

## Meeting Minutes

**April 1, 2004**

**Members Present:** Paul Tasha, Dieter Groll, Elaine Anderson, George Bryant

**Members Absent:** Sarah Robin, Francis Santos

**Staff Advisor:** Mark LaTour

The meeting was called to order at 6:30 p.m.

### **AGENDA**

#### **Public Statements**

None

#### **Public Meeting**

The Red Inn, 15 Commercial St, Determination of Applicability

Neal Kimball, designer, and work crew presented plans for the project. Their objective was to modify the south side, ocean edge of the property. They plan to create 3 egress dormers with doors out onto the roof, and create decks over the existing roof. They will also create a ballisade to run around the perimeter of the roof. There is no external demolition necessary; any demolition they plan to do will be done from the inside after the egress is built. The current roof is in good shape. They will have a dumpster on the lot which they will cover nightly.

Elaine Anderson clarified that the footprint of the building would not change, and that there would not be a change in flow from the current roof runoff. Mr. Kimball explained the original footprint and roof is remaining the same and the dripline will not change. Elaine Anderson told the applicants she was satisfied as long as they would be careful with debris, the roof would be natural cedar shingles, and the dumpster would be covered nightly.

**Motion made by George Bryant to give a negative determination for 15 Commercial Street, Red Inn, by the Conservation Commission.**

**Paul Tasha seconded the motion and it passed 3/0/1 (Dieter Groll)**

#### **Pepe's Wharf, 371-373 Commercial**

(The members decided to hear this unscheduled case, as they had all visited the site and were confident they could make a sound decision on the application)

Tony Pola presented the case. They planned to remove the existing flat deck, redo the roof underneath, replace the deck and add pressure treated wood rails all around. The Historic Commission had approved the project, and they plan to comply with all Conservation Commission requests.

Elaine Anderson was ensured that neither the footprint nor the dripline was changing. Paul Tasha questioned the type of pressure treated wood being used, as some may have very dangerous leechates that would drip into the bay. Mr. Pola explained that the EPA rules were voluntary compliance for Lumber companies, but that most complied. The new pressure treated lumber they are using has no arsenic and has a stronger copper base, which is completely inert. Also the rubber stock they are using for the roof is mostly arsenic/copperchromate free.

**Motion by Dieter Groll to give a negative determination #3 with the condition that there is no copperchromate arsenic in the materials, the dumpster on site will be covered nightly, material storage will be away from the water and an agent of the construction**

team will walk over the beach daily to collect debris.  
George Bryant seconded the motion and it passed 4/0/0.

### **Public Hearing – Town Warrants**

#### **Articles in the April 7<sup>th</sup>, 2004 Annual and Special Town Meeting Warrants**

##### **Article 1 of Special Town Meeting Warrant; Community Preservation Act**

No proponents or opponents present to discuss.

##### **Public section of hearing closed.**

Mark LaTour explained the details of the warrant and how the funds would be allocated. He also mentioned that the State is matching funds raised by 100%. The members discussed the details of the warrant.

##### **Motion made by George Bryant to support the article**

##### **Paul Tasha seconded the motion and it was discussed.**

Dieter Groll wanted to clarify how members of the Community Preservation Committee would be appointed, and how the percentages of funds would be divided among the projects listed; open space/historical/affordable housing. He specified he supports the article as long as the committee decides how to allocate funds and that the legislative language does not restrict or dictate that power.

##### **Call for vote to support the article 4/0/0.**

##### **Public Hearing: Article 17 Special Town Meeting – Open Space**

No proponents or opponents present to discuss.

##### **Public section of hearing closed.**

There was a brief discussion from members.

##### **Motion by George Bryant to support the article.**

##### **Paul Tasha seconded the motion and it was passed 4/0/0.**

##### **Public Hearing: Article 18 Special Town Meeting – 82 Harry Kemp Way**

No proponents or opponents present to discuss.

##### **Public section of hearing closed.**

The members discussed the area in question, Dieter Groll questioned the condition of the land, Paul and George Bryant said it was worth preserving.

