

PROVINCETOWN CONSERVATION COMMISSION

September 5, 2023

6:00 P.M

Members Present: Oriana Conklin (online), Joseph Cooper (online), and Mark Adams.

Members Absent: Alfred Famiglietti (excused), Nathaniel Mayo (excused) and Emma Fillion (excused).

Others Present: Melyssa Millett (Conservation Agent).

Acting Chair Mark Adams called the meeting to order at 6:08 P.M. and explained how members of the public could participate in the meeting remotely.

Melyssa Millett said that remote participation is via the Microsoft Teams app or by calling into the meeting by phone. The information is listed on the agenda. To mute a phone, press *6. She said that those who are in attendance in the room should speak clearly if rendering an opinion on any application on the agenda or if making a public comment.

1) **Public Comments:** None.

2) **Public Hearings:**

a) **CON-23-109 86R/88 Atkins Mayo Road**

Request for a Determination of Applicability filed by the **Town of Provincetown** pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) and the Provincetown General By-Laws Chapter 12, Wetlands Protection By-Law to raze and replace an existing dwelling, bulkhead, and deck and to install a pool. Work to remove debris from the upland area. Work to take place within a Buffer Zone to a Bordering Vegetated Wetland.

Presentation: Ms. Millett and William Mullin, from the Open Space Committee, presented the application. Ms. Millett said that the Town acquired the property in the last couple of years and it is under the care and custody of the Commission. The Open Space Committee has been working on a plan to get rid of the structure, which had burned down on the property, and other debris and trash surrounding the property. An environmental site assessment was done. She reviewed photographs of the property. The property backs up to the Old Colony Nature pathway. The property is difficult to access and there has been some difficulty in remediating and trying to figure out what kind of remediation needs to be done for the structure itself. The Town, with the help of the Dept. of Public Works and the Open Space Committee, would like to clear a space closest to the end of Atkins Mayo Road. She reviewed a map of the area. The bordering vegetated wetland needs to be cleaned up as well, but that will be a project for the future and an NOI for cleaning up the wetland, removing the burned structure, and planting vegetation would have to be submitted. The Open Space Committee, as a next step in the process, would like to have an excavating company come in to do a surface level removal of debris and trash, in order to clear a path to get to the structure itself to do the remediation.

Public Comment: Janet Whalen asked a question about the funding for the project.

Commission Discussion: The Commission questioned Ms. Millett. During the environmental assessment, any hazardous material on the site, such as an oil spill from an oil tank or asbestos in

the structure could not be determined. Mr. Mullin spoke about the area and its condition. Ms. Millett said that she had included a condition that damage or removal of all large vegetation be avoided at all costs.

Mark Adams moved to grant a Negative #2 Determination of Applicability for CON-23-109, 86R/88 Atkins Mayo Road, Oriana Conklin seconded, and it was so voted, 3-0 by roll call.

b) CON-23-110 536 Commercial Street

Notice of Intent filed by **Leif Hamnquist** pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) and the Provincetown General By-Laws Chapter 12, Wetlands Protection By-Law to elevate units 1 and 2, and to raze, replace, and elevate unit 3. Work to take place within Land Subject to Coastal Storm Flowage.

Presentation: Leif Hamnquist and Eric Larsen appeared to present the application. The lot is within the FEMA AE (NAVD88 9') and AO (3') designated flood zones and is subject to storm flowage. The work will include elevating the full structure, Building 1, so the finished floor will be at NAVD88 10'. This will 'freeboard' 1' over the required FEMA elevation of NAVD 88/9', constructing a second floor on the single addition on the North side of the structure. reconfiguring doors/windows on the addition on the south side, installing a new 10" reinforced concrete perimeter foundation to replace the existing brick and CMU foundation, installing required flood vents, constructing new decks, reconstructing a brick driveway, and removing an existing concrete retaining wall in the driveway. In addition, shoring will be required to facilitate the new foundation along the west and south lot lines, and metal sheets and helical piers will be used to protect the structure at 534 Commercial Street. As to Building 2, the project includes demolishing the existing single-story structure, constructing a new one-and-one-half story structure with an expanded footprint, a new deck, and an egress stair way. This building will be elevated to NAVD 88/11.25, 'freeboarding' the required B.F.E of 9' by 2.25', and the project will include the installation of a new hybrid foundation with helical piers as frost protection and concrete piers on top, re-grading the area of construction to be level with adjacent lots, and installing water management systems under the new structure, i.e., a gravel-filled basin to aid with water infiltration after flooding event. Access will be via Hancock Street. Mr. Larsen reviewed the plans. He said the intent was to make the area more permeable, as it is in a low area in the neighborhood. There will not be a lot of grade manipulation.

