

PROVINCETOWN CONSERVATION COMMISSION

January 27, 2009

6:30 P.M.

Members Present: Dennis Minsky, David Hale and Jack McMahon.

Members Absent: Lynne Martin (excused), and Richard Silver (excused).

Others Present: Ellen C. Battaglini (Recording Secretary).

PUBLIC HEARING

Chair Dennis Minsky called the Public Meeting to order at 6:48 P.M.

PUBLIC STATEMENTS:

None.

MINUTES: January 13, 2009 – Regular Session – *David Hale moved to approve the language as amended, Dennis Minsky seconded and it was so voted, 3-0.*

January 13, 2009 – Executive Session – *David Hale moved to approve the language as amended, Jack McMahon seconded and it was so voted, 3-0.*

OLD BUSINESS:

Request for an Extension to an Order of Conditions *(Postponed from January 13, 2009)*

Application by **Captain Jack's Wharf Condominium Association** represented by **Coastal Engineering Company, Inc.** for a **Request for an Extension to an Order of Conditions** with DEP File Number SE 058-0399 under the Massachusetts Wetlands Protection Act, M.G.L. c. 131, §40 and the Provincetown Wetlands By-Law Chapter 12 for work at **73 ½ Commercial Street** in Provincetown.

Commission Discussion: The Commission received an e-mail from Roy Okurowski, of Coastal Engineering, Co., Inc., which satisfied the questions of the Commission. The e-mail stated that:

- All of the planned work had been completed with the exception of some of the batter piles specified in the Order of Conditions.
- Final stabilization of the structure, including reinforcing connections, would be completed in accordance with the Order of Conditions and no work beyond the scope of the current Order of Conditions is planned.
- No problems are anticipated, however if they do arise, they will be addressed.
- Most of the work has been completed, but some of the work from the first phase needs to be redone.

The Commission discussed the issue.

David Hale moved to grant the Extension to an Order of Conditions for DEP File Number SE 058-0399 for a period of two years, Dennis Minsky seconded and it was so voted, 3-0.

Notice of Intent

Application by **Jason Stone**, for **Notices of Intent** under the Massachusetts Wetlands Protection Act, M.G.L. c. 131, §40 and the Provincetown Wetlands By-Law Chapter 12. The applicant proposes new construction to include garages/accessory use structures inclusive of landscaping and dune restoration at lots 12, 13, 14, 15 and 16 and pergolas on lots 13, 14, 15 and 16 at the properties located at **6, 7, 8, and 9**

Harbour Drive in Provincetown. The applicant has requested a postponement until the February 10, 2009 hearing.

DISCUSSION:

609-611 Commercial Street:

The case involving the fines and charges related to the Notice of Intent for this property was dismissed.

State LAND Grant Application and Community Garden:

Brian Carlson received a verbal report that the hydrology resulting from the installation of a community garden on the land abutting Browne Street will not affect Shank Painter Pond. He will get a copy of the report in writing. Soil samples will be taken tomorrow. The Commission discussed the land and the idea of a community garden for the Town. The Commission is sending a letter about the idea to the editor of The Banner. Brian is getting an appraisal of the three lots. The Commission discussed the timetable for the project. David volunteered to help Brian write grants for the project. The Commission discussed how to finance the purchase of the three lots.

COMMISSION BOARD STATEMENTS:

None.

ANY OTHER BUSINESS:

Bay Harbour Drive:

There is a request for an Extension of the Order of Conditions, which were issued in 2006, for this property. The Commission briefly discussed the issue. Dennis wants to look at the original Order of Conditions and examine how those may be affected by the new local regulations. This will be postponed until the next hearing.

Floodplain By-Law changes:

The will be a Work Session topic. There was an e-mail to the Commission about the proposed changes to this by-law.

Beach Cleaning:

Jerry Irmer is about to file a Notice of Intent for this project. Dennis wants to wait until the Commission discussed this topic at one of the Work Sessions. Brian spoke to the DPW in Dennis, where they do rake some of their beaches on a limited basis. They meet with the Dennis Conservation Commission once a year. Dennis will try and speak to the Dennis Conservation Agent to find out how they handle the issue.

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GIS Training:

The two-day workshop has been cancelled. Dennis suggested that Lynne may be able to help the Commissioners with some of the knowledge they might need for a future workshop.

Work Session agenda:

The agendas for the Work Sessions scheduled on February 24 and March 10 are available.

Making Nature Trails:

There is a workshop scheduled in Harwich for Saturday, February 7.

Elia Sinaiko's application:

Dennis would like to discuss this issue when the full Commission is present. The Commission does have

the responsibility for appointing someone to the vacant alternative position.

ADJOURNMENT: *Dennis Minsky moved to adjourn at 7:25 P.M. and it was so voted unanimously.*

These minutes were approved by a vote of the Conservation Commission at their meeting on _____, 2009.

Respectfully submitted,
Ellen C. Battaglini

Approved by _____ on _____, 2008
Dennis Minsky, Chair