



Conservation Commission

Public Meeting Agenda

April 17, 2018

The Provincetown Conservation Commission will hold an Executive Session at 5:45 pm, followed by a Work Session at 6:00 p.m., followed by Public Hearings beginning at 6:30 p.m. on **Tuesday, April 17, 2018, in the Judge Welsh Hearing Room, Town Hall, 260 Commercial Street, Provincetown, MA.**

1) **Executive Session** 6:00 p.m.

Executive session pursuant to G.L. c. 30A, §21(a)(3), to discuss litigation strategy in the following matters: Aqua King Fishery, LLC v. Conservation Commission, Barnstable Superior Court, C.A. No. 2015-00064; Conservation Commission v. Stellwagen Bank Fisheries Corp., Barnstable Superior Court, C.A. No. 2015-00387; Conservation Commission v. Patricio Palacios, Barnstable Superior Court, C.A. No. 2015-00386; and (ii) the Request for Superseding Determination of Applicability filed with the Massachusetts Dept. of Environmental Protection by David Kelley regarding commercial fishing operations for surf clams utilizing hydraulic fishing gear off Herring Cove; if discussing the matters in open session will have a detrimental effect on the Town's litigating position and the chair so declares.

2) **Work Session** 6:00 p.m.

Presentation by Alfred Famiglietti re: Review of Public Hearing Procedures (see [Materials from MACC Annual Conference, March 2018](#)).

3) **Public Comments** on any item not on the agenda below

4) **Public Hearings** 6:30 p.m.

a) [CON-18-066](#) **57A Pleasant Street** (continued from the meeting of March 20, 2018)

Notice of Intent filed by Karl Broussard, pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) and the Provincetown General Bylaws Chapter 12, Wetlands Protection Bylaw, to construct a new residential structure within the same area as the existing residential structure and to install an outdoor rinsing station adjacent to existing studio. Work to take place within Land Subject to Flooding and Buffer Zone to Bordering Vegetated Wetland.

b) [CON-18-068](#) **795 Commercial Street** (continued from the meeting of March 20, 2018)

Notice of Intent filed by Safe Harbor Environmental on behalf of Marina Seevak, pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) and the Provincetown General Bylaws Chapter 12, Wetlands Protection Bylaw, to construct 158 sq. ft. entry and

bathroom addition; reframe roof; replace failed retaining wall, waterside deck, structural components of sills, and first floor framing; and restore small dune area with native vegetation as mitigation. Work to take place within Land Subject to Coastal Storm Flowage, Coastal Dune, and NHESP Estimated and Priority Habitat.

- c) [CON-18-079](#) **59 Province Lands Road**
Administrative Review Application by Rob Blood, 59 Province Lands Road Holdings LLC, pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) and the Provincetown General Bylaws Chapter 12, Wetland Protection Bylaw, for proposed site plan revisions to substitute surface materials shown on plans approved under the Order of Conditions (DEP File No. 058-0583), dated December 4, 2017. Work to take place within Buffer Zone to Salt Marsh and Isolated Vegetated Wetland.

- 5) **Request for an Extension of Order of Conditions**
 - a) [CONLGY-17-004](#) **143 Commercial Street**
Request to Extend Order of Conditions (DEP File No. 058-0525), issued May 14, 2014, as amended July 13, 2017 and previously extended to May 14, 2018, filed by George Tagaris for the construction of a new building and replacement of two existing cottages.

- 6) **Emergency Certification**
 - a) [CON-18-076](#) **Herring Cove Beach North**
Ratification of Emergency Certification issued to Cape Cod National Seashore, dated March 29, 2018, for removal of vault toilet at north end of north parking lot at Herring Cove Beach due to repeated storm damage and coastal erosion. Work to take place within Land Subject to Coastal Storm Flowage and Coastal Dune.

- 7) **Requests for Certificate of Compliance**
 - a) [CON-18-031](#) **10 Meadow Road**
Request for Certificate of Compliance by Thomas Sproat, for the Order of Conditions (DEP File No. SE 058-0528) issued to Leslie Starr, dated October 6, 2014, to repair a boulder retaining wall.
 - b) [CON-18-077](#) **401½ Commercial**
Request for Certificate of Compliance by Zoltan's Landing, LLC, for the Order of Conditions (DEP File No. SE 058-0507) issued to Juliet Gluck, dated May 14, 2012, to demolish existing cottage, construct new cottage and restore native landscape.
 - c) [CON-18-078](#) **77A Commercial**
Request for Certificate of Compliance by Land and Sea Engineering LLC, for the Order of Conditions (DEP File No. SE 058-0577) issued to Cynthia Newberry Martin, Wharf House LLC, dated September 25, 2017, to replace existing pier.

- 8) **Approval of Minutes of March 20, 2018 and March 27, 2018**

- 9) **Conservation Agent Update**

10) **Information**

Administrative Review Applications Approved by Agent:

- a) [CON-18-074](#) **14 Sandy Hill Lane** – tree removal and trimming.
- b) [CON-18-075](#) **429 Commercial Street** – remove Ailanthus tree.

11) **Any other business that shall properly come before the Commission**

Alfred Famiglietti, Chair

Posted by the Assitant Town Clerk: www.provincetown-ma.gov 04/12/2018, 8:20 am AR