

PROVINCETOWN CONSERVATION COMMISSION
AUDITORIUM
September 4, 2018
6:30 P.M.

Members Present: Alfred Famiglietti, Robert Brock, Kiah Coble and Joseph Cooper.

Members Absent: Nathaniel Mayo (excused) and Carolyn Clough (excused).

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

Chair Alfred Famiglietti called the Public Hearing to order at 6:31 P.M. He reminded those present that the duty and mission of the Commission was to uphold the state Wetlands Protect Act and the Town's Wetlands Regulation, Chapter 12.

1) **Public Comments:**

None.

2) **Public Hearings:**

a) CON-19-013 **310 Bradford Street**

Request for a Determination of Applicability filed by **Bronwyn Malicoat** pursuant to Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) and Provincetown General By-Laws, Chapter 12, Wetland Protection By-Law to demolish an existing garage, construct an addition and handicap ramp attached to an existing house, enclose an existing deck and extend an existing deck. Work to take place within Land Subject to Coastal Storm Flowage and a Buffer Zone to Bordering Vegetated Wetlands.

Presentation: Bronwyn Malicoat appeared to present the application. She explained the project to the Commission, stating that the existing garage is 20' by 20' and will be demolished and constructed in its place will be a 20' by 19' addition and handicap ramp attached to an existing housing. A 7' by 14' deck will be enclosed and extended along a south elevation of the house to the entrance of the proposed addition.

Public Comment: None.

Commission Discussion: The Commission questioned Ms. Malicoat. Mr. Famulare reviewed the two draft special conditions. The Commission discussed Condition #9 and agreed to revise it based upon the condition of the site after demolition of the garage. Ms. Malicoat said that it was a possibility that fill would be added in order to remediate the removal. The condition will state that no additional fill shall be placed that would increase the existing surface contour of the property. Mr. Famulare will send Ms. Malicoat a list of the acceptable plantings for resource areas and buffer zones. He recommended a Negative #3 Determination for the project.

Robert Brock moved to grant a Negative #3 Determination for CON-19-006, pursuant to Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) and Provincetown General By-Laws, Chapter 12, Wetland Protection By-Law to demolish an existing garage, construct an addition and handicap ramp attached to an existing house, enclose an existing deck and extend an existing deck at the property located at 310 Bradford Street, Joseph Cooper seconded and it was so voted, 4-0.

b) CON-19-006 **106 Bradford Street (Bas Relief Park)** (*continued from the meeting of August 21, 2018*)

Notice of Intent application by **Ray Dunetz Landscape Architecture**, on behalf of the **Town of Provincetown** 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 landscaping and site improvements, including Bas Relief restoration. Work to take place within Land Subject to Coastal Storm Flowage. Mr. Famulare said that a consultant was not available to attend this hearing so there was a request from the applicant to continue to the September 18, 2018 Public Hearing at 6:30 P.M. *Kiah Coble moved to grant the request to continue CON-19-006 to the meeting of September 18, 2018 at 6:30 P.M., Alfred Famiglietti seconded and it was so voted, 4-0.*

c) CON-18-088 **153 Commercial Street** (*continued from the meeting of August 21, 2018*)

Notice of Intent filed by the **153 Commercial-6, LLC**, 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 vinyl bulkhead to replace an existing timber retaining wall and reconstruction of access stairways and a lower deck. Work to take place within Land Subject to Coastal Storm Flowage, a Coastal Beach and a Buffer Zone to a Coastal Beach. There was a request from the applicant to continue to the meeting of September 18, 2018. *Kiah Coble moved to grant the request to continue CON-18-088 until the September 18, 2018 Public Hearing at 6:30 P.M., Robert Brock seconded and it was so voted, 3-0.*

d) CON-18-089 **151A Commercial Street** (*continued from the meeting of August 21, 2018*) **Notice of Intent** filed by the **Joseph Smith and Scott A. Popkowski**, 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 vinyl bulkhead to replace an existing timber retaining wall and the reconstruction of access stairways and a walkway. Work to take place within Land Subject to Coastal Storm Flowage, a Coastal Beach and a Buffer Zone to a Coastal Beach. There was a request from the applicant to continue to the meeting of September 18, 2018.

Kiah Coble moved to grant the request to continue CON-18-089 until the September 18, 2018 Public Hearing at 6:30 P.M., Robert Brock seconded and it was so voted, 3-0.

e) CON-19-012 **51 Commercial Street** (*to be postponed to the meeting of September 18, 2018*)

Request to Amend an Order of Conditions (DEP File No. SE 058-0576) filed by **Jay Anderson/53 Commercial Provincetown, LLC**, pursuant to Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) and Provincetown General By-Laws, Chapter 12, Wetland Protection By-Law to relocate proposed buildings, previously approved under the current Order of Conditions, in order to move the rear building outside of Chapter 91 jurisdiction and to reconfigure associated decks, walks, patios and other site features around the building relocation. Work to take place within Land Subject to Coastal Storm Flowage and the Buffer Zone to a Coastal Beach. *Joseph Cooper moved to postpone CON-19-012 to the Public Hearing of September 18, 2018 at 6:30 P.M., Alfred Famiglietti seconded and it was so voted, 4-0.*

3) **Conservation Agent Update:** None.

4) **Approval of Minutes of August 21, 2018:**

Kiah Coble moved to approve the minutes as written, Joseph Cooper seconded and it was so voted, 4-0.

5) **Any other business that shall properly come before the Commission:** None.

ADJOURNMENT: *Alfred Famiglietti moved to adjourn the Public Hearing at 7:00 P.M. and it was so voted unanimously.*

Respectfully submitted,

Ellen C. Battaglini

Approved by _____ on _____, 2018
Alfred Famiglietti, Chair