



Town of Oak Bluffs
Conservation Commission
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Joan Hughes
Chairperson

Terry Appenzellar
Sharon Cooke
Alice Goyert
Rose Ryley
Ron Zentner
Board Members

Garrett Albiston
Conservation Agent
Garri Saganenko
Conservation Admin.

Conservation Commission Hearing Agenda

October 6, 2022, 3:30PM

Hearing to be held at Sailing Camp Park

177 Barnes Road, Oak Bluffs, MA 02557

Members Present: Sharon Cooke, Joan Hughes, Rose Ryley, Ron Zentner

Members Absent: Terry Appenzellar

Others Present: Garrett Albiston, Garri Saganenko, Michael Goldsmith, Marilyn Vukota, Jeanna Shepard, J. Shepard, William Jurczyk, Kristen Reimann

Discussions:

3:30PM – Enforcement Order Hearing for 268 East Chop Drive M1 P20 Property Belonging to Ann Melvin

Marilyn Vukota spoke to the matter of the Enforcement Order served to her clients, Jeanna and J. Shepard, who are abutters to the property at 268 East Chop Drive. Marilyn said she would like to clear up the timing regarding the delivery of the enforcement order. She shared that after the delivery of the enforcement order, Anne Melvin served a 'No Trespass' order against the Shepards, which prevented them from accessing the property. Kristen Reimann could also not enter the property. Kristen Reimann and Matt Flanders met on the property in February or March 2022. Both Matt and Kristen proposed restorative plantings. According to Marilyn, the Shepards were trying to fix the issue but could not do this/were prevented from doing so. Once they could provide planting schedules, they did. The Conservation Commission considered the proposed plan inadequate. Kristen proposed 80 plants, Matt proposed 60. Marilyn felt Ann Melvin's focus was on screening plants, not restoring the resource area. Marilyn shared she felt Kirsten's plan was more than adequate. Garrett Albiston interjected to emphasis that a planting list was received, not a plan. Marilyn shared that a plan, as she understood from Kristen, was not provided because a return to the site would have to happen in order to determine where best to plant new plants.

Joan Hughes shared that the main concern of the Commission is remediation of the resource area.

Kristen Reimann shared her opinions based on the site visit. She shared that there was been a lot of regrowth in that area. She confirmed Marilyn's description of her plan for replanting and shared that she felt Matt Flanders' plan included enormous trees that would disturb root systems and only served the purpose of screening. Now, Kristen feels her plant list isn't as necessary because of regrowth. She then discussed other plants and trees that could still be replanted and then sought the opinion of the Conservation Commission.

Both Garrett and Joan shared that judicious pruning of trees that have begun "suckering" would be beneficial. Some conifers are also suffering, cutting them, leaving the root systems and replacing them healthier conifers would also be beneficial.

Kristen shared that there needs to be a discussion of how this work can be accomplished. Joan replied that the Commission's concern right now is developing an acceptable plan. Michael Goldsmith confirmed, adding, the Commission needs a plan, provided by the Shepards, that can be implemented. The process of implementation may end up being a separate issue. Joan then asked if this could be done in time for the next hearing, which is on 10/20. Kristen said yes. Marilyn then had questions about the form of this plan, stating, that her clients cannot sign an NOI for Ann Melvin. Michael Goldsmith replied, saying that something that can be implemented must be approved. He said a plant list alone cannot be implemented, it needs to include texts, steps, that describe how and when the work will be done.

The Commission then deliberated about how best to conduct another site visit. On the advice of Michael Goldsmith, a vote to authorize the agent and the chair of the Commission to return to the site.

Ron Zentner moved to authorize the agent and the chair of the commission to conduct another site visit to evaluate the status of the enforcement order. Sharon Cooke seconded. All voted yes.

Marilyn asked for a summary of what has been requested. Kristen shared that stakes can be brought to the site, numbered, put on a plan so that it's very clear where things will go. Joan will then take this plan and accept it. The accepted plan will then be submitted to the homeowners. Shepards would want to see the plan by Kristen before submitting. This hearing will at 3:15pm on 10/20. At Sailing Camp Park.

Shaon Cooke moved to continue. RZ second. All yes. 10/20 3:15pm.

Other Business:

- **Sharon Cooke moved to approve the minutes of 9/20/22 . Ron Zentner seconded. All voted yes.**
- **Ron Zentner moved to approve the minutes of 9/22/22. Sharon Cooke seconded. All voted yes.**

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