

**PROVINCETOWN
CONSERVATION COMMISSION
JUDGE WELSH ROOM
September 16, 2014
6:30 P.M.**

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

Members Absent: None.

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

Chair Dennis Minsky called the Public Hearing to order at 6:33 P.M.

PUBLIC STATEMENTS:

None.

MINUTES: Postponed to the next Public Hearing.

OLD BUSINESS:

Notice of Intent

Application by **Scott Nagel & Allan Tibbetts** for a **Notice of Intent** under the Massachusetts Wetlands Protection Act, M.G.L. c. 131, §40, and the Provincetown Wetlands By-Law, Chapter 12. The scope of work will include the demolition and rebuilding of an existing shed and installation of a new foundation at the property located at **57A Pleasant Street** in Provincetown. This case is continued to the September 30, 2014 Public Hearing at 6:30 P.M.

Notice of Intent

Application by **Leslie Starr, the Meadow Road Condominium**, and represented by **Roger P. Michniewicz, Coastal Engineering Co., Inc.**, for a **Notice of Intent** under the Massachusetts Wetlands Protection Act, M.G.L. c. 131, §40, and the Provincetown Wetlands By-Law, Chapter 12. The scope of work will include the repair to a stone revetment at the property located at **10 Meadow Road** in Provincetown. Brian Carlson recused himself and left the room.

Presentation: Jay Norton from Coastal Engineering and Denny McGinn from E-Z Doze It appeared to discuss the application. Mr. Norton reviewed the situation at the property. There is an existing retaining wall adjacent to the condominium unit that was experiencing settling issues and some lateral movement causing the deck supports to dislodge. The footings were moving with the wall, leading to a situation that could cause the deck to tear apart. The proposed remedy was to put additional stones on the bottom of the wall to provide support. The work will consist of adding rocks to the bottom of the wall without affecting the stability of the wall and without having to take down the entire wall. No ground will be disturbed at the immediate bottom of the existing wall, but excavation will occur a short distance away and an overlap will occur. The stability of the bottom toe stone will not be affected. An overlap of filter fabric will be used so no material can come out. The NHESP letter has been received and the project will not result in a 'take'. Mr. McGinn explained to the Commission how the process would work.

Public Comment: None.

Commission Discussion: The Commission questioned Mr. Norton and Mr. McGinn about the project.

Dennis Minsky moved to approve the Notice of Intent for Leslie Starr, the Meadow Road Condominium, and represented by Roger P. Michniewicz, Coastal Engineering Co., Inc., for a Notice of Intent under the Massachusetts Wetlands Protection Act, M.G.L. c. 131, §40, and the Provincetown Wetlands By-Law, Chapter 12 for a scope of work to include the repair to a stone revetment at the property located at 10 Meadow Road with the Standard Order of Conditions and with the Special Conditions that the applicant submit an inventory of existing plantings in the affected area and a detailed plan in regard to the vegetation to be replaced and the additional mitigation plantings with a three-year survivability requirement to the Conservation Agent prior to construction, Barbara Prato seconded and it was so voted, 5-0.

NEW BUSINESS

Request for Determination of Applicability:

Application by **Provincetown Municipal Airport**, represented by **Jacobs**, for a **Determination of Applicability** 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 include replacement of existing floodlights at the property located at **176 Race Point Road** in Provincetown.

Presentation: Butch Lisenby and Michael Garrity appeared to present the application. The Airport seeks to replace existing floodlights because they are becoming unsafe due to the rotting of the metal poles. Full cut-off LED fixtures will be used. The project is located within managed grasslands and is within the 100' buffer area. To avoid future deterioration, the Airport is proposing new fiberglass composite floodlight poles to eliminate the rotting problem. The floodlights to be replaced are in three areas; the parking area, the passenger overflow parking lot and along the aircraft parking apron. Old concrete bases will be removed and new bases will be placed in the same locations within the managed grasslands. The trenching process will use the narrowest bucket feasible to minimize the footprint of impacts. All material stockpiles, construction activity and construction access will be located within the existing paved or developed areas of the Airport. Trucks will access the work area via the terminal parking lot access drive and gate adjacent to the terminal building. A safety fence will delineate the limits of work and other construction activities. Erosion controls to protect wetland resource areas will include silt fencing, straw wattles and a construction fence, which will also take the place of a turtle barrier fence. Turtle sweeps will be conducted every morning around equipment and work sites. Disturbances will be filled and cleaned with weed-free soil and seeded with a 'New England Coastal Salt Tolerant' seed mix that has been used in past projects at the Airport. The project qualifies for an exemption from Natural Heritage.

