

# PROVINCETOWN CONSERVATION COMMISSION

October 27, 2009

6:30 P.M.

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

**Members Absent:** None.

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

## PUBLIC MEETING

Chair Dennis Minsky called the Public Meeting to order at 6:33 P.M.

### PUBLIC STATEMENTS:

Attorney Christopher J. Snow wondered if the Commission knew why there was a 3' loss of beach in the East End after the last storm and the reason for the huge influx of eel grass.

**MINUTES: September 22, 2009** – Postponed until the next hearing.

**October 13, 2009** – *Lynne Martin moved to approve the language as amended, Dennis Minsky seconded and it was so voted, 5-0.*

### OLD BUSINESS:

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

Application by **Demetrios Daphnis**, represented by **William N. Rogers II**, requesting a three year extension of an Order of Conditions issued under DEP Permit SE 058-0414 for the property located at **67 Harry Kemp Way** in Provincetown. The Commission conducted a site visit at the premises at 5:00 P.M.

**Presentation:** Attorney Christopher J. Snow and Demetrios Daphnis appeared to discuss the Request. Attorney Snow stated that the Order of Conditions expires on January 16, 2010 and that the applicant could commence erecting retaining walls, but none of the buildings could be completed before that date. However, Attorney Snow stated, the applicant has recently decided to scale down the development and is proposing the removal of two structures closest to the wetland and the movement of a retaining wall farther away from the wetland. He proposes to write a memorandum of understanding in light of the revision to the project. He requested a continuance until the December 8, 2009 hearing when Mr. Rogers will have revised plans and to allow the Commission to review his memorandum.

**Public Comment:** None.

**Commission Discussion:** The Commission questioned Attorney Snow and Mr. Demetrios and expressed its pleasure with the revised scale of the project.

**CONSERVATION COMMISSION STATEMENTS:**

Dennis, David and Brian did a site visit at 945 Commercial Street. The applicants need to stake-out what beach grass will be removed and submit a more specific plan to the Commission showing what is being removed. They will also need to go through the permitting process in order to remove the beach grass. The Commission briefly discussed the issue.

Dennis has contacted the Police Department about Mike Winkler parking his crane on the Kendall Lane Town Landing. They will deal with the situation if it arises in the future.

There is a meeting of the Browne Street Community Garden Advisory Group on Thursday from 1-4 P.M.

Dennis mentioned devising a regional approach to herbicides and pesticides. There was a report of NStar spraying herbicides around power lines.

**ADJOURNMENT:** *Lynne Martin 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 \_\_\_\_\_, 2009  
Dennis Minsky, Chair