

PROVINCETOWN CONSERVATION COMMISSION

November 12, 2008

6:30 P.M.

Members Present: Dennis Minsky, David Hale, Jack McMahon and Richard Silver.

Members Absent: Lynne Martin (excused).

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

PUBLIC HEARING

Chair Dennis Minsky called the Public Meeting to order at 6:34 P.M.

TOWN MEETING WARRANT ARTICLES:

This Public Hearing is to determine the number of Commissioners in favor or opposed to the petitioned Articles on the Town Meeting warrant that are concerned with the natural environment.

Article 1. General By-law Amendment: Community Preservation Committee By-law. To see if the Town will vote to amend the Provincetown General By-laws by amending §5-14-2-4 to delete the words, “not less than 80%” and insert in place thereof the words, “not less than 10%”, or to take any other action relative thereto, so that the section will read as follows:

In every fiscal year, the community preservation committee must recommend either that the legislative body spend, or set aside for later spending, not less than 10% of the annual revenues in the Community Preservation Fund for open space (not including land for recreational use), not less than 10% of the annual revenues in the Community Preservation Fund for historic resources; and not less than 10% of the annual revenues in the Community Preservation Fund for community housing, or to take any other action relative thereto.

[Requested by the Board of Selectmen and the Town Manager]

The Commission discussed the Article. *David Hale moved that the Conservation Commission support Article 1, Richard Silver seconded and it was so voted, 3-0-1 (Dennis Minsky abstaining).*

Article 4. Capital Projects Fund Transfer. To see if the Town will vote to transfer from the appropriation under Article 71 of the 1999 Annual Town Meeting, or any other available fund, the sum of \$492,955, more or less, to fund Phase I construction costs to repair the structural integrity of the Town Hall, including structural repair of the roof and comprehensive exterior damage at Town Hall; or to take any other action thereto.

[Requested by the Board of Selectmen and the Town Manager]

The Commission decided that this Article was not related to the natural environment.

Article 11. Use of Free Cash for Capital Projects. To see if the Town will vote to transfer from free cash the sum or sums to the various capital projects as listed below or any other capital project, or to take any other action relative thereto.

Area A recreation	2,612.53
Police station dispatch	21,431.21
Landbank improvements	12,424.92
Buildings and grounds	14,064.28

Fire vehicle	15,492.38
Dump truck	660.82
Transfer station hauler	654.02
Acquisition of locke property	12,399.87
Landbank preacquisition	1,901.64
Macmillan pier construction	165,845.96
Municipal harbor	211.64
Stormwater mgmt master plan	517.90
Wetlands mgmt plan	24,900.00
Winthrop street cemetery	12,486.62
	285,603.79

[Requested by the Board of Selectmen and the Town Manager]

The Commission discussed this Article. ***David Hale moved that the Conservation Commission support Article 1, Dennis Minsky seconded and it was so voted, 4-0.***

Article 17. Community Preservation Act Money for Town Hall Repairs

Whereas: The Town has need of money to rebuild our historic Town Hall;

Whereas: A fee of 3% of our Real Estate Taxes has been given, under the Community Preservation Act (CPA) which allots, by law, 10% to historical preservation, 10% to affordable housing and 10% to open space, and the remaining 70% as the Community Preservation Committee votes with the approval of Town Meeting;

Whereas: The uncommitted CPA funds now amount to over 1.8 million dollars;

Therefore: I move to see if the Town will vote to change the percent for historical preservation from 10% to 80% and the percent for affordable housing from 80% to 10%, letting open space remain at 10%, and to release CPA funds for the renovation of Town Hall after all indebtedness, such as the affordable housing projects at Seashore Point, Sandy Hill Lane and Shank Painter Road, and any open space projects already voted are paid or put in reserve before the dollars are released for rebuilding our historic Town Hall or take any other action relative thereto.

[Requested by Barbara Rushmore and others]

The Commission discussed this Article. ***David Hale moved that the Conservation Commission not support Article 17, Dennis Minsky seconded and it was so voted, 4-0.***

Article 18. Open Space Purchase To see if the Town will vote to use the Open Space funds to purchase lot 31 and 30 to make a “greenway” and preserve blueberries for a town garden of wild edible blueberries in perpetuity part of the Provincetown Conservation Trust, or take any other action relative thereto.

[Requested by Olga Opsahl and others]

Olga Opsahl and Harry Opsahl appeared before the Commission to present this Article to the Commission and ask for their support for an amended version that they will present on Town Meeting floor. The Commission discussed the amended Article. ***David Hale moved that the Conservation Commission support Article 18, Jack McMahan seconded and it was so voted, 2-0-2 (Dennis Minsky and Richard Silver abstaining).***

ADJOURNMENT: ***Dennis Minsky moved to adjourn at 7:50 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