpout station 3 times/year at a cost of \$2,400/trip

Michael Parker noted that the Pumpout Station was intended to replace the pumpout boat for boaters and the restriction was imposed so that the system would have the necessary capacity for that purpose. The priority is to have a pumpout system for boats in the harbor. The question is, what will the shoreside use of that system have on that priority? Gail Blout responded that she did not have information on the amount of capacity the Town would need/use but the Town is very receptive to having it pumped out more frequently than the three times a year, that the Coaliton has done in the past, and pay for the additional cost. The Town would take ownership of that and it would be well managed.

Michael Parker suggested a Memo of Understanding (MOU) between the Town and the BBC as to how the excess of septic waste will be managed. He did not see a problem in amending the OOC, however, he did hope that the facility built would be inside the existing building and not have another commercial building outside in the PRA.

Gail will contact Mark Rasmussen about the MOU and get figures on the anticipated increase in septic waste for the GCC's next meeting.

4. GCC Letters Requesting NOI Filing Follow Up

David Warr reported that Bert Nategaal had responded to the GCC's letter and agreed to submit an NOI. To date Chairman Warr has not received a response from the Wiggins or Wilsons.

The next meeting will be December 10, 2021.

The meeting was adjourned at 11:10 am.

Respectfully Submitted,
Kate Parker