

Provincetown Cemetery Commission Meeting Minutes

Date: July 13, 2022

Location: DPW - Building & Grounds garage in Alden Street Cemetery

Call to Order: 3:04 p.m.

In attendance:

Sharon Bunn (SB), Michael Chute (MC – left at 4:05 p.m.), Michael Harpie (MH),
Tim Famulare (TF) (Alternate)

Excused absence: Chris Brooke (CB), Lynne Martin (LM)

Unexcused absence: None

Also attending: Sherry Prada (SP) – DPW Deputy Director, Brian Cowing (BC)– DPW Cemetery Superintendent, Robert Sweetman (RS), Brad Mallow, Daniel Skahen (DS), Anu Advani (AA), Doug Dolezal (DD), Tom Myers (TM)

Supporting materials:

- Application by Robert Sweetman for appointment to Cemetery Commission.
- Site Plan of Land at 34 Court Street and 27 Winslow Street, Provincetown, MA, prepared and stamped by William N. Rogers, P.E., P.L.S., dated Nov. 20, 2021.
- Schematic plans of proposed development at 34 Court Street and 27 Winslow Street, Provincetown, MA, prepared by Doug Dolezal.
- Massachusetts Cultural Resource Information System record on “Shank Painter Cemetery” at 43 Winthrop Street, Provincetown, MA.
- Provincetown Cemetery Commission Residency Requirement and Procedures to Purchase a Cemetery Plot (Draft Reviewed 7 13 22) by Sharon Bunn.

1. Review and approval of minutes:

Motion to approve by: TF Second: SB Vote: 4-0-0

2. Chair’s report:

SB reviewed and distributed the revised schedule for minutes takers, no comments or concerns from members.

3. Public comments, if any:

- DS – The Cemetery Commission had not been apprised of the proposed development at 27 Winslow Street, which abuts the Winslow Street cemetery. DS is an abutter and represents several abutters who object to project. The project is represented as being two separate lots (34 Court St. and 27 Winslow St.), but it is actually one. They are not opposed to the one proposed affordable housing unit. An application for demolition of the two existing buildings has been submitted to the Historic District Commission, and the hearing was continued to its next meeting. DS

stated that the drawings distributed at to HDC members show that the proposed development will require removal of earth next to the Winslow Street cemetery. DS said the developer stated that that wouldn't be necessary, but the abutters disagree. TF described the more detailed plans that would need to be developed for Conservation Commission review. DS stated that he had given TF photos of box turtles on the site. DS described the zoning relief given by the ZBA. Abutters are concerned with potential flooding issues and insufficient parking, but their main concern is the impacts of excavation along the cemetery.

- AA – AA is also an abutter to the 27 Winslow project and objects to the proposal. TM (who is an owner of the lots at 34 Court Street and 27 Winslow Street and one of the project proponents) has landscaped the edge of his property along the cemetery, installed landscaping timbers to retain soil, and planted a garden. Proponent says they will need to remove mature growth trees and “scoop out” hillside. Removal of mature trees and root networks may disrupt graves. AA had asked DD (the project designer) how much earth would need to be removed; he did not know, nor what would be done if remains were discovered in excavation, but told her that he hoped not to need to install a retaining wall.

4. Cemetery Supervisor updates and discussion: BC attended the meeting and gave the following report:

- 36 grave markers have been put back in place; the work requires digging out the foundation, pouring a new one, and then replacing the headstone.
- There have been two burials and a few cremations this summer, and there are some cremations scheduled for August.
- Mowing at Winthrop St. Cemetery was just done, but it will be less frequent for the rest of the summer at the request of the beekeepers at B Street Garden; regular mowing will begin again in the fall.
- The need for AmeriCorps assistance is in fall and spring; DPW staff needs to be involved in planning any projects in order to make the best use of AmeriCorps resources. SB inquired about a potential project to address the unauthorized path through Hamilton Cemetery. BC said a new barrier to discourage the cut-through seems to be working, so AmeriCorps help is not needed for that.
- There was a discussion about the two CPA grants for setting stones at Winthrop Cemetery.
 - MH said there is about \$160,000 still available; COVID delayed using remaining funds.
 - BC said fewer stones need repair, and we should check on how many need to be done.
 - BC suggested using the funds to purchase D2 (headstone cleaner) and would welcome volunteers to help with headstone cleaning. Volunteers would need to work on DPW schedule (7-4) so they have access to tools, water, etc. Jason (former Cemetery commission member) has instructional video on how to use them.
 - BC also suggested using the repair grant funds for headstones for repair of fence lines along Cemetery Road. MH said that will take effort to put the bid

proposal together and that perhaps the Town Clerk's office could help with that. RS suggested that Nauset High School students may be able to volunteer as they have a community service hours requirement. MH suggested that senior citizen property tax abatement volunteers may also be able to assist.

