

PROVINCETOWN CONSERVATION COMMISSION

June 6, 2006

6:30 P.M.

Members Present: Dieter Groll, Elaine Anderson, Dennis Minsky and Paul Tasha.

Members Absent: John Santos and Robin Evans.

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

Co-Chair Dieter Groll called the meeting to order at 6:40 P.M.

MINUTES:

April 18, 2006 – *Dennis Minsky moved to accept the language as written, Paul Tasha seconded and it was so voted, 3-0.*

March 21, 2006 – *Dennis Minsky moved to accept the language as written, Paul Tasha seconded and it was so voted, 3-0.*

January 17, 2006 – *Dennis Minsky moved to accept the language as written, Paul Tasha seconded and it was so voted, 3-0.*

January 3, 2006 – *Paul Tasha moved to accept the language as written, Dennis Minsky seconded and it was so voted, 4-0.*

February 7, 2006 – *Elaine Anderson moved to accept the language as written, Dennis Minsky seconded and it was so voted, 4-0.*

March 7, 2006 – *Dennis Minsky moved to accept the language as written, Elaine Anderson seconded and it was so voted, 4-0.*

PUBLIC STATEMENTS:

Peter Souza spoke of the need of the Commission to adopt the local Conservation Commission regulations that Erica Larner has been working on.

Determination of Applicability (continued from 05/16/06)

Application by Jay Anderson for a Request for a Determination of Applicability under the Provincetown Wetlands By-Law, Chapter 12 of the Provincetown General By-Laws, and under the Massachusetts Wetlands Protection Act, M.G.L. c. 131, § 40. The applicant seeks to install plantings and maintain existing fencing at the property located at **139 Commercial Street**, in Provincetown.

Presentation: Bob O'Malley and Emily Beebe appeared to discuss the application. The applicant submitted a new site plan showing the delineation of the resource area and the location of the coastal dune. The applicant seeks to have his landscaping plan approved and to continue the English ivy eradication at the site.

Public Comment: Meg Stewart, speaking for herself and her partner, Maureen Wilson, spoke of her concern about the applicant's intent to plant Leland cypress despite the Commission's recommendation against it. She was also concerned about damage being done currently to the coastal dune. There was one letter in the file also opposed to the planting of the Leland cypress on the property.

Commission Discussion: The Commission questioned Mr. O'Malley and Ms. Beebe. Erica Larner marked our on the site plan of the applicant indicating where the plantings could be located, which was in any bed that was separated by the driveway from the coastal dune.

Dennis Minsky moved to grant a Positive Determination for the property located at 139 Commercial

Street, Elaine Anderson seconded and it was so voted, 2-0. Erica Larner will write the decision.

Emergency Certification

Application by Coastal Engineering for an Emergency Certification under the Provincetown Wetlands By-Law and the Wetland Protection Act and 310 CMR 10.06. The applicant requests a review of the public safety situation and issuance of an emergency authorization for work at **338 Commercial Street**, in Provincetown.

Presentation: John Bologna, of Coastal Engineering, appeared to discuss the request. The applicant submitted a structural framing plan for the building in question in addition to a narrative outlining the problems at the premises.

Public Comment: None. There were no letters in the file.

Commission Discussion: The Commission questioned Mr. Bologna. The Commission determined that an emergency did exist at the premises.

Paul Tasha moved to approve the request as an Emergency Certification for work to be done at the property located at 338 Commercial Street with the following conditions:

- *No demolition be done beyond the west side of the deck;*
- *A Notice of Intent must be filed by the applicant within 21 days;*
- *The Certification is for the stabilization of the foundation only;*
- *Debris at the site needs to be containerized; and*
- *Only work can be done on Units 4,5,6 and 8 as shown on a site plan dated March, 1988 and stamped by William N. Rogers, II and labeled P-88-0646A.*

Dennis Minsky seconded and it was so voted, 4-0. The applicant is authorized to begin work on Monday, June 12, 2006.

Adoption of new local Conservation Commission regulations

The Commission discussed the regulations that Erica Larner has been working on.

Elaine Anderson moved to accept the regulations as presented, Dennis Minsky seconded and it was so voted, 4-0.

Art Installation at Shank Painter Sanctuary

The Commission discussed the project of Frank Vasello to install art on site at the Shank Painter Sanctuary. Erica Larner supports the installation as long as it is non-invasive and non-disruptive in character. Mr. Vasello will have to discuss with the Commission what will be placed and where at the site when he knows. The first week in October is the anticipated date of the installation.

Elaine Anderson moved to support the project contingent upon guidelines yet to be determined by the Commission, Dennis Minsky seconded and it was so voted, 4-0.

Goals and Objectives for FY 2007

The Commission discussed some issues and decided that they sought to promote to the general public an awareness, understanding and appreciation of the roles of different Town departments.

Town-Wide Goals:

- Increase and properly manage open space; and
- Encourage environmentally sound construction as well as 'smart' growth.

Department-Specific Objectives;

- Pass and implement effective definitions and regulations;
- Effectively manage previously owned conservation properties; and
- Maintain consistency in permitting and compliance.

Dennis Minsky moved to accept the proposals as outlined by the Conservation Commission, Paul Tasha seconded and it was so voted, 4-0.

Appointments to the Conservation Commission

There are 3 regular positions and 1 alternate position to fill.

Dieter Groll nominated Dennis Minsky for the regular position formerly held by Dennis Minsky, Elaine Anderson seconded and it was so voted, 3-0.

Elaine Anderson nominated Paul Tasha for the alternate position formerly held by Paul Tasha, Dennis Minsky seconded and it was so voted, 3-0.

Dieter Groll moved to nominate Lynn Martin for the regular position previously held by John Santos, Elaine Anderson seconded and it was so voted, 3-0.

There were no nominations put forward for the position previously held by George Bryant. The position remains vacant.

ANY OTHER BUSINESS:

Erica Larner is endeavoring to compile a database of Conservation Commission decisions and filings. She says there is money for an entry-level data position to be filled to help with the compilation process. *Elaine Anderson moved to allow Erica Larner to explore hiring an intern, at a rate of pay of \$10.00 for 150 hours of work, to compile a database of Conservation Commission filings subject to consultation with the Town Clerk, Doug Johnstone, Dennis Minsky seconded and it was so voted, 4-0.*

ADJOURNMENT:

Dennis Minsky moved to adjourn the meeting at 10:00 P.M. and it was so voted unanimously.

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