Public Comment: Janet Whelan, an abutter, had questions about the elevation of the Building 2, which is next to her property. Jonathan Fairhead, an abutter, had a question about a brick wall next to his property. Roger Martin, an abutter, spoke in opposition to the project.

Commission Discussion: The Commission questioned Mr. Larsen and Mr. Hamnquist. Ms. Millett reviewed some conditions that she places on structures being raised in the flood plain, including that the final design be approved by the Building Commissioner and shall automatically become part of the final approved plans and that the final approved plans must be in compliance with the flood plain requirements pursuant to FEMA and the MA State Building Code. She asked if the applicant would be willing to put a benchmark in place on the piles for where the old grade was located if there are changes to it. Mr. Larsen and Mr. Hamnquist agreed to the latter condition. Ms. Millett reviewed the remaining special conditions. She added a condition that a plan to control stormwater runoff during the construction process be submitted at the pre-construction meeting. Mr. Larsen said the intent for the project was to get the foundations to be excavated and finished before Christmas.

Mark Adams moved to approve the Order of Conditions for CON-23-110, 536 Commercial Street, with the conditions as discussed and to close the public hearing, Oriana Conklin seconded, and it was so voted, 3-0 by roll call.

c) CON-23-111 **Route 6 and Other Addresses**

Notice of Intent filed by the **Town of Provincetown** pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) and the Provincetown General By-Laws Chapter 12, Wetlands Protection By-Law to permit the next phase of the sewer system upgrades. Work to take place within Land Subject to Coastal Storm Flowage, a Buffer Zone to a Coastal Beach, a Coastal Dune, and a Bordering Vegetated Wetland.

Presentation: Jim Vincent, Public Works Director, and Rob Adams, an engineer from AECOM, appeared to present the application. Mr. Adams briefly reviewed the history of the Phases and expansions of the Town's sewer system. The final phase of the sewer system, Phase 6, will take many years to complete and has been divided into sections. He said other aspects of the entire Phase 6 project will have to come back before the Commission for approval. The proposed project, which is the subject of this NOI, is referred to as the "Phase 6A Project", proposes collection system upgrades including the installation of sewer stubs, vacuum structures, and short sewer extensions to serve the remaining properties within existing sewer subareas in Provincetown. The work will occur within the following subareas: West End, Bayberry, Shank Painter, Manor, West Vacuum, East Vacuum, Kendall, Manor, Thistlemore, Snail Road, and Beach Point. The proposed project involves portions of work within the 100-foot Buffer Zone and the 100-year Flood Plain (Land Subject to Coastal Storm Flowage) as protected under the Massachusetts Wetlands Protection Act (M.G.L., c. 131, s. 40) and its implementing Regulations (310 CMR 10.00); and the Provincetown Wetlands Protection By-Law (Chapter 12) and Provincetown Conservation Commission Local Regulations (Article 2). The entirety of the project area is eligible to be treated as a coastal/inland Limited Project under 310 CMR 10.24 (7)(b) and 310 CMR 10.53 (3)(d): Construction of an Underground Public Utility (Sewer Line). The Phase 6A Project does not occur within Estimated Habitats of Rare Wildlife and Priority Habitats of Rare Species as mapped by the Massachusetts Natural Heritage & Endangered Species Program. The project has been designed to meet the performance standards under the Massachusetts Wetlands Protection Act. The Town is proposing to serve approximately 525 properties which are located within existing sewer subareas in Provincetown as Phase 6A. Of these properties, 378 would require the installation of sewer stubs or sewer stubs and sewer main extensions within the rights of way of the roadways the parcels are adjacent to. The remaining 147 properties to be connected would not require any additional stub or sewer main extension work in order to connect, because the sewer stubs already exist, and the property owners would be responsible for the final connection within the limits of their parcel. The sewer collection system upgrades include the installation of approximately 10,000 linear feet of sewer mains, along with associated lateral stubs, valve pits, single buffer tank, etc. The proposed project activities include asphalt cutting, trench excavation, installation of sewer pipe, stubs, vacuum structures, manholes, etc., backfilling and site restoration and repaving. The trench width is estimated to be approximately 5' wide for gravity sewers and force main installation. Trench depths will vary depending on location; however, an approximate depth range for excavation would likely be between 4' and 10' below grade, with some isolated sections reaching deeper depths. Excavated soil will be used to backfill the trench. Trenches will be backfilled to grade or covered with steel