Public Comment: None.

Commission Discussion: The Commission questioned Mr. Garrity and Mr. Lisenby.

Dennis Minsky moved to grant a Negative #3 Determination Provincetown Municipal Airport, represented by Jacobs, for a Determination of Applicability under the Massachusetts Wetlands Protection Act, M.G.L. c. 131, §40 and the Provincetown Wetlands By-Law, Chapter 12 for site work to include the replacement of existing floodlights at the property located at 176 Race Point Road, Lynne Martin seconded and it was so voted, 5-0.

DISCUSSION:

Barnstable County Land Management Grant Award:

Brian applied for two grants; one to repair the Foss Woods' monument and one to fund beach grass plantings and dune grass restoration at an unspecified site. The former did not get funded, the latter received \$4000 in funds. The beach grass work will be done by Americorps labor. The Commission discussed the beach grass issue. Dennis suggested that Brian speak with Gordon Peabody who has a lot of experience with planting beach grass. The Commission discussed potential locations for planting.

The estimate for Foss Woods' monument repair is more than previously thought because there are numerous cracks throughout the stone and it is in danger of collapsing. Dennis suggested that the Commission do a site visit before any money is spent on it. The Commission briefly discussed the issue.

Administrative Review of Ocean's Edge Condominium Association beach walk project:

Brian explained that an Administrative Review to maintain a zig-zag pattern beach access walkway for the Ocean's Edge Condominium Association was done a number of years ago. Since then, the beach grass in the area has recovered nicely. The Association is now requesting to install non-anchored palletized walkway to replace the existing walkway. It would be similar to the palletized walkway at an abutting property. Brian did a site visit and spoke with James Spraker, a Trustee of the Condominium. The Commission discussed the issue.

Dennis Minsky moved to approve the palletized walkway within the existing, previously established walkway for Ocean's Edge Condominium Association, Lynne Martin seconded.

The Commission discussed the motion. Lynne Martin requested that the Association submit a plan showing how long and how wide the pathway will be.

Dennis Minsky moved to approve the palletized walkway within the already existing established walkway for Ocean's Edge Condominium and to require that a plan of the walkway be submitted, Lynne Martin seconded and it was so voted, 5-0.

CONSERVATION COMMISSION STATEMENTS:

Brian said that Special Town Meeting is coming up and Elisabeth Verde is requesting that the Commission schedule its public hearing on warrant articles between October 9th and 20th. The Commission does not have a regularly scheduled meeting during that period of time. The Commissioners will think about it and get back to Brian.

Brian said he had a request to put a beehive at the Shank Painter Pond Sanctuary from Rebecca Matarazzi who has been asked by DPW to move her hive on Thistlemore Road because of its proximity to a sewer pump station. Dennis said that she is coming to the next hearing to discuss the issue and Brian will check the management plan regarding allowing beehives in Shank Painter Pond Sanctuary.

Dennis said that he and Irene Seipt and then he and Brian went to Shank Painter Pond Sanctuary to assess the conditions. Dennis said that the Commission needed to get people out there for a work session to mulch and weed to try and save what is out there. Brian said that there is a new Americorps person coming soon. The Commission should also begin to think about low maintenance plantings.

Lynne Martin suggested that the new Americorps person work on the Conservation Commission database to prepare it to become part of the Acela system.

Brian received a request from Sharon Bunn and Cynthia Gilman to put a beehive at the B Street Garden. He brought the request to the Advisory Group. The hive has to be moved by September 30th. The Commission discussed the issue. Brian has not received complaints about the existing beehives at the B Street Garden. The Commission saw no problem with having more beehives at the B Street Garden.

ADJOURNMENT: *Barbara Prato moved to adjourn at 7:40 P.M. and it was so voted unanimously.*

These minutes were approved by a vote of the Conservation Commission at their meeting on _____, 2014

Respectfully submitted,
Ellen C. Battaglini

Approved by _____ on _____, 2014
Dennis Minsky, Chair