##### **Motion by George Bryant to support the article.**

##### **Paul Tasha seconded the motion and it was passed 4/0/0.**

##### **Public Hearing: Article 19 Special Town Meeting- 290F Bradford St**

No proponents or opponents present to discuss.

##### **Public section of hearing closed.**

The members discussed the area in question. The land itself was pleasant; however it is a small plot that if preserved, landlocks a bigger wooded lot which helps prevent access for development.

##### **Motion by George Bryant to support the article.**

##### **Paul Tasha seconded the motion and it was passed 4/0/0.**

##### **Public Hearing: Article 25 Special Town Meeting – PWC Landing.**

Alison Boutin was present as a proponent to the article. From attending many Harbor Committee meetings she told members that the purpose of Article 25 was to allow for better visibility of PWC usage by the Harbor master, as well as increase human and environmental

safety regarding the transfer of riders and gasoline onto PWC.

**Public section of hearing closed.**

The members discussed the article.

**Motion by George Bryant to support the article.**

**Paul Tasha seconded the motion and it was passed 4/0/0.**

Public Hearing: **Article 2** Annual Town Meeting – **Proposed FY2005 Budget.**

No proponents or opponents present to discuss.

**Public section of hearing closed.**

The members discussed the article. Although they did not approve of cutting staff in a high demand department, the members decided the budget issues were too hard to conquer. George Bryant noted many of the benefits of regionalism with the lower cape town services.

Public Hearing: **Article 5** Annual Town Meeting – **Shellfish Grants.**

No proponents or opponents present to discuss.

**Public section of hearing closed.**

The members discussed the article.

**Motion by George Bryant to support the article.**

**Paul Tasha seconded the motion and it was passed 4/0/0.**

Public Hearing: **Article 26** Annual Town Meeting – **Hunting in CCNS.**

No proponents or opponents present to discuss.

**Public section of hearing closed.**

The members discussed the dynamics of hunting in an ecosystem and agreed that in order to control a human disrupted system hunters were needed. They also noted that there was no way for a town to create laws and enforce them on federal (National Park Service) property. This article solely makes a statement from the town to the NPS. The members want to uphold the rights of the public, including the right to hunt. They further discussed the current overpopulation of deer and deer ticks in the area.

**Motion by George Bryant to support the article.**

**Paul Tasha seconded the motion and it failed 0/4/0.**

Public Hearing: **Article 27** Annual Town Meeting – **Site Y.**

No proponents or opponents present to discuss.

**Public section of hearing closed.**

The members discussed the article and felt that it was personally motivated and did not reflect the needs of the town at this time. It is also a piece of land, which is designated as State Conservation land that they would like to uphold.

**Motion by George Bryant to support the article.**

**Paul Tasha seconded the motion and it failed 0/4/0.**

Public Hearing: **Article 29** Annual Town Meeting – **DPW study.**

No proponents or opponents present to discuss.

**Public section of hearing closed.**

The members discussed the article and felt it was a valuable study. They were interested in the outcomes and impacts to the lands and wetlands.

**Motion by George Bryant to support the article.**

**Paul Tasha seconded the motion and it passed 4/0/0.**

**Board Members' Statements**

Paul Tasha had information regarding shellfish dredging that he shared with the members. He found out that their jurisdiction goes 80 feet out past town shore so that they may be able to control dredging boats near Hatches Harbor. The area has great potential as a cod bed, and although it is technically protected it is hard to enforce and still gets dredged and damaged. At some point the members may want to consider regulating anything that disrupts the shore bottom. This is hard to enforce, and hard to bring to court because big claming companies have very powerful lobbyists.

**Motion by Dieter Groll to adjourn the April 1<sup>st</sup>, 2004 meeting of the Conservation Commission.**

**Elaine Anderson seconded the motion and it passed 4/0/0.**

The meeting was adjourned at 8:55 p.m.

Respectfully Submitted,

Alison Boutin

**Approved by** \_\_\_\_\_ **on** \_\_\_\_\_, **2004.**  
Dieter Groll, Chairman