plates at the end of each day. Soil which is not immediately used for backfilling will be covered or surrounded by straw bales and silt fence (or other approved erosion control device) to prevent erosion or sedimentation of adjacent areas. Erosion controls will be installed as shown on the Project Plans (Attachment C). Disturbed areas which were paved prior to proposed activities will be re-paved and restored to pre-construction elevations. Since groundwater may be encountered during excavation, dewatering may be required. No new impervious surfaces will be created on account of the Phase 6A Project. 378 properties will require stub installation and 147 will require no work, as the stubs already exist. Only 33 of those 147 properties are within the jurisdiction of the Commission. No wetland will be disturbed, there will be no grade changes, or the addition of impervious surfaces, and no trees will be removed during this project. If there is a buffer zone impact, it is most likely a gravel or paved roadway and the impact will be temporary. The work will start this fall. No work will take place during the summer months if the project has not been completed by then.

Public Comment: Mike Schweitzer asked a question about the installation of a stub and how long a road needs to be closed for that process. Rob Visconti has a question about how long after a stub is installed can the property connect to the sewer. William Mullin asked about the 200 Route 6 location.

Commission Discussion: The Commission questioned Mr. Adams and Mr. Vincent. Ms. Millett said that most of the work will take place within existing paved road surfaces or paved road shoulders. There will be no disturbance beyond those areas. If the work is within a buffer zone or a flood plain, erosion control measures will be implemented. The Dept. of Public Works is still working on outreach to the public and will be putting information on its website about the project. The funding sources have to be clarified first before the public can be given any relevant information. The information will be updated in the next several weeks. Ms. Millett said that the conditions for this NOI are the same as for the last Phase of the sewer project.

Mark Adams moved to close the public hearing and to issue an Order of Conditions for CON-23-111, 200 Route 6 and other addresses, the expanded sewer project, Oriana Conklin seconded, and it was so voted, 3-0 by roll call.

d) CON-23-112 587 Commercial Street

Notice of Intent filed by **Bradford Walker** pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) and the Provincetown General By-Laws Chapter 12, Wetlands Protection By-Law to add an underground propane tank, add permeable patios, and to change driveway materials and decks. Work to take place within Land Subject to Coastal Storm Flowage and a Buffer Zone to a Coastal Beach.

Presentation: Brad Walker appeared to present the application. He said he appeared before the Commission in February for the bulk of the project. Improvements to the building's foundation and changes to the driveway material were approved. There was a request for added wood palletized decks on the south elevation, The Commission was concerned about that request in that area and suggested that the applicant come back and ask for palletized decks in a reduced zone. Mr. Bradford reviewed photographs of the area. The request now is for the lawn area to become a patio with pervious pavers and to change the driveway material from cobblestones with open joints to pervious pavers with open joints. He added that there is an underground 250-gallon propane tank in the patio area, and it is secured by four helical piles with cable connections to resist buoyancy. He said that this location was the only place to put the tank, given the

requirements for the tank proximity to various other elements, such as the abutters, the structure, and the street, on the property. The planting plan for the property was approved at the last hearing in February.

Public Comment: Chris Snow, an abutter, had questions about the project and was in support of it.

