

**PROVINCETOWN
CONSERVATION COMMISSION
JUDGE WELSH ROOM
October 15, 2013
6:30 P.M.**

Members Present: Dennis Minsky, Lynne Martin, Barbara Prato and Mark Irving.

Members Absent: David Hale (excused) and Jesse Cartwright (excused).

Others Present: Brian Carlson (Conservation Agent) and Ellen C. Battaglini (Recording Secretary).

Chair Dennis Minsky called the Public Hearing to order at 6:30 P.M.

PUBLIC HEARING:

Conservation Commission: Natural Environment Articles: In accordance with §2-2-1 of the Provincetown Charter, the Provincetown Conservation Commission will hold a Public Hearing to determine the number of Board members in favor or opposed to the petitioned articles concerning the natural environment for the October 21, 2012 Special Town Meeting. Postponed until the end of the meeting.

REGULAR MEETING:

PUBLIC STATEMENTS:

None.

MINUTES: Postponed.

NEW BUSINESS:

Request for a Determination of Applicability:

Application by the **Deborah Paine, Inc.** under the Massachusetts Wetlands Protection Act (M.G.L. c. 131, §40) and the Provincetown Wetlands By-Law, Chapter 12. The applicant seeks approval for site work to rebuild and expand an existing ground level deck, relocate an existing retaining wall, repave an existing parking area, rebuild walkways and landscaping within the 100-foot buffer to a wetland at the property located at **9 Creek Round Hill Road, Provincetown.**

Presentation: Trevor Pontbriand appeared to present the application. The new owners of the property are proposing modifications to the retaining wall, walkways, driveway and patio decking. A portion of the work will take place within the 100' buffer zone and the limit of work will be delineated with a 24" silt fence as shown on the site plan. The driveway and walkways will be finished with concrete pavers. The patio deck around the pool will be expanded and a new, non-structural patio deck on pressure-treated sleepers will be added. A new drywell will be installed as indicated on the site plan. Mr. Pontbriand pointed out that there were areas labeled on the site plan that will be replanted with either native bayberry and grasses or perennial beds. A retaining wall on the southeast corner of the lot will be re-configured to be parallel with the lot line, another will be removed and a third will be rebuilt and extended.

Public Comment: None.

Commission Discussion: The Commission suggested some kind of mitigation for the removal of the Rosa rugosa to make way for the deck expansion. Mr. Pontbriand proposed replanting the top of the new retaining wall with Rosa rugosa. He will add that note on the site plan and submit a new one to the Conservation Agent.

Mark Irving moved to grant a Negative #3 Determination for site work to rebuild and expand an existing ground level deck, relocate an existing retaining wall, repave an existing parking area, rebuild walkways and landscaping within the 100-foot buffer to a wetland at the property located at 9 Creek Round Hill Road, with the standard order of conditions and contingent upon the submission of a planting schedule, including a 3-year minimum survivability requirement for all new plantings, Dennis Minsky seconded and it was so voted, 4-0.

MINUTES: April 16, 2013 – *Dennis Minsky moved to approve the language as written, Lynne Martin seconded and it was so voted, 4-0.*

June 4, 2013 – *Dennis Minsky moved to approve the language as written, Barbara Prato seconded and it was so voted, 4-0.*

June 18, 2013 – *Dennis Minsky moved to approve the language as written, Barbara Prato seconded and it was so voted, 3-0.*

October 1, 2013 – *Dennis Minsky moved to approve the language as written, Barbara Prato seconded and it was so voted, 3-0.*

The deadline for application for Community Development Committee funds is November 15th, not November 1st as stated in the minutes.

The sign for the Sateriale property still needs to be picked up. Lynne may be able to pick it up on Thursday.

DISCUSSION:

Community Preservation Act Grant application:

The Commission discussed the topic. Dennis explained that the Conservation Trust will be submitting an application and suggested that the Commission not apply as the Trust is a private, non-profit entity, not a Town Board. He, Brian and Austin, the new Americorps volunteer, met to discuss ideas, such as the establishment of trails, including developing trail heads, signage, fencing and benches at the Hawthorne and Sateriale property. Also discussed was a provisional plan for a connecting trail from the Hawthorne property to Nicky's Park. The Commission discussed the issue of submitting an application for CPC funds and discussed conservation issues that needed funding, such as the outfall pipe at Shank Painter Pond and the B Street Garden bioremediation project that was proposed. The Commission directed Brian to put together a proposal for the next meeting. The Commission discussed Town conservation areas.

PUBLIC HEARING:

NATURAL ENVIRONMENT SPECIAL TOWN MEETING WARRANT ARTICLES:

Article 8: *Lynne Martin moved to recommend, Dennis Minsky seconded and it was so voted, 4-0-0.*

Article 9: *Dennis Minsky moved to recommend, Barbara Prato seconded and it was so voted, 4-0-0.*

Article 16: *Dennis Minsky moved to recommend, Lynne Martin seconded and it was so voted, 5-0-0.*

ADJOURNMENT: *Barbara Prato moved to adjourn at 7:39 P.M. and it was so voted unanimously.*

These minutes were approved by a vote of the Conservation Commission at their meeting on _____, 2013

Respectfully submitted,
Ellen C. Battaglini

Approved by _____ on _____, 2013
Dennis Minsky, Chair