

PROVINCETOWN CONSERVATION COMMISSION
JUDGE WELSH ROOM
March 20, 2012
6:30 P.M.

Members Present: Dennis Minsky, Lynne Martin, Hank Janowsky and Barbara Prato.

Members Absent: David Hale (excused).

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

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

PUBLIC STATEMENTS:

None.

MINUTES: March 6, 2012 – Postponed.

NEW BUSINESS:

Certificate of Compliance

Application by **Joyce Aimee** under the Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) and the Provincetown Wetlands By-Law, Chapter 12 for work performed at **6 Winston Avenue** in Provincetown.

Presentation: Gary Locke appeared to request the Certificate. The project has been completed. Brian has been out to inspect the property.

Public Comment: None.

Commission Discussion: The Commission briefly questioned Mr. Locke.

Lynne Martin moved to grant the Certificate of Compliance for Joyce Aimee under the Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) and the Provincetown Wetlands By-Law, Chapter 12 for work performed at 6 Winston Avenue, Barbara Prato seconded and it was so voted, 4-0.

BEACH RAKE MONITORING PROGRAM:

Rex McKinsey appeared to present the recommendation of a sub-committee, comprised of Rex, Brian and Dennis, that reviewed the three RFQs submitted for the beach rake monitoring program. Bid prices were reviewed separately from the project proposals. He reported that the proposal from the Provincetown Center for Coastal Studies was chosen over the other two proposals, as it was more detailed and science-driven than the others. He is seeking a motion to approve the Provincetown Center for Coastal Studies proposal for the first year of the environmental monitoring of the beach rake pilot project.

The Commission discussed the issue.

Dennis Minsky moved to approve the granting of the Provincetown Center for Coastal Studies proposed monitoring program associated with the beach raking pilot project based on the

recommendation of the aforementioned sub-committee, Barbara Prato seconded and it was so voted, 4-0.

Notice of Intent

Application by **Alfred Famiglietti & James Staniscia** for a **Notice of Intent** under the Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) and the Provincetown Wetlands By-Law, Chapter 12. The scope of work to include the proposed shorefront protection at **157 Commercial Street** in Provincetown.

Presentation: Roy Okurowski appeared to present the application. Several years ago, a drift fence, nourishment and plantings had been installed on the property in order to protect it from wind and storm erosion. However, major storms over the last year took out 80% of the nourishment, creating a scarp line landward of the drift fence and diminishing much of the sand and vegetation. The new owners of the property needed to re-nourish the area and a soft solution was recommended. The suggestion included coir logs to supplement the core of the sand nourishment area. Coir is comprised of heavy-duty natural coconut fibers that are filled with sand, wrapped and then sewn up. It is a bio-degradable long-term fix. It allows water to pass through it and will not get taken out in a storm. The coir envelopes will be placed along the width of the property, cedar sand fences, in a herringbone pattern, will be erected to trap sand, and the area will then be back-filled with compatible sand material. The slope will be re-vegetated with beach grass and all affected areas will be restored to pre-construction conditions. Access will be from the owner's property or from the fifth Town Landing to the east. Materials will be brought onto the site from that Town Landing. The upland areas will be used as the staging area.

Public Comment: Rich Mills, property manager for the abutting condominium, read a letter from the Trustees of the condominium association. The letter expressed concerns about the project and its effects on the condominium's property and requests that an independent environmental consultant be hired to evaluate the project.

Commission Discussion: The Commission questioned Mr. Okurowski. Dennis summarized the Commission's proposed conditions, including replacing coirs if necessary, removing coirs immediately if it can be demonstrated that they are causing erosion to abutting properties, establishing a minimum nourishment schedule of twice a year, or as needed, at a minimum of 20 yards per year, planting beach grass as proposed, removing debris and avoiding the use of any inorganic elements aside from the sand fence. The Commission discussed the need for an independent consultant. The Commission decided to seek the advice of an independent consultant for its own edification. Dennis suggested Greg Berman. Dennis will contact Mr. Berman and find out if and when he would be available to meet with stakeholders at the site. Mr. Okurowski requested to continue to the April 3, 2012 Public Hearing.

