

PROVINCETOWN CONSERVATION COMMISSION

May 29, 2007

6:30 P.M.

Members Present: Dennis Minsky, Elaine Anderson, Lynne Martin and David Hale.

Members Absent: Paul Tasha, Dieter Groll

Others Present: Brian Carlson (Health Inspector)

PUBLIC HEARING

Co-chair Dennis Minsky called the Public Hearing to order at 6:30 P.M.

PUBLIC STATEMENTS: None

MINUTES: None

NEW BUSINESS:

Notice of Intent

Application by **WK Red Clay, LLC**, represented by **Coastal Engineering**, 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 seeks to remove two existing residential structures and construct a residential complex and associated site work, including drainage improvements, sewage disposal system installation, landscaping, and buffer zone enhancement within land subject to coastal storm flowage and the buffer zone of an isolated wetland for the property located at **21 Bradford Street Extension** in Provincetown. The Commission conducted a site visit at the premises before the hearing.

Presentation: Reggie Donoghue, David Krohn, Michael Talbot and Paul Shea appeared to present the application. The applicant wishes to restore and renovate the existing tennis clubhouse and a tennis court on the property and to build 9 additional structures, which will include both community and market rate housing units. The applicant proposes to clean-up the site and revitalize the buffer zone with indigenous plants. The project also proposes to modify a coastal bank on the property. Some building will be occurring within the 50' buffer zone of the isolated inland wetland located on the property.

Public Comment: Alix Ritchie, an abutter, spoke to the history of the wetland protection bylaws that were in existence through zoning, she asked the Commission to think about a permanent restriction on the landscaping, ask proponent to put some type of restriction on the property such as a conversation restriction. She expressed also the possibility of a deed restriction to keep the tennis courts as public recreation. She further expressed concern that the Commission needs to reconcile approving a project that is going to build within the buffer if upland is available. Bill Glass asked what happens to the gallons that go unused by the property.

Commission Discussion: The Commission questioned the panel about the project. The Commission closed the public hearing and would accept a document detailing language for a conservation restriction, animal ramp, no fill left on site, ACQ wood, along with the 4 to 1 mitigation plan as shown on submitted documents, and use their standard and special conditions as formulation of the Order of Conditions commenced over the next 21 days. Elaine Anderson moved, David Hale Second, it was so voted 4-0-0.

Request for Determination of Applicability

Application by **Shoreline Construction** represented by **Brian and Warren Alexander**, for a Request

for Determination of Applicability under the Massachusetts Wetlands Protection Act M.G.L. c. 131, § 40 and the Provincetown Wetlands By-Law Chapter 12. The applicant seeks to remove two existing residential structures and construct a residential complex and associated site work, including drainage improvements, sewage disposal system installation, landscaping, and buffer zone enhancement within land subject to coastal storm flowage and the buffer zone of an isolated wetland for the property located at 963 Commercial Street in Provincetown. The Commission conducted a site visit at the premises before the hearing.

Presentation: Brian and Warren Alexander presented to the Commission the scope of work required to update the utilities at the location. The applicants sent their paper work to the Natural Heritage Program.

Commission Discussion: The Commission questioned the applicants about the project. The Commission approved the project with a Negative Three determination with conditions. Lynne Martin moved, Elaine Anderson seconded, and it was so voted 4-0-0.

Discussion:

The Commission Discussed their spending policy as it pertains to the Conservation Commission budget. Elaine moved and David seconded to reimburse Dennis Minsky \$225.00 for costs incurred doing the business of the Commission and it was voted 4-0-0.

The Commission discussed the absences of alternate member Paul Tasha.

The Commission discussed removing Dieter Groll as co-chair. Lynne Martin moved and Dennis Minsky seconded to remove Dieter as co-chair and to appoint Elaine Anderson as co-chair and it was so voted 4-0-0.

The Commission discussed sending a letter of endorsement at the request of the Massachusetts Association of Conservation Commissions for pending legislation at the State House.

The Commission discussed the Foss Woods incident and the possible issuance of a violation notice for the release of water into the protected wetland area.

CONSERVATION BOARD STATEMENTS: None

ADJOURNMENT: *Lynne Martin moved to adjourn at 10:00 P.M. and it was so voted unanimously.*

These minutes were approved by a vote of the Conservation Commission at their meeting on _____, 2007.

Respectfully submitted,
Brian Carlson, Conservation Agent/Health Inspector

Approved by _____ on _____, 2007
Dennis Minsky and Dieter Groll, Co-Chairs