

**PROVINCETOWN
CONSERVATION COMMISSION
CAUCUS HALL
February 16, 2016
6:00 P.M.**

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

Members Absent: Barbara Prato (excused).

Others Present: Anna Meade (Conservation Agent) and Ellen C. Battaglini (Recording Secretary).

Chair Dennis Minsky called the Work Session to order at 6:03 P.M.

WORK SESSION: Review Commission procedures: The Commission discussed revisions made at the last meeting to the draft template for application review guidelines, dated February 5, 2016, which Dennis had developed based on a table originally created by Austin Brandt. The information will be for the benefit of the Department of Community Development in order to determine whether a project had to be reviewed by the Commission. Lynne will work on the revisions discussed by the Commission and consult with the Administrative Assistant at DCD. The review was continued to the end meeting.

Dennis adjourned the Work Session at 6:32 P.M.

PUBLIC STATEMENTS:

None.

OLD BUSINESS:

Notice of Intent

Application by **Rex McKinsey, Pier Manager**, and represented by **Russell Titmuss, of Bourne Consulting Engineering, P.C.**, 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 complete reconstruction of MacMillan Pier, dredging of the marina basin, dredging of the fairway between MacMillan Pier and Fishermen's Wharf and the construction of a new marina at **MacMillan Pier** in Provincetown.

Rex McKinsey appeared to discuss the application. He had submitted a revised Special Order of Conditions for the project. The Commission had reviewed the Order.

David Hale moved to approve the Special Order of Conditions for the Pier project as presented, Lynne Martin seconded.

Anna suggested including the Department of Environmental Protection file number in the motion.

David Hale moved to approve the Special Order of Conditions for the Pier project, DEP # SE058-0541, as presented, Lynne Martin seconded and it was so voted, 4-0.

NEW BUSINESS:

Notice of Intent

Application by **Provincetown Airport Commission**, represented by **Amy Ball, Horsley Witten Group, Inc.**, for a **Notice of Intent** the Provincetown Wetlands By-Law, Chapter 12. The scope of work consists of 12 project elements designed to improve the safety and security at the **Provincetown Municipal Airport** in Provincetown. The projects include improvements in the westerly taxiway system, reconstruct terminal apron, reconstruct easterly end of taxiway, install taxiway lighting and construct electric vault, repair sightseeing shack, improve access road to approach light system, construct serviced access roads to localizer equipment shelter and to the automated weather observation station, install perimeter safety/security fence, expand auto parking, expand terminal building and expand turf apron.

Presentation: Amy Ball, of Horsley Witten Group, Inc., Butch Lisenby, Airport Manager, and Irvin Baptiste, engineer appeared to discuss the application. Ms. Ball reviewed the project.

Commission Discussion: The Commission questioned Ms. Ball and Mr. Lisenby.

Dennis Minsky moved to approve the application by the Provincetown Airport Commission under the Provincetown Wetlands By-Law, Chapter 12 for work consisting of 12 project elements designed to improve the safety and security at the Provincetown Municipal Airport in Provincetown, including improvement in the westerly taxiway system, reconstruction of the terminal apron, reconstruction of the easterly end of a taxiway, installing taxiway lighting and constructing an electric vault, repairing a sightseeing shack, improving an access road to approach light system, constructing serviced access roads to a localizer equipment shelter and to an automated weather observation station, installing a perimeter safety/security fence, expanding auto parking, expanding a terminal building and expanding the turf apron as presented with the Standard Order of Conditions, Lynne Martin seconded and it was so voted, 4-0.

CONSERVATION AGENT REPORT:

3 Heather's Way – Anna reported that she sent out an Enforcement Order. She signed off on the building permit for a deck they were seeking to add to the front of the building. The Commission endorsed the Enforcement Order. She invited the owners to attend the Public Meeting on March 15th to discuss the issues at the property.

3 Oppen Lane – Craig Martin did the vista pruning work on the site. Anna said she issued an Enforcement Order and sent it to the property owners and invited them to the Public Meeting on March 15th. They are required to bring a professional restoration plan to that meeting. The Commission briefly discussed the issue.

99 Commercial Street – Anna said that a report from the Shellfish Constable was submitted to the Commission regarding whether mitigation by the applicant would be necessary and, if so, in what amount. The report indicates that the area in question is not an active shellfish bed. The Division of Marine Fisheries classifies the area as prohibited year-round for the taking of shellfish for the purposes of remediation. The report states that there are quahogs in the area, but the density was less than 1 per square meter. The Commission discussed the report.

MACC – Anna reported that she had registered Commissioners and the Americorps person who will also be attending.

Conservation Commission vs. Stellwagen Bank Fisheries Corporation – Anna reported that a denial of the Defendant’s Motion to Dismiss was issued by the Court. Town Counsel sent the decision to Judge Nickerson who is presiding over other cases related to hydraulic clamming.

Malicoat property: There has been no progress on this issue.

12 Somerset Road: There has been no progress on this issue.

Dennis reported that he observed employees of the Department of Public Works digging out storm drains on the beach in the East End and noted that the tracks of the their vehicles went out past the jetties and groins. He spoke to Rich Waldo about it.

CONSERVATION BOARD STATEMENTS

None.

MINUTES: February 2, 2016 – *David Hale moved to approve the language as written, Lynne Martin seconded and it was so voted, 4-0.*

WORK SESSION: Review Commission procedures: The Commission finished its discussion of the draft template for application review guidelines.

ADJOURNMENT: *Mark Irving moved to adjourn at 8:08 P.M. and it was so voted unanimously.*

Respectfully submitted,

Ellen C. Battaglini

Approved by _____ on _____, 2016

Dennis Minsky, Chair