Barbara Prato moved to grant the request to continue until the April 3, 2012 Public Hearing, Dennis Minsky seconded.

It was suggested that in light of the fact that Town Meeting starts on April 2nd and may run for more than one night, that the motion be amended. ***Barbara Prato moved to grant the request to continue until the April 10, 2012 Public Hearing, Dennis Minsky seconded and it was so voted, 4-0.***

ANY OTHER BUSINESS:

The Commission received a letter from Dorothy Palanza regarding the 2012 Green Arts Festival, sponsored by the Provincetown Conservation Trust and scheduled to begin on April 20th. The letter asks the Commission's permission to place sculptures and installations within conservation land from April 20th until June 3rd. Ms. Palanza stated that they would take great care to insure that there will be no negative impacts on the environment and will meet with Brian for final approval before the installation of any work. The Commission discussed the request. The Commission will require that past conditions for art works installed on conservation land will prevail, including Brian's final approval of all installations and sculptures.

Dennis Minsky moved to grant the request by the Provincetown Conservation Trust's 'Appearances' Green Arts Festival for permission to place art installations within conservation land with the conditions that there be no negative impact on the environment, that the Conservation Agent approve each installation on site and that all installations are removed by June 3, 2012, Hank Janowsky seconded and it was so voted, 4-0.

Administrative Review

409A Commercial Street – The owner is requesting to replace wooden roof shingles with asphalt shingles. All work will be done from the existing driveway, where materials will be stored. Debris will be picked up daily and removed. The Commission briefly discussed the request.

Dennis Minsky moved to grant the Administrative Review for work to include the replacement of wooden shingles with asphalt shingles with the conditions that the Conservation Agent be informed when the work is completed, that all debris be picked up daily and that all access be from the driveway, Barbara Prato seconded and it was so voted, 4-0.

Herring Cove Beach Meeting:

Dennis reported that the National Seashore will be presenting the Commission with an emergency certification to repair the north parking lot. They will be undertaking a longer term project for rebuilding the parking lot.

TOWN MEETING WARRANT ARTICLES:

STM:

Article 5: *Lynne Martin moved, Dennis Minsky seconded and it was so voted, 4-0-0.*

ATM:

Article 5, #6: *Lynne Martin moved, Dennis Minsky seconded and it was so voted, 4-0-0.*

Article 5, #9: *Dennis Minsky moved, Hank Janowsky seconded and it was so voted, 4-0-0.*

Article 6, (2): *Hank Janowsky moved, Hank Dennis Minsky seconded and it was so voted, 4-0-0.*

Article 6, (3): *Lynne Martin moved, Hank Janowsky seconded and it was so voted, 4-0-0.*

Article 8: *Dennis Minsky moved, Hank Janowsky seconded and it was so voted, 4-0-0.*

Article 9, E.: *Dennis Minsky moved, Hank Janowsky seconded and it was so voted, 3-0-1 (Barbara Prato abstaining).*

Article 9, F.: *Barbara Prato moved, Hank Janowsky seconded and it was so voted, 3-0-1 (Lynne Martin abstaining).*

Article 19: *Barbara Prato moved, Dennis Minsky seconded and it was so voted, 3-0-1 (Lynne Martin abstaining).*

Article 20: *Dennis Minsky moved, Hank Janowsky seconded and it was so voted, 3-0-1 (Barbara Prato abstaining).*

Article 26: Reserve recommendation

ADJOURNMENT: *Barbara Prato moved to adjourn at 8:00 P.M. and it was so voted unanimously.*

These minutes were approved by a vote of the Conservation Commission at their meeting on _____, 2012

Respectfully submitted,
Ellen C. Battaglini

Approved by _____ on _____, 2012
Dennis Minsky, Chair