

**PROVINCETOWN CONSERVATION COMMISSION
CAUCUS HALL
October 18, 2016
6:00 P.M.**

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

Members Absent: Alfred Famiglietti (excused).

Others Present: Gloria McPherson (Town Planner), Deb Albenberg (Conservation Agent) and Ellen C. Battaglini (Permit Coordinator).

WORK SESSION

Chair Dennis Minsky called the Work Session to order at 6:00 P.M.

1) **Proposed revisions to Standard Order of Conditions for Administrative Reviews and Special Conditions:** The Commission discussed proposed revisions to a draft of standard conditions. Ms. McPherson and Mr. Minsky will work on a new draft, which will be discussed at another Work Session.

2) **Proposed MESA Performance Standards:** The Commission discussed and revised the draft MESA standards.

Chair Dennis Minsky adjourned the Work Session at 6:33 P.M.

PUBLIC HEARING

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

1) **PUBLIC COMMENTS:**
None.

2) **PUBLIC HEARINGS:**

a) **Notice of Intent: 4 Maple Court
CON #17-056**

Application by **Paul R. Schofield** and **Andrew Jorgensen**, pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) and to the Provincetown Wetlands Protection By-Law, Chapter 12, to renovate a first floor and construct a second floor addition to an existing single family dwelling. The work will take place within 100' buffer to a bordering vegetated wetland.

Presentation: Tim Brady, of East Cape Engineering, Inc., and Ezra Ambrose, from Ambrose Homes, appeared to present the application. Mr. Brady stated that there would be no expansion of the footprint of the building or excavation of soil at the site. He submitted a site plan, which is a septic system design, onto which he has indicated and made notes about the proposed construction. He has proposed a strict limit of work line in a steep and stable area between the existing retaining wall on the north elevation and the vegetated wetland. Demolition material will be emptied into a dump truck or a dumpster in the driveway. Any construction material will be delivered to the driveway and the adjacent lawn area within the delineated limit of work. Silt fencing is proposed along the limit of work as a physical barrier and most of the work will be performed by hand.

Public Comment: None. There were no letters in the file.

Commission Discussion: The Commission questioned Mr. Brady and Mr. Ambrose. Mr. Brady said that he has heard from Natural Heritage, which has no comments about the project, and the Department of Environmental Protection has issued a file number for the project.

Mark Irving moved to approve the Notice of Intent, Case CON #FY17-056, by Paul R. Schofield and Andrew Jorgensen, pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) and to the Provincetown Wetlands Protection By-Law, Chapter 12, to renovate a first floor and construct a second floor addition to an existing single-family dwelling at the property located at 4 Maple Court with the following Order of Conditions outlined in the draft conditions previously discussed by the Commission: Preconstruction conditions #1, #3 and #4 (the limit of work shall be delineated), Construction conditions #1, #2, #5, #9 and #10 and Post-Construction conditions that erosion controls are removed and that a certificate of compliance is obtained from the Conservation Commission after construction has been completed, Dennis Minsky seconded and it was so voted, 3-0.

Mr. Minsky added that he had seen yard waste on the site and requested that it be removed. Mr. Brady recommended that the Commission send a letter with the Order of Conditions to the property owner regarding the issue. Ms. Albenberg will write and send the letter to the property owner.

b) **Administrative Review 225 Commercial Street**
CON #17-057

Application by TopKnot Properties, LLC, to erect temporary structures for use during the month of December above a seawall and on the 50' section of beach beyond the seawall. Structures to include: pop-up tents, wooden booths, a stage and a wooden platform to house a synthetic ice skating rink.

Presentation: Loic Rossignon appeared to present the application. He reviewed the proposed holiday market concept, which will include the installation of some temporary structures, decorated to look like a charming holiday village, which will be used by local vendors selling goods and food and the production of entertainment such as singing choirs, theater, movie screenings, storytelling, religious celebrations and photo ops with Santa. Also included will be a low platform with a flooring system for a synthetic ice-skating rink. Mr. Rossignon is requesting permission to erect these temporary structures, including tents and wooden booths, for the duration of the event. A site plan was submitted for the review of the Commission. He added that the area would be cleaned up and any damage to the site mitigated after the series of events were held.

Public Comment: None. There were 2 letters in support of the project.

Commission Discussion: The Commission questioned Mr. Rossignon. It was noted that a small area of beach grass was within the area of activity and will be impacted by the events. The Commission would require mitigation for any damage to beach grass.

Dennis Minsky moved to approve the Administrative Review application by TopKnot Properties, LLC, to erect temporary structures for use during the month of December above a seawall and on the 50' section of beach beyond the seawall, to include pop-up tents, wooden booths, a stage and a wooden platform to house a synthetic ice skating rink at the property located at 225 Commercial Street with the conditions that the Conservation Agent shall photographically document the vegetative areas that exist before any changes are made, shall be on site when the temporary structures, stage and wooden platform are installed and shall return after the events have ended to ascertain if any damage has been done to the resource area and that any damage to the resource area shall be mitigated with plantings, Mark Irving seconded and it was so voted, 3-0.

3) **Conservation Agent Report:**

31 Point Street Update: Ms. Albenberg reviewed the Safe Harbor update of vegetation that had been planted at the site. Seaside goldenrod and switchgrass has been planted along with approximately 55-60 woody stemmed Bayberry and some potted Rosa virginiana. This brings the fall planting schedule to an end. Safe Harbor will be providing the end of season report within the next 30 days. Mr. Minsky added that the watering system looks good and the slope is stable.

The Commission received a letter from Fort Point Associates, Inc. in regard to details of the de-watering area in the municipal parking lot. Included was an aerial overlay and detail sheet, which provides a graphic representation of the written description in the NOI to complete the public record.

4) **Approval of Minutes: October 4, 2016:** *Dennis Minsky moved to approve the language as written, Lynne Martin seconded and it was so voted, 3-0.*

5) **Any Other Business:** The Commission declared its gratitude to Barbara Prato for her service to the Town as a Commissioner.

ADJOURNMENT: *Mark Irving moved to adjourn the Public Meeting at 7:30 P.M. and it was so voted unanimously.*

Respectfully submitted,

Ellen C. Battaglini

Approved by _____ on _____, 2016
Dennis Minsky, Chair