

**PROVINCETOWN CONSERVATION COMMISSION**  
**October 17, 2006**  
**EXECUTIVE SESSION**

**Members Present:** Dieter Groll, Elaine Anderson, Dennis Minsky, Lynne Martin and Paul Tasha

**Members Absent:** Robin Evans.

**Others Present:** Brian Carlson (Health Inspector), Erica Larnar (Conservation Agent) and Ellen C. Battaglini (Recording Secretary).

The Commission began the Executive Session to discuss pending litigation at 8:07 P.M. Erica Larnar has received another settlement proposal regarding the litigation involving the premises at 139 Commercial Street. The Department of Environmental Protection is encouraging the Commission to settle the matter. The plaintiff proffers that the Commission drop the Enforcement Order and void the ticket, but keep the Request for a Determination of Applicability on hold and he will file a Notice of Intent. The latter is what the Commission has been asking for.

777 Commercial Street – The Commission briefly reviewed this pending litigation. According to the DEP, the project needs to be scaled down.

**ADJOURNMENT:**

***Dieter Groll moved to adjourn the Executive Session at 8:20 P.M. and it was so voted unanimously by each Commissioner so polled.***

These minutes were approved by a vote of the Conservation Commission at their meeting on \_\_\_\_\_, 2006.

Respectfully submitted,

Ellen C. Battaglini

Approved by \_\_\_\_\_ on \_\_\_\_\_, 2006  
Dieter Groll and Elaine Anderson, Co-Chairs