

# PROVINCETOWN CONSERVATION COMMISSION

August 25, 2009

6:30 P.M.

**Members Present:** Dennis Minsky, Lynne Martin, Jack McMahon, David Hale and Richard Silver

**Members Absent:** None.

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

## PUBLIC HEARING

Chair Dennis Minsky called the Public Meeting to order at 6:30 P.M.

### PUBLIC STATEMENTS:

None.

### OLD BUSINESS:

#### Notice of Intent

Application by **Donald E. Cote & Kenneth J. Kruse**, represented by David LaJoie, of Felco, Inc., for a **Notice of Intent** under the Provincetown Wetlands By-Law Chapter 12. The applicant proposes construction of a single family dwelling and drive within the 100' buffer zone of an isolated wetland at the property located at **33 Pilgrim Heights Road** in Provincetown. The Commission conducted a site visit at the premises. There was a request from the applicants to continue the discussion until the September 22, 2009 hearing. *David Hale moved to grant the request to continue the Notice of Intent for Donald E. Cote & Kenneth J. Kruse for the property located at 33 Pilgrim Heights Road until the September 22, 2009 hearing, Richard Silver seconded and it was so voted, 5-0.*

#### Request for Certificate of Compliance

Application by **Thomas G. Roberts**, represented by **Coastal Engineering Company, Inc.**, under the Massachusetts Wetlands Protection Act, M.G.L. c. 131, §40 and the Provincetown Wetlands By-Law Chapter 12. The applicant requests a Certificate of Compliance for work under DEP Permit SE 058-0412 for the property located at **59 Commercial Street** in Provincetown.

**Presentation:** Brian met with Reggie Donoghue at the site. The original proposal was to install stormwater retention basins, however they could not be installed due to underground utility and sewer lines. In lieu of the basins, there were drip lines and other landscaping elements installed, including drip trenches and stone-filled retention trenches, to control run-off.

**Public Comment:** None.

**Commission Discussion:** The Commission briefly discussed the issue.

*Lynne Martin moved to grant a Certificate of Compliance for DEP Permit SE 058-0412 for the property located at 59 Commercial Street, Dennis Minsky seconded and it was so voted, 5-0.*

#### Request for an Extension of an Order of Conditions

Application by **Ronald Chapman**, represented by **Coastal Engineering Company, Inc.**, under the Massachusetts Wetlands Protection Act, M.G.L. c. 131, §40 and the Provincetown Wetlands By-Law Chapter 12. The applicant requests a one-year extension of an Order of Conditions issued under DEP Permit SE 058-0420 for the property located at **157A Commercial Street** in Provincetown.

**Presentation:** Jay Norty appeared to present the Request. The applicant seeks a one-year extension in order to complete several elements on the original proposed plan, including a recharge basin to catch

run-off from the gutters on the structure. The applicant seeks also to include features not on that plan, including a portable outdoor shower, a propane tank and HVAC units. Mr. Norty also indicated that the landscaping was “pretty sparse”. He also informed the Commission that the proposed pavers in the front were replaced with decking.

**Public Comment:** None.

**Commission Discussion:** Brian informed the Commission that there were two Orders of Conditions for the property, the other related to the installation of a sea wall. The Commission questioned Mr. Norty and discussed the Request.

*David Hale moved to grant the Request for an Extension of an Order of Conditions for the property located at 157A Commercial Street for one year, with the condition that Brian monitor and review any deviations in the plan and handle those changes as an Administrative Review, unless he determines that the cumulative changes require review by the entire Commission, Dennis Minsky seconded and it was so voted, 5-0.*

## **DISCUSSION:**

**Browne Street Community Garden** – Brian sent the Commissioners a sample application form and an announcement for the advisory group. The Commission discussed the issue. The Commission also discussed several individuals who might be interested in joining the advisory group. Brian and David have requested a grant of \$5,700.00 from Barnstable County. The money would be used for the establishment of 15-20 plots, for Trex material for the delineation of the plots, for loam and to hire a professional surveyor to demarcate the plots, the buffer zones, the setbacks, etc. For the next meeting, David would like to compile a list of items that the Commission would require of the advisory group. The Commission discussed some potential tasks and other issues related to the establishment of the Community Garden.

## **COMMISSION BOARD STATEMENTS:**

There is an Administrative Review determination on 2 Commercial Street concerning the removal of the fence. The Commission would like to have a representative on site when the work is being undertaken. Brian will find out when the work is being commenced.

Greg Berman is a new Woods Hole scientist. Dennis would like to solicit his opinion on the beach raking issue. This issue was discussed, along with the Notice of Intent that will be presented to the Commission. Beach nourishment coupled with beach raking was briefly discussed. John Santos contacted Dennis about beach nourishment.

Brian mentioned that he has spoken to David Gardner about setting up a fund to allow for Town employees to get reimbursed for taking courses. He would like to find funding to set up an account to reimburse Commissioners when they take courses. The Commission discussed the issue.

There will be a GIS workshop held at some point during the winter, as the machine and software have arrived.

Paul Tasha says that the phragmites patch at Shank Painter Pond is getting bigger. Brian suggested that its removal might be a good Americorps project. The removal of purple loosestrife was also mentioned. The weeds at Shank Painter Pond were briefly discussed.

There is no update on the Harbour Drive project.

There will be a public hearing for changes to the local regulations on September 8, 2009.

David LaJoie is reviewing the site plan for 12 Somerset Drive. Brian would like to set up a site visit with

the abutter and the property owner and any Commissioner that would like to attend.

**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