

PROVINCETOWN CONSERVATION COMMISSION

July 21, 2009

6:30 P.M.

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

Members Absent: Richard Silver.

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

PUBLIC HEARING

Chair Dennis Minsky called the Public Meeting to order at 6:33 P.M. He then noted that due to a clerical error on the Public Notice for this Public Hearing and Public Meeting, the Commission will only be discussing three agenda items which have already been advertised: the Town's sewer extension project, the Town's storm water project and the project at 33 Pilgrim Heights Road.

OLD BUSINESS:

Notice of Intent

Application by **Town of Provincetown**, represented Tom Touchet of AECOM, 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 applicant proposes an extension to the existing Provincetown sewer collection system to the east end of Commercial Street. The project includes the construction of approximately 3,200 feet of gravity sewers; 11,400 feet of sewer force mains; and two submersible, below-grade sewer pumping stations. All work will occur within the existing paved roadways or along the shoulder of the roadways.

Presentation: David Guertin appeared to discuss the application. Rob Adams had submitted information on the approximate location of the two pump stations in the east end as per the request of the Commission. According to Mr. Guertin, one station will be located at 343 Bradford Street and one at 716 Commercial Street. Discussions are now being held with the two private property owners in regard to this issue.

Public Comment: None.

Commission Discussion: The Commission questioned Mr. Guertin about the project. Mr. Guertin was also willing to answer Commission questions concerning the failure of the sewer system over the recent Fourth of July weekend.

Lynne Martin moved to approve the Notice of Intent for the Town of Provincetown for an extension to the existing Provincetown sewer collection system to the east end of Commercial Street with the Standard Order of Conditions, David Hale seconded and it was so voted, 4-0.

NEW BUSINESS:

Notice of Intent

Application by **Town of Provincetown**, represented Russell Kleedamp, of Stearns & Wheler, LLC, 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 applicant proposes drainage improvements of the Town's storm water outfall discharges located at Court Street and the West End parking lot. The work will include infiltration and leaching structures and the removal and replacement of existing catch basins

in the roadway.

Presentation: Russell Kleekamp appeared to present the application. The Town is proposing to improve the existing infrastructure by making drainage improvements to help mitigate the effects of the Town's storm water outfall discharge to Provincetown harbor and associated beaches. The purpose of the project is to install appropriate storm water structures to properly manage the storm water at one such area that is located at the foot of Court Street (Town Landing). The existing system currently does not have the necessary capacity for effective infiltration and, instead, untreated run-off discharges into Provincetown Harbor. All work will be conducted within the Town-owned parcel, road and right-of-way. A total of 1,539 square feet of temporary disturbance is estimated for work in the buffer zone of a coastal beach. The area is currently paved.

Public Comment: None.

Commission Discussion: The Commission questioned Mr. Kleekamp about the project at the West End parking lot.

Lynne Martin moved to approve the Notice of Intent for the Town of Provincetown drainage improvements of the Town's storm water outfall discharges located at the West End parking lot with the Standard Order of Conditions, David Hale seconded and it was so voted, 4-0.

Commission Discussion: The Commission questioned Mr. Kleekamp about the project at Court Street. *David Hale moved to approve the Notice of Intent for the Town of Provincetown drainage improvements of the Town's storm water outfall discharges located at Court Street with the Standard Order of Conditions and the Special Condition that if it were necessary for the Town re-grade, re-sand or re-vegetate that area, that it would appear before the Commission for further input before commencing that work, Dennis Minsky seconded and it was so voted, 4-0.*

Notice of Intent

Application by **Donald E. Cote & Kenneth J. Kruse**, represented David LaJoie of Felco Engineering, Inc., for a **Notice of Intent** under the Provincetown Wetlands By-Law Chapter 12. The applicants propose construction of a single family dwelling and driveway within the 100' buffer zone to an isolated wetland at the property located at **33 Pilgrim Heights Road** in Provincetown.

Presentation: David LaJoie, Donald E. Cote and Kenneth J. Kruse appeared to discuss the application. The applicants seek to construct a new dwelling unit and driveway on an existing vacant lot. The project is located within the buffer zone to an isolated wetland. The Division of Fisheries & Wildlife has determined that the project will not adversely affect the actual resource area habitat of state-protected rare wildlife species and that the project does occur within the mapped habitat of Broom Crowberry.

Public Comment: Thad Papetsas, Ken Stillwell and Harry Harkins, all abutters, spoke in favor of the project. There were 2 letters in the file, one from an abutter, and one from the President of the Highland Moors Homeowners Association, supporting the application.

Commission Discussion: The Commission questioned Mr. LaJoie, Mr. Cote and Mr. Kruse. The Commission, because of the complexity and importance of the project, decided to schedule a site visit on August 11, 2009 at 5:00 P.M. The applicants requested a continuance to the August 11, 2009 hearing.

ADJOURNMENT: *Lynne Martin moved to adjourn at 7:40 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 _____, 2009
Dennis Minsky, Chair