

**PROVINCETOWN CONSERVATION COMMISSION**  
**JUDGE WELSH ROOM**  
**September 6, 2011**  
**6:30 P.M.**

**Members Present:** Lynne Martin, David Hale and Barbara Prato.

**Members Absent:** Dennis Minsky (excused) and Hank Janowsky (excused).

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

Acting Chair David Hale called the Public Meeting to order at 6:30 P.M.

**PUBLIC STATEMENTS:**

None.

**OLD BUSINESS:**

**Notice of Intent** (continued from August 16, 2011)

Application by the **Joyce Holupka & Pamela Cyr**, represented by **Coastal Engineering Company, 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 proposed scope of work will include a new sheet pile bulkhead at the property located at **485 Commercial Street** in Provincetown. There was a request to continue the Notice of Intent until the September 20, 2011 Public Hearing.

**Lynne Martin moved to grant the request to continue the Notice of Intent until the September 20, 2011 Public Hearing, Barbara Prato seconded and it was so voted, 3-0.**

**Request for an Amended Order of Conditions** (continued from August 16, 2011)

Application by **Merrill Lynch Trust Co. – Mary Kass Trust**, represented by **Coastal Engineering Company, Inc.**, for a **Request for an Amended Order of Conditions** 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 a proposed sheet pile wall along the previously approved concrete wall repair at the property located at **571 Commercial Street** in Provincetown. There was a request to continue the Request for an Amended Order of Conditions until the September 20, 2011 Public Hearing. **Barbara Prato moved to grant the request to continue the Request for an Amended Order of Conditions until the September 20, 2011 Public Hearing, Lynne Martin seconded and it was so voted, 3-0.**

**NEW BUSINESS:**

**Request for an Amended Order of Conditions**

Application by **Demetrios Daphnis** for a **Request for an Amended Order of Conditions** under **DEP Permit Number SE 0258-0414** and 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 proposed construction of four new dwellings, fill, retaining wall and appurtenances as delineated on plans for the property located at **67 Harry Kemp Way** in Provincetown. There

was a request to postpone the Request for an Amended Order of Conditions until the September 20, 2011 Public Hearing.

***Barbara Prato moved to grant the request to postpone the Request for an Amended Order of Conditions until the September 20, 2011 Public Hearing, Lynne Martin seconded and it was so voted, 3-0.***

**Request for Determination of Applicability**

Application by **Conrad Malicoat**, represented by **Glenn Crafts, G.C. Custom Builders, Inc.**, 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 proposes site work to include repairs and replacement of a landing, handrails, decking and egress at the property located at **312 Bradford Street** in Provincetown. There was a request to postpone the Request for Determination of Applicability until the September 20, 2011 Public Hearing.

***Lynne Martin moved to grant the request to postpone the Request for Determination of Applicability until the September 20, 2011 Public Hearing, Barbara Prato seconded and it was so voted, 3-0.***

**Request for Certificate of Compliance**

Application for a Request for a Certificate of Compliance for work conducted at the property located at **Moors Road – Cape Cod National Seashore** in Provincetown. There was a request to postpone the Request for a Certificate of Compliance until the September 20, 2011 Public Hearing.

***Barbara Prato moved to grant the request to postpone the Request for Certificate of Compliance until the September 20, 2011 Public Hearing, Lynne Martin seconded and it was so voted, 3-0.***

**CONSERVATION BOARD STATEMENTS:**

None.

**ANY OTHER BUSINESS:**

None.

***ADJOURNMENT: Lynne Martin moved to adjourn at 6:34 P.M. and it was so voted unanimously.***

These minutes were approved by a vote of the Conservation Commission at their meeting on \_\_\_\_\_, 2011

Respectfully submitted,  
Ellen C. Battaglini

Approved by \_\_\_\_\_ on \_\_\_\_\_, 2011

Dennis Minsky, Chair