5. Unfinished business:

- Proposed Residency Requirements:
 - SB summarized her proposed revisions: To qualify as a resident, you must be a current registered voter or listed on the most recent Town census. If not, you must provide evidence of a prior 10-year period of Provincetown being your primary residency. MH questioned this, and the Commission members reviewed definition of "resident" to confirm it was correct. SB also updated the list of documents to demonstrate 10-year residency.
 - Motion to accept the proposed residency policy, post it to the Town website, and give it to the Town Clerk's office to disseminate it: MC. Second: MH. Vote: 4-0.

- Green Burial FAQ:
 - TF: not completed yet.
 - Motion to postpone to August meeting: SB. Second: MC. Vote: 4-0.

- Year Rounders Festival
 - SB and MH sat at Cemetery Commission table. They disseminated the booklets and collected \$168 in donations.
 - SB reviewed tally of interests from visitors to the table: tours 2, stone cleaning volunteers 2, smallpox cemetery 3, green burials 1, plot purchases 1, photographing old Cape Cod cemeteries 1.
 - They also displayed before/after photos of D2 headstone cleaning.

6. New business:

- Appointment of Alternate Member:
 - SB introduced DS and read his application statement. DS moved to Provincetown permanently in February 2021.
 - Motion to appoint DS as alternate member: MC Second: MH Vote: 4-0

- Presentation by DD of proposed development at 27 Winthrop St.:
 - DD introduced himself and owner, TM. The proposed development is 7 total residential units, which includes one workforce housing unit and one affordable housing unit, for a total of 14,000 sq. ft. The site is in the historic district and the FEMA floodplain.
 - DD showed the schematic designs of the proposed development with the site contours, and the hill along the Winthrop St. cemetery was outlined as being at and above elevation 14. The schematic plan also overlaid the 2015 Cemetery Master Plan showing proximity of headstones to the shared property boundary. Three of the building footprints would be within el. 14.

- View corridors: DD said buildings at the project site would not be higher than the existing one, so they will not obstruct view corridors from cemetery.
- Setbacks: Court St. building is about 18 feet from cemetery boundary; Winthrop St. building is about 7-8 feet. The minimum side yard setback is 6 feet.
- MH encouraged installation of fencing to keep trespass/encroachment onto cemetery. Stones or remains will probably be uncovered, and they would need to be reported to superintendent.
 - TM noted that the graves at Winthrop Cemetery were already mapped, and none of them encroach onto his property.
 - DD: could consider proposing fence on project site, in addition to existing granite post/rail fence on cemetery property.
 - SB noted that a fence could also deter travel that would increase erosion.
- SB inquired about developer's discussions with the Mass. Historical Commission. DD contacted them in Jan/Feb 2022 to confirm classification. MHC staff said to come back once plans are further developed, and they will. The further process with MHC is unclear at this time.
- SB reviewed the MACRIS record, which was shared with the Cemetery Commission members, and noted that it is rudimentary.
- DD: HDC hearing was continued to their next meeting. Developer still needs to apply to Conservation Commission The ZBA has approved the zoning relief needed for the project. The developer still has to return to the Planning Board, which now requires an engineering analysis to show that all rainwater is contained on property.
- DD said the developer will not know means and methods of construction until contractor is retained but will come back to the Cemetery Commission for review of them.
- MH: primary concern is graves, but also visual impact on cemetery.
 - DD: proposing white cedar finishes for durability, rather than painted clapboards.
- TF: Cemetery Commission needs to keep in touch with MHC who have professionals who can advise us on construction safeguards.
- TF: will mature trees need to be removed for construction? DD and TM confirmed that TM planted some of the mature trees and wants them protected.
- TF: fence on project site should not block view. DD: not picket fence, but wants to propose natural, low profile.

7. Other business that may come before the Cemetery Commission that could not have been reasonably anticipated pursuant to MA Open Meeting Law: None.

8. Cemetery plot sale applications:

- **Kerry Lynn Jacob, B99.** SB confirmed she meets the residency requirements. Motion to approve: TF Second: MH Vote: 3-0

- **William Hudson Walker Heron, A105.** SB confirmed he meets the residency requirements, and he is conveying burial rights to his several heirs and assigns. Motion to approve: TF Second: MH Vote: 3-0

9. Cemetery buy-back requests, if any: None.

10. Review of action items:

- TF – minutes, Green Burial FAQs
- SB – will post residency requirements
- Future items to keep track of: communication with MHC on 27 Winthrop, definition of “resident” in regulations.

11. Date and location of next regular meeting: August 17, 2022, 3:00 p.m. at the DPW B&G garage. Rain location: Caucus Hall, Town Hall.

12. Adjournment: Motion to adjourn: TF Second: SB Vote: 3-0

Respectfully submitted by Timothy Famulare