

# PROVINCETOWN CONSERVATION COMMISSION

September 23, 2008

6:30 P.M.

**Members Present:** Dennis Minsky, Lynne Martin and David Hale.

**Members Absent:** Jack McMahon (excused) and Richard Silver (unexcused).

**Others Present:** Brian Carlson (Conservation Agent), Ellen C. Battaglini (Recording Secretary).

## PUBLIC MEETING

Chair Dennis Minsky called the Public Meeting to order at 6:37 P.M.

**PUBLIC STATEMENTS:** None.

**MINUTES: August 26, 2008** – *Lynne Martin moved to approve the language as amended, David Hale seconded and it was so voted, 3-0.*

### OLD BUSINESS:

#### Request for an Amended Order of Conditions

Application by **Elia Sinaiko, PhD.**, for an **Amended Order of Conditions** under the Massachusetts Wetlands Protection Act, M.G.L. c. 131, §40 and the Provincetown Wetlands By-Law Chapter 12. The applicant seeks an Amended Order of Conditions for Permit Number SE058-0379 for the reconstruction of an existing bulkhead at the property located at **609-611 Commercial Street** in Provincetown. Dennis Minsky disclosed that he had a previous business with Gordon Peabody, who is representing Mr. Sinaiko, and has a social relationship with Mr. Sinaiko, but does not have a financial stake in the outcome of the application and feels he can render a fair decision.

**Presentation:** Gordon Peabody appeared to discuss the application. Mr. Peabody reiterated the arguments that he had advanced about the history of this project when he appeared before the Commission to discuss the application on August 13, 2008.

**Public Comment:** John Lisbon and Celine Gandolfo spoke in favor of the application. There were 2 letters in favor of the application in the file.

**Commission Discussion:** The Commission questioned Mr. Peabody.

*David Hale moved to grant the request for an Amended Order of Conditions, Dennis Minsky seconded and it was so voted, 3-0.*

### DISCUSSION: RE-NAMING OF THE CURTIS CONSERVATION PROPERTY

The Commission discussed this issue informally with Celine Gandolfo. After a brief discussion, the Commission decided to keep the name “Fox Run Conservation Land” for the Curtis property.

*Lynne Martin moved to name the Curtis conservation property “Fox Run Conservation Land”, Dennis Minsky seconded and it was so voted, 3-0.*

### DISCUSSION: FINALIZE CONSERVATION PROPERTY SIGN PROJECT

The Commission discussed the Whistle Path Woods property sign and, in particular, the bird that appears on the sign, the Northern Parula warbler, which has been sited in that area. They discussed whether to leave the image and, and it so, where it would be located on the sign. The Commission

decided to formalize their selections for the conservation land property signs as previously discussed, including their choice of which 's' to use on the Shank Painter Pond property sign.

***David Hale moved to approve the signs as discussed, with the addition of a caption for the Northern Parula warbler to be placed under its image on the Whistle Path Woods sign and the use of a small 's' on the Shank Painter Pond sign, Dennis Minsky seconded and it was so voted, 3-0.***

#### **DISCUSSION: NICKY'S PARK FALL WORK DAYS**

Brian's proposal is for scheduling work, including creating a trail through the property, at Nicky's Park for October 4<sup>th</sup> and 5<sup>th</sup>. The Commission discussed those dates and the project. Dennis will inform the neighborhood, through Cheryl Andrews, of those dates.

#### **DISCUSSION: GRANT TO THE CAPE COD FOUNDATION**

Brian discussed possible projects to be paid for with grant money from the Cape Cod Foundation. One involved his discussions with Sandy Turner, of DPW, and Russ Kleecamp, of Stearns and Wheeler, concerning the storm water drains in Town, including either stenciling a symbol on them, or attaching metal emblems to them. Both of these would serve to identify them in an effort to raise public awareness of their location and, hopefully, prevent the illegal disposal of harmful material into those drains. The cost of the metal emblems would run around \$4,000.00. The Commission discussed these ideas. Another idea Brian discussed with the Commission is to beautify and enhance the Town Landings. The Commission discussed their ideas about the project. The Commission decided that they would prefer using the grant money for improving the Town Landings and revisit the labeling of the storm drains after Commercial Street is repaved.

#### **CONSERVATION BOARD STATEMENTS:**

Dennis sent a memo to the Chief Ranger and the Chief of Natural Resources for the Seashore about the issues of Commission concern discussed at the last hearing, including the use of Clapp's Pond and adjacent trails by dirt bikers, excessive mushroom picking around Race Point Road and Route 6, the erosion of the dunes between Herring Cove and Wood End due to unregulated foot traffic and the silting-in of Mill Pond east of Province Lands Road due to a clogged culvert.

Dennis reported on the meeting concerning 2 Commercial Street. Cliff Schorer, the new owner of the property, has agreed to implement a planting plan and will submit a more detailed one, showing the resource areas, proposed lot lines and topography, to the Commission when he applies for an Amended Order. Dennis had strongly suggested at the meeting that Lots 2 and 3 be left undeveloped. Mr. Schorer has moved the location of the proposed road in order to change the siting off several buildings, in order that they can be cantilevered over the dune and has agreed to a Conservation Restriction on a portion of the property. When the Memorandum of Understanding is drafted, the Commission will have to approve it.

Jack has applied for a permanent position on the Commission.

***Lynne Martin moved to appoint Jack to the permanent position on the Conservation Commission with the term ending on December 31, 2008, David Hale seconded and it was so voted, 3-0.***

The Commission discussed the purchase of GIS mapping, which includes 3 years of maintenance and training for any Commissioners.

***Lynne Martin voted to approve the expenditure of \$420.75 for GIS mapping, David Hale seconded and it was so voted, 3-0.***

***Dennis Minsky moved to go into Executive Session in order to discuss personnel issues. He polled each Commissioner separately and all agreed to go into Executive Session.***

**ADJOURNMENT:** *Lynne Martin moved to adjourn at 8:20 P.M. and it was so voted unanimously.*

These minutes were approved by a vote of the Conservation Commission at their meeting on \_\_\_\_\_, 2008.

Respectfully submitted,  
Ellen C. Battaglini

Approved by \_\_\_\_\_ on \_\_\_\_\_, 2008  
Dennis Minsky, Chair