

**PROVINCETOWN CONSERVATION COMMISSION
CAUCUS HALL
May 15, 2018
6:00 P.M.**

Members Present: Alfred Famiglietti, Nathaniel Mayo, Robert Brock and Joseph Cooper.

Members Absent: Kiah Coble (excused).

Others Present: Tim Famulare, Conservation Agent and Ellen C. Battaglini, Permit Coordinator.

Chair Alfred Famiglietti called the meeting to order at 6:01 P.M.

1) **Executive Session:** Executive Session pursuant to M.G.L. c. 30A, S. 21(a)(3), to discuss litigation strategy in the following matters: Aqua King Fishery, LLC v. Conservation Commission, Barnstable Superior Court, C.A. No. 2015-00064; Conservation Commission v. Stellwagen Bank Fisheries Corp., Barnstable Superior Court, C.A. No. 2015-00387; Conservation Commission v. Patricio Palacios, Barnstable Superior Court, C.A. No. 2015-00386; and (ii) the Request for Superseding Determination of Applicability filed with the Massachusetts Department of Environmental Protection by David Kelley regarding commercial fishing operations for surf clams utilizing Hydraulic fishing gear off Herring Cove; if discussion of the matters in open session would have a detrimental effect on the Town's litigation position and the chair so declares. *Nathaniel Mayo moved to go into Executive Session pursuant to M.G.L. c. 30A, S. 21(a)(3), Robert Brock seconded and it was so voted by roll call: Alfred Famiglietti: Yes; Nathaniel Mayo: Yes; Robert Brock: Yes; and Joseph Cooper: Yes.*

**AUDITORIUM
May 15, 2018
6:30 P.M.**

Members Present: Alfred Famiglietti, Nathaniel Mayo, Robert Brock and Joseph Cooper.

Members Absent: Kiah Coble (excused).

Others Present: Jeffrey Ribeiro, Town Planner, and Ellen C. Battaglini, Permit Coordinator.

Chair Alfred Famiglietti called the Public Hearing to order at 6:33 P.M.

2) **Public Comments:**
None.

3) **Public Hearings:**

a) CON-18-084 **1 High Pole Hill Road**

Notice of Intent filed by the **Cape Cod Pilgrim Memorial Association** pursuant to Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) and Provincetown General By-Laws, Chapter 12, Wetland Protection By-Law for the construction of a proposed funicular (inclined elevator) and associated site improvements. Work to take place within Land Subject to

Coastal Storm Flowage. There was a request from Coastal Engineering to postpone this application to the June 5, 2018 Public Hearing.

Nathaniel Mayo moved to grant the request to postpone to the Public Hearing of June 5, 2018 at 6:30 P.M., Robert Brock seconded and it was so voted, 4-0.

4) **Approval of Minutes of May 1, 2018:** Postponed.

5) **Information:**

Administrative Review applications approved by the Agent: Mr. Ribeiro reviewed the matter.

a) **CON-18-086 633 Commercial Street** – Remove decaying tree damaging home.

6) **Any other business that shall properly come before the Commission:** Chair Alfred Famiglietti announced that the B Street Garden Advisory Group needed a representative from the Commission, as he had resigned. He asked for a volunteer. The issue was tabled.

ADJOURNMENT: Joseph Cooper moved to adjourn the Public Hearing at 6:45 P.M. and it was so voted unanimously.

Respectfully submitted,
Ellen C. Battaglini

Approved by _____ on _____, 2018
Alfred Famiglietti, Chair