Commission Discussion: The Commission questioned Mr. Walker. Ms. Millett said that this project did not yet have a Dept. of Environmental Protection File No. The Order of Conditions cannot be issued until that has occurred. Mr. Walker pointed out the location of the tank on the site plan. The palletized deck will be placed on diamond piers. He noted where the pervious pavers would be located. Ms. Millett reviewed several of the conditions, including that hardscape materials proposed should be dry-laid stone with no mortar for patio areas and walkways in order to promote infiltration in place by allowing stormwater to flow between the joints of the constructed materials. This will be an on-going maintenance condition that will not expire with the issuance of a Certificate of Compliance. Any disturbed green space area to the west of the property shall be planted as directed on the planting plan submitted, properly watered upon installation, and survive for a minimum of three years, and all access to the work area shall be done on existing walkways, driveways, and parking areas to minimize impacts on wildlife or wetlands. Erosion control measures will be installed closest to the seawall to prevent sediment from spilling over onto the beach. She asked if in order to increase the resistance to potential uplift, there be an increase in the spacing between the deck boards to ½". Mr. Walker said he would check on the latter condition and let Ms. Millett know if that was possible. She asked about the labelling of the beach stairs and if that could be done as well and that there be regular maintenance done on the palletized deck and stairs as an on-going maintenance condition. If Chapter 91 authorization is needed for any of the work that has to be submitted with the request for a Certificate of Compliance. Finally, that any changes be approved by the Conservation Agent.

Mark Adams moved to approve the Order of Conditions for CON-23-112, 587 Commercial Street, and issue them once the DEP File No. has been received, Oriana Conklin seconded, and it was so voted, 3-0 by roll call.

e) CON-23-113 **7 Commercial Street**

Notice of Intent filed by **Donald Munroe** pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) and the Provincetown General By-Laws Chapter 12, Wetlands Protection By-Law to relocate a coastal dune, replace a patio fence, and to install seasonal snow fencing. Work to take place within a Coastal Beach, a Coastal Dune, and Land Subject to Coastal Storm Flowage.

Presentation: Don Munroe, from Coastal Engineering, the applicant, and Bill Duggan, a Trustee of the Delft Haven II Condominium. Mr. Duggan said that Delft Haven had been operating under an Order of Conditions that had expired at the end of April, 2023. He was told by the previous Conservation Agent, Tim Famulare, that the Commission would not be amendable to extending that Order and that a more long-term, sustainable plan needed to be developed. Mr. Munroe said that the purpose of the proposed project is to restore the beach profile to its former state and to address long-term maintenance problems on the property. The dune currently sits at the edge of the existing patio, with sand covering the seaward edge of the patio. There was a patio fence along the edge of the patio that the applicant would also like to replace as it was destroyed during

previous winter storm events. The proposed relocation of the dune would create a trough in front of the patio that would be approximately 2' deep and would allow sand to accumulate here instead of accumulating on the patio. The proposed dune would then begin with the back toe of the existing dune to 8' seaward of the edge of the patio to elevation 6.0 and then slope upwards at a 3:1 slope to approximately elevation 11. The remaining dune material would then be placed seaward to create a top dune as shown on the plan with varying widths and varying slopes back down to the existing beach grade on the seaward side of the proposed dune. American Beach Grass will be planted along the top of the relocated dune to stabilize the dune. During the offseason, the applicant would like to place snow fencing on the dune to assist in trapping windblown sand to assist in maintaining the dune. This project only involves moving and relocating sand that is already on site, no new material will be added, and no current material will be removed. All work will be done above mean high water. This sand maintenance project should be allowed with a periodic maintenance provision to restore the dimensions of the sand collection trough by removing any accumulated sand in the trough for disposal offsite and/or placing sand on the ocean side of the dune to maintain the dune. This maintenance approach would alleviate the constant removal of sand from the patio area and allow the Condominium Trustees to maintain the protective nature of the dune. Overall, the project will not significantly impact the coastal wetland resource areas.

Ms. Millett said that she is concerned about the project and didn't agree with Mr. Munroe's assessment of some of the performance standards. This modification may not increase the potential for storm damage in terms of height, but any modification of a dune, picking up the sand and moving it to another location, will destabilize it for a period of time. So depending upon when this was going to take place, there is a high probability that if a big storm occurs, the dune will end up on the patio. The removal of sand from a dune artificially, albeit not taking off the site, is still artificial removal. She said that more information and more reassurance is needed before this project can be approved, because of the language in the Wetlands Protection Act. She agreed that planting the dune would be beneficial, but the DEP did cite 310 CMR 10.28, which states that any alteration of a coastal dune, or within 100' of a coastal dune, shall not have an adverse impact on the dune by causing any modification to the dune form that would increase the potential for storm or flood damage. She is not sure if moving the dune would have an impact on an abutting property. In addition, elevating the patio should be considered to allow the dune sediment to move. She thinks that plantings on the existing dune and the elevation of the patio to a deck would be more effective than having to constantly go back every year and move more and more sand and alter that dune over and over again. The dune is going to keep trying to move landward. The project is proposing to move the sand landward, which is altering the ability of the dune to move landward.

