

# PROVINCETOWN CONSERVATION COMMISSION

October 2, 2007

6:30 P.M.

**Members Present:** Dennis Minsky, Elaine Anderson, Dieter Groll, Lynne Martin and David Hale.

**Members Absent:** None.

**Others Present:** Brian Carlson (Health Inspector) and Ellen C. Battaglini (Recording Secretary).

## PUBLIC HEARING

Chair Dennis Minsky called the Public Hearing to order at 7:03 P.M.

### PUBLIC COMMENTS:

Paul Tasha appeared before the Commission to discuss the issue of eel grass, which serves many biological functions in the marine ecosystem. The Division of Marine Fisheries contends that there is no eel grass located in the coastal waters, and thus none to protect, although its presence has been documented by Paul and Tony Jackett, Shellfish Warden.

Paul also discussed the issue of hydraulic dredging, which is set to begin on November 1<sup>st</sup>. Paul discussed this issue and urged the Commission to draft a local regulation, as soon as possible. The Commission briefly discussed how to revise the local regulations to include language that will protect land containing shellfish and will specifically prohibit hydraulic dredging.

The Commission also discussed the presence of phragmites on the quaking bog at the Shank Painter Pond Resource Area and scheduled a meeting with Paul at the site. He feels that it can still be controlled at this point in time.

**MINUTES: September 18, 2007 – Elaine Anderson moved to approve the language as amended, Dennis Minsky seconded and it was so voted, 4-0.**

### OLD BUSINESS:

#### Notice of Intent

Application by **Ronald Chapman**, represented by Coastal Engineering, 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 applicant seeks to install a bulkhead for shorefront protection at the property located at **157A Commercial Street**, in Provincetown. This application is continued until the October 30, 2007 hearing.

### APPOINTMENTS:

The Committee for Community Preservation has not met yet to discuss a change in their meeting times. Dennis Minsky volunteered to be the representative as long as his schedule can accommodate it. **Elaine Anderson nominated Dennis Minsky as the Conservation Commission's representative to the CPC, Lynne Martin seconded and it was so voted, 4-0.**

### CORRESPONDENCE:

None.

### CONSERVATION COMMISSION STATEMENTS:

David Hale mentioned alterations occurring at 48 Shank Painter Road. Brian Carlson has investigated and concluded that the vista pruning taking place was not in violation of the local regulation.

**DISCUSSION:**

**Creation of local Conservation Regulations:**

The Commission seeks to revise the current Regulations, add new ones and fill in gaps. Dennis Minsky had several comments, questions and suggestions concerning the local by-law. The Commission went through the by-law carefully and discussed many issues. They concluded that the changes to be made to the local by-law were not significant enough to bring before Town Meeting at this time.

The Commission then discussed revising the regulations, including:

- several of the definitions;
- Article 2. 50' Buffer;
- Article 4. Vista Pruning;
- Article 5. Wetlands Protection Violations, including changing the fees for violations; and
- formulating a new Article 8 to prohibit hydraulic dredging.

Brian Carlson will write up the changes and notice them out for a Public Hearing to be held on October 30, 2007.

**ADJOURNMENT:** *Elaine Anderson moved to adjourn at 9:30 P.M. and it was so voted unanimously.*

These minutes were approved by a vote of the Conservation Commission at their meeting on \_\_\_\_\_, 2007.

Respectfully submitted,  
Ellen C. Battaglini

Approved by \_\_\_\_\_ on \_\_\_\_\_, 2007  
Dennis Minsky and Elaine Anderson, Co-Chairs