

# TOWN OF PROVINCETOWN

## CONSERVATION COMMISSION

### MEETING MINUTES OF JULY 27, 2000

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### Meeting Held in Town Hall

**Members Present:** Robert Guerreiro (Acting Chair), Susan Avellar, Sheila Benzer (Alternate)

**Members Absent:** John Bennett (Chair) – excused  
Sue Ogden – not excused, third consecutive absence  
Thomas Hochard – not excused

**Others Present:** Roger Diaz (Building Inspector)

**Call to Order:** Acting Chair Robert Guerreiro called the Meeting to order at 7:00 PM.

### I. Public Hearings

#### ***Notice of Intent***

##### **531 Commercial Street, Ruth Rogin/FELCO, Inc.**

**Temporary repair to septic system** – was indeed an emergency – Board of Health and Roger Diaz saw it. Roger visited three times on site and saw that hay bales and silk fence were in place. Was done under emergency permit and now seeking Notice of Intent for temporary repair to septic system. Intend to hook up to Municipal Sewer System when available. All preventive measures have been taken.

*Mr. Guerreiro made a motion to approve the temporary repair, Ms Avellar seconded, and it was so voted, 3-0, 2 absent (Ms Ogden, Mr. Hochard).*

#### ***Notice of Intent***

##### **139 Commercial Street, Jay Anderson c/o Robert O'Malley (continued from June 22, 2000)**

**Construction of two dwelling units, renovation, Title 5** – requesting continuance until August 24, 2000. *Mr. Guerreiro made a motion to approve the continuance, Ms Avellar seconded, and it was so voted, 3-0, 2 absent (Ms Ogden, Mr. Hochard).*

Also – owner has an emergency situation of a blocked pipe on the dune area side of the building. Cape Cod Excavator /“Pinky,” a licensed septic hauler, has been called.

#### **Order of Conditions:**

- Small backhoe excavator, 1 ton machinery with rubber tires, to be used.
- Will only remove excavated material from site if it has been contaminated. Otherwise, will place excavated material on parking area and return to original location after work is done.
- Work should only take a couple of hours. If it does go overnight, the Commission would want to see erosion control standards. Excavated material to stay on site. The owner will call Roger Diaz when the work is about to start, which will probably be July 28<sup>th</sup>
- The owner will save and replant beach grass from excavated site.

*Mr. Guerreiro made a motion to approve request for emergency repairs, Ms Avellar seconded,*

*and it was so voted, 3-0, 2 absent (Ms Ogden, Mr. Hochard).*

### **Notice of Intent**

#### **48B Bradford Street, Christie Andreson**

**Install Title 5; raze existing dwelling; replace structure on same footprint –**

#### **Order of Conditions:**

- Owner to store removed soil on gravel driveway.
- Will use small rubber track excavator
- Silk fence and hay bales to be placed at edge of excavated material stored on side of wetlands (down slope)
- Jimmy Rogers will be doing the work, which will take two days at most, and will not start if a storm is forecast so as to avoid erosion problems. Will call Roger Diaz when erosion control methods are in place before excavation begins.

*Ms Benzer made a motion to approve, Mr. Guerreiro seconded, and it was so voted, 3-0, 2 absent (Ms Ogden, Mr. Hochard).*

#### **202 Bradford Street**

No approved septic plan. Applicant not present. They are trying to redesign septic and building plan to work around huge, possibly rare, tree specimen on site. There was a letter in file requesting withdrawal of the application. The Commission did not act upon the request for withdrawal.

## **II. Public Statements**

- None

## **III. Request For Determination Of Applicability**

#### **963 Commercial Street (Beach Point Club); Louise Davy**

**Remove encroaching sand** - applicant requested that the hearing be postponed until the next meeting and the Commission granted the request.

## **IV. Other Business**

#### **31 Pilgrim Heights Road; Ken Cruise and Don Cote**

Owners appeared with the intention of keeping the Conservation Commission informed of where they are at and to seek direction from the Commission. They want to be environmental and aesthetically good. Roger Diaz made a site visit (June 24?) and found that the silk fence and hay bales were in place and that there was a hydrologist (Mario Deq). The owners were advised to file for a determination of applicability and to hire a surveyor. The owners want to get the excavator to remove some of the material and sift through it searching for and removing any inappropriate material. Wants to reslope the property gently down to make a stronger barrier around storm drains. The owners said they would be back with the surveyor's plans and the notice of intent. They will also be filing a new determination of applicability. They will also use Ms Benzer as an advisor in reestablishing the horse/recreation easement and in locating dumped appliances as per request from Board of Health.

Concerning the accuracy of the depiction of the Resource Area in Plan #99428 completed by Felco, Inc and revised on 7/11/200, the Commission found it unsatisfactory.

*Sheila Benzer moved to not accept Plan #99428 as revised on 7/11/2000, Sue Avellar seconded and it was so voted, 3-0, 2 absent (Ms Ogden, Mr. Hochard).*

#### **Wetland Information Request/Complaint Form Filed by Peter Souza**

Regarding 47 acres of Town-owned land identified as Clapps Pond, Evans Field and Ducks Pond and surrounding wetlands, including area identified as the "Old Burn Dump and the Dirt Bike Track. Mr. Souza is requesting a Notice of Intent with the Provincetown Conservation

Commission for any activities that the Town is now allowing to occur within the 100 foot buffer zone at Clapps Pond, Evans Field, Ducks Pond and surrounding wetlands and any other areas that affect the area's natural resources and their buffer zones. He is also requesting a management plan that is compatible with protection of the above-mentioned natural resources and their buffer zones.

*Ms Avellar moved to have the Conservation Commission give notice to the Town of Provincetown that the Town needs to file a Notice of Intent so that the Conservation Commission can issue an Order of Conditions to protect these wetlands and great pond shores located at Clapps Pond, etc. and surrounding areas, Ms Benzer seconded, and it was so voted, 3-0, 2 absent (Ms Ogden, Mr. Hochard).*

*Ms Avellar moved the have the Conservation Commission immediately send a letter to the Board of Selectmen concerning this matter, Ms Benzer seconded, and it was so voted, 3-0, 2 absent (Ms Ogden, Mr. Hochard).*

**Approval of Minutes**

\_\_\_\_\_, 2000 – *Mr. Guerreiro moved to approve the minutes, Ms Benzer seconded, and it was so voted, 3-0, 2 absent (Ms Ogden, Mr. Hochard).*

**Other** – None.

**Adjournment**

*The meeting was adjourned by a unanimous vote at 8:35 P.M.*

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These minutes were approved by a vote of the Provincetown Conservation Commission members present at their meeting on \_\_\_\_\_, 200\_\_

Respectfully Submitted:

\_\_\_\_\_  
Conservation Commission Signature Title

*Handwritten minutes taken by Sheila Benzer and transcribed by Rachel T. Crosby, On-call secretary.*