Public Comment: Richard O'Connor, a resident of Delft Haven, spoke about the project, pointing out some inconsistencies with the evidence presented by Mr. Munroe. He suggested leaving things as they are.

Commission Discussion: The Commission commented on the project and questioned Mr. Munroe. Mr. Munroe responded to the comments made and said there was no opportunity to build a deck on the units next to the beach. The raising of the cottages was discussed by Mr. Munroe who argued that the dune would keep growing in height if nothing was done until the views from these cottages were extinguished. He suggested the height of the dune be maintained while

allowing it to function as a dune. The Commission discussed how to properly maintain the dune and allow it to function and to protect the resource area with a more comprehensive approach. Ms. Millett asked if the Commission had enough information to either take a vote saying that this would not impact the performance standards, the lateral or landward movement of the dune, that there be no artificial removal of the sand, no modification of the dune that would increase flood damage to this property or neighboring properties, and no destabilization of the dune through modification. If not, she said that the Commission would have to let the applicant know what further information was needed to decide. More in-depth assessment by a third party, such as Greg Berman providing a coastal processes report, is an option. Or the applicant could provide more detail as to why a raised deck is not a workable alternative. More alternatives that directly address the protection of the dune resource in its natural condition were suggested by the Commission. Mr. Munroe requested a continuance and said it would not be detrimental to have Mr. Berman weigh in on the issue. He added that more information was needed, that the dune needed to be managed, and that is a better solution than it not being managed.

Mark Adams moved to continue CON-23-113, 7 Commercial Street, to the Public Hearing of September 19, 2023 at 6:00 P.M. to allow for more information to be submitted, Oriana Conklin seconded, and it was so voted, 3-0 by roll call.

f) CON-23-114 **66 West Vine Street**

Request for a Determination of Applicability filed by **Josh Eiden** pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) and the Provincetown General By-Laws Chapter 12, Wetlands Protection By-Law to install a retaining wall. Work to take place within a Buffer Zone to a Bordering Vegetated Wetland.

Presentation: Josh Eiden, of Atlantic Design Engineers, Inc. was online to present the application. He said he would be discussing 70, not 66, West Vine Street. The proposed work is located at a western portion of the property. The site is currently partially developed with an existing timber and concrete foundation for a residential building. The area is currently experiencing erosion of soils at the base of the existing timber wall. The proposed work will be limited to the installation of a 1'-3.5' timber landscape wall and grading to retain the slopes around the existing timber landscape wall. In addition to the installation of the timber landscape wall, an existing shed within the 80' buffer zone to a wetland will be removed. In the location where the timber landscape wall is proposed, native plantings from a list provided by the Cape Cod Cooperative Extension will be planted to promote native plant species within the wetland buffer area. A small permeable patio area is proposed between the planned timber wall and the existing timber wall. The proposed work is located outside of the 50' wetland buffer and the proposed work only comprises of 60 linear feet of timber landscape wall within the 100' wetland buffer. In addition, only minimal grading to restore the eroding soil will be involved in the construction of the timber landscape wall. Native plants will also be planted to promote native species within the buffer zone. Ms. Millett reviewed photographs of the eroded area. She explained what the intent behind the proposal was. She thought it less disruptive to place a secondary, lower retaining wall closer to grade and behind the existing in order to deal with the erosion and the horse activity. The area between the two retaining walls would be planted with native vegetation.

Public Comment: Adam Siegal, an abutter, asked a question.

Commission Discussion: The Commission questioned Mr. Eiden. Ms. Millett said she would put in a condition that an ‘as built’ plan be submitted after the work has been completed. She said there was a deteriorating wooden fence along the boundary of the wetland that had been repaired/replaced in the same location, but without a permit for the work. She will include that in this permit, so it is documented and an after-the-fact filing fee will be charged before this permit is issued. She reviewed the conditions. Special conditions include that all conditions on this property and 66 West Vine Street regarding materials for use on hardscape areas and roof runoff remain in place, and this permit does not remove any of those conditions, that hardscape materials proposed for the site shall be wood decks and dry laid stone, walkways, and patio areas in order to promote infiltration of stormwater, that the spilt-rail fence be relocated to the top of the lower landscape wall, and that erosion controls shall be maintained throughout the duration of the project and shall be added to if needed to prevent additional erosion. She will need to know from Mr. Eiden whether soil needs to be brought onto the site and what the source of that soil would be prior to the pre-construction meeting. Additionally, all disturbed areas will be re-planted with native vegetation as listed on the approved plan, properly watered upon installation, and must survive for three years or be replanted, no herbicides or synthetic fertilizers shall be used on the site as on-going conditions. The Commission requested that Ms. Millett make a site visit halfway through the project and she said she would do a site visit every two weeks once the project had begun.

