



Conservation Commission

Meeting Agenda

UPDATED

December 7, 2021

The Provincetown Conservation Commission will hold an Executive Session beginning at **5:45 p.m.**, followed by a Public Meeting at **6:00 p.m.**, in the Judge Welsh Hearing Room, Town Hall, 260 Commercial Street, Provincetown, MA on **Tuesday, December 7, 2021.**

This meeting of the Provincetown Conservation Commission **will be held in-person** at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in any specific item on this agenda should make plans for in-person vs. virtual attendance accordingly. The public is encouraged to download the **Microsoft Teams** meeting app on their computer or smart phone by clicking the link below.

Joining the Meeting:

Microsoft Teams: Join on your computer or mobile app: [Click here to join the meeting.](#)

Phone: Or call in (audio only) **(833) 579-7589** Phone Conference ID: **219 069 89#**.

To Participate during public comment:

- By Teams: Press the “raise hand” icon (🙋) to be called on to speak.
- By Phone: Speak name clearly to be called on to speak.

Please do not speak again until acknowledged by Chair or meeting moderator.

- Keep your phone muted at all times when not talking (press *6 to mute & unmute your phone).
- Do not use speakerphone, Bluetooth devices (speakers or headphones).
- Mute all background noises, including PTV, television or computer and use only phone audio.

AGENDA ITEMS MAY BE TAKEN OUT OF ORDER AND VOTES MAY BE TAKEN ON ANY ITEM.

Executive Session 5:45 p.m.

The Conservation Commission will convene in Open Session and then vote to enter into Executive Session pursuant to G.L. c. 30A, §21(a)(3) and (7) to review and approve minutes from prior executive sessions and to discuss litigation strategy in the following matters: (i) Conservation Commission v. Stellwagen Bank Fisheries Corp., Barnstable Superior Court, C.A. No. 2015-00387; and (ii) the Request for Superseding Determination of Applicability filed with the Massachusetts Dept. of Environmental Protection by David Kelley regarding commercial fishing operations for surf clams

utilizing hydraulic fishing gear off Herring Cove; if discussing the matters in open session will have a detrimental effect on the Town's litigating position and the chair so declares.

Public Meeting 6:00 p.m. The Commission will reconvene in Open Session.

- 1) **Public Comments** on any item not on the agenda below.
- 2) **Public Hearings 6:00 p.m.**
 - a) **CON-21-70 10 Harbour Drive**
Notice of Intent filed by Randall Brumette, pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) and the Provincetown General Bylaws Chapter 12, Wetlands Protection Bylaw, to install an in-ground saltwater pool and associated landscaping. Work to take place in Coastal Dune, Buffer Zone to Coastal Dune, and NHESP Estimated and Priority Habitat.
- 3) **Requests for Certificate of Compliance**
 - a) **CON-21-72 345A Commercial Street** (DEP File No. SE 58-0634) – replacement of deck
 - b) **CON-21-73 501 Commercial Street**(DEP File no. SE 58-0578) – seawall repair
- 4) **Approval of Minutes of November 16, 2021**
- 5) **Other Business**
 - a) Discussion of Conservation Commission's 2021 Annual Report to Town Meeting.
- 6) **Conservation Agent Update**
- 7) **Information**
 - a) **CON-21-71 259-263 Commercial Street, Units 1 & 2**
- 8) **Any other business that shall properly come before the Commission**

Alfred Famiglietti, Chair

Posted by the Town Clerk: www.provincetown-ma.gov 12/01/2021, 4:40 pm AR

Revised 12/06/2021