

PROVINCETOWN CONSERVATION COMMISSION
JUDGE WELSH ROOM
October 2, 2018
6:30 P.M.

Members Present: Alfred Famiglietti (arrived at 6:34 P.M.), Nathaniel Mayo, Kiah Coble and Carolyn Clough.

Members Absent: Robert Brock (excused) and Joseph Cooper (excused).

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

Chair Alfred Famiglietti called the Public Hearing to order at 6:35 P.M. He stated 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-19-017 **66 & 72 West Vine Street** (*continued from the meeting of September 18, 2018*)

Abbreviated Notice of Resource Area Delineation by **David Krohn, DTODD, LLC**, pursuant to Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) for the delineation of a Bordering Vegetated Wetland and Wet Meadow.

Presentation: Dave Krohn appeared to discuss the application. Mr. Famulare said that there were no comments from the Department of Environmental Protection in regard to the delineation. Mr. Krohn reviewed the process he went through to delineate the property.

Public Comment: None.

Commission Discussion: The Commission briefly questioned Mr. Krohn. Mr. Famulare recommended that the Commission approve the Abbreviated Notice.

Nathaniel Mayo moved to approve the Order of Resource Area Delineation confirming that the resource area delineation on the submitted plan is accurate, Alfred Famiglietti seconded and it was so voted, 4-0.

b) CON-19-019 **122 Commercial Street**

Notice of Intent filed by the **Boyd Frank Richards** and **Joshua Joseph Ronnebaum**, 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 elevate and renovate an existing structure on floodplain-compliant foundations and associated site improvements. Work to take place within Land Subject to Coastal Storm Flowage.

Presentation: Stacy Kanaga appeared to present the application. Ms. Kanaga reviewed the proposed project, which involves elevating a building located in the FEMA AE Zone on a new floodplain-compliant poured concrete foundation, the installation of flood vents to allow flood waters to move beneath the building during storm events, renovating the interior of the building, including constructing two additions and new access stairs to the raised structure. Existing access

stairs located at the rear of the building will be removed. One of the additions is proposed over an existing bump-out in the rear of the building and the second addition is proposed on the front of the structure, expanding the front porch and squaring off the roofed portion of the porch to match the sidelines of the building, slightly decreasing the parking area. The additions are not anticipated to negatively impact the movement of stormwater around the building during a significant storm event. New permeable walkways are proposed to replace existing concrete walkways to promote infiltration in place. Additional design elements of the site that will provide environmental benefits will include minimal proposed grade changes and the installation and maintenance of a limit of work/sediment barrier throughout construction. The finished grades are proposed to match the existing to maintain the same drainage patterns. The proposed roofed section of the porch will be about 2' closer to the south lot line on Commercial Street. An existing crushed stone parking area will remain, but will be lightly modified to accommodate the new building addition. Various fences, hedges and a lawn and ornamental landscaping will be maintained. Roof runoff will be managed with drip trenches at rooflines. Proposed access for the project will be from an existing driveway off Whorf's Court. The project meets the performance standards of the Wetlands Protection Act.

Public Comment: None. There was 1 letter in opposition to the project.

Commission Discussion: The Commission questioned Mr. Kanaga. Mr. Famulare reviewed draft conditions and explained his addition of a condition #6.

Kiah Coble moved to approve the Notice of Intent, CON 19-019, 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 elevate and renovate an existing structure on floodplain-compliant foundations and associated site improvements with the conditions as discussed, Alfred Famiglietti seconded and it was so voted, 4-0.

c) CON-19-022 **13 Hobson Avenue**

Administrative Review application filed by **HBJ Realty Trust** 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 re-grading a backyard, installing a patio, fencing and covered storage and planting shrubs in a raised bed. Work to take place within a Buffer Zone to a Coastal Dune.

Presentation: Chris Nagle appeared to present the application. He explained that the project will include re-grading the back yard, abandoning existing raised beds and shrubs, and the installation of a fence to enclose a propane tank, bicycles, tools and kayaks. The back yard and a path will be hardscaped to form a patio with pervious variegated bluestone pavers. Vegetation from the Commission's approved planting list will be planted.

Public Comment: None.

Commission Discussion: The Commission questioned Mr. Nagle. Mr. Famulare reviewed the draft conditions.

Nathaniel Mayo moved to approve the Administrative Review application, CON-19-022, 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 re-grading a backyard, installing a patio, fencing and covered storage and planting shrubs in a raised bed with the conditions as discussed, Alfred Famiglietti seconded and it was so voted, 4-0.

3) **Requests for Certificates of Compliance:** Mr. Famulare reviewed the Requests.
a) **CON-19-012 5 Harbour Drive** – This project involved the construction of a detached garage, the conversion of an existing garage into a pool-house with the addition of a deck and stairs, the removal of a pergola and the addition of mitigation plantings and landscaping modifications. The work was certified by Holmes and McGrath, Inc. *Nathaniel Mayo moved to issue a Certificate of Compliance for CON-19-012, 5 Harbour Drive, Kiah Coble seconded and it was so voted, 4-0.* Mr. Famulare said that conditions 13, 14 and 18 would be on going.

b) **CON-19-021 505 (507) Commercial Street:** This project involved the repair of an existing metal bulkhead with the installation of sheet piling adjacent to the existing wall and was certified to be in substantial compliance with the Order of Conditions by East Cape Engineering, Inc. *Nathaniel Mayo moved to issue a Certificate of Compliance for CON-19-021, 505 (507) Commercial Street, Alfred Famiglietti seconded and it was so voted, 4-0.*

4) **Conservation Agent Update:**
MACC Fall Conference – October 20, 2018: Mr. Famulare said that the conference was taking place in Leominster, MA and there was money in the budget if any Commissioners would like to attend.

5) **Approval of Minutes of September 18, 2018:**
Nathaniel Mayo moved to approve the minutes as written, Alfred Famiglietti seconded and it was so voted, 4-0.

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

ADJOURNMENT: *Alfred Famiglietti moved to adjourn the Public Hearing at 7:30 P.M. and it was so voted unanimously.*

Respectfully submitted,

Ellen C. Battaglini

Approved by _____ on _____, 2018
Alfred Famiglietti, Chair