Mark Adams moved to issue a Negative #2 Determination of Applicability CON-23-114, 70 West Vine Street, with conditions as discussed, Oriana Conklin seconded, and it was so voted, 3-0 by roll call.

3) **Request for Certificate of Compliance:**

a) **CON-23-107 30 Shank Painter Road** Request for a Certificate of Compliance by Brad Malo for OOC SE 058-0632 pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) and the Provincetown General By-Laws Chapter 12, Wetlands Protection By-Law to demolish an existing building and construct a new multifamily condominium and associated site improvements. Work has been completed. Ms. Millett reviewed the project as a tear down and construction of a multi-family structure on the corner of Shank Painter Road and Browne Street. An engineering report was submitted certifying that the structure was constructed as originally approved with two minor changes, including only installing one concrete walkway from the front porch to Shank Painter Road, instead of two as originally proposed, making for less impervious material on the site, which is in a flood zone. The other change involves the driveway access, which the Commission had approved as being fully permeable. But because of where it intersected with Browne Street, the builder was required to install some cobblestones as a paved apron, which will be impervious. The grade of the driveway needed to meet the grade of the street. She said she thought those changes were inconsequential and she recommends a full certification.

Mark Adams moved to grant a full Certificate of Compliance for CON-23-107, 30 Shank Painter Road, with six on-going conditions, Oriana Conklin seconded, and it was so voted, 3-0 by roll call.

4) **Administrative Determinations:**

a) CON-23-106 555 Commercial Street Administrative application for Commission review to move rocks that have been displaced back towards a wall, as originally approved. Ms. Millett reviewed a photograph of the project. The applicant had to come before the Commission for approval for the stairs to the beach that ended in a concrete pad. They are now requesting to bring onto the beach a bobcat to move the rocks that got displaced during a winter storm. The work will be done in one day. She would impose a condition that the beach be smoothed out after the work has been completed and all of the standard conditions for beach access, including when the beach can be accessed in terms of tidal height. *Mark Adams moved to approve the Administrative Determination for CON-23-106, 555 Commercial Street, Oriana Conklin seconded, and it was so voted, 3-0 by roll call.*

b) CON-23-108 262A Bradford Street Administrative application, approved by the Conservation Agent, to trim/prune overhanging branches and vegetation that have encroached on shed access. Ms. Millett said she had approved this. There was a shed on the property that was severely overgrown. The applicants sought an access pathway around the shed and to trim the vegetation surrounding it.

c) CON-23-115 622 Commercial Street Administrative application, approved by the Conservation Agent, to demolish part of an existing deck in preparation for work outside the Commission's jurisdiction. Ms. Millett said that this property would be coming back to the Commission for an NOI, but they needed to remove part of an existing deck in order to access siding that was being replaced. This property is only in the flood plain. She gave the applicant permission to demolish a portion of the existing deck and told them to return with an NOI for reconstruction of the deck and any other site work that needed to be done.

d) CON-23-116 5 Tremont Street Administrative application, approved by the Conservation Agent, to replace and expand the existing hardscape with permeable pavers. Ms. Millett said that this project involves a degraded patio. This property is only in the flood plain. An existing brick patio will be removed and permeable pavers will be installed.

5) **Approval of Meeting Minutes:**

a) August 1, 2023: *Mark Adams moved to approve the minutes of August 1, 2023 as written, Oriana Conklin seconded, and it was so voted, 3-0 by roll call.*

6) **Conservation Agent Update:** None.

7) **Any other business that shall properly come before the Commission:** None.

Mark Adams moved to adjourn the meeting at 8:21 P.M., Oriana Conklin seconded, and it was so voted, 3-0 by roll call.

Respectfully submitted,

Ellen C. Battaglini

Approved September 19, 2023
Alfred Famiglietti, Chair