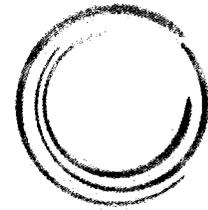


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CAPE COD  
COMMISSION

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**Minutes**  
**Provincetown Airport CIP Phase I Hearing**  
**November 4, 2015**  
**Judge Welsh Room, Provincetown Town Hall**  
**300 Commercial Street, Provincetown, Massachusetts**

Commission Members Present: Elizabeth Taylor

Commission Staff Present: Jonathon Idman (Chief Regulatory Officer), Heather McElroy (Natural Resources Specialist), Elizabeth Perry (Regulatory Officer), and Jeffrey Ribeiro (Regulatory Officer)

Others Present: Amy Ball (Horsley Witten Group), Arthur Lisenby (Airport Manager), and Gloria McPherson (Town Planner)

**Minutes Summary**

The Cape Cod Commission (Commission) held a hearing to review a proposal by the Town of Provincetown's Airport Commission to construct the proposed Capital Improvements Plan Phase I project components as a Development of Regional Impact (DRI). The Applicant presented the project and Commission Chief Regulatory Officer Jonathon Idman, serving as hearing officer, took testimony.

**Documents Used/Received**

1. Draft Commission DRI Hardship Exemption Decision

**Hearing Opened**

Mr. Idman called the hearing to order at 5:30pm. He introduced the Commission representative and Commission staff present. He then asked Amy Ball of Horsley Witten Group to present the Project on behalf of the Applicant.

Ms. Ball presented with the assistance of a PowerPoint presentation, which is attached hereto. She described the various project components and suggested some benefits the Project would provide to Cape Cod. She discussed the areas where the Airport Commission is seeking hardship relief as well as the mitigation being proposed. She closed by discussing the other permitting activities underway with various agencies.

Mr. Idman then asked Jeffrey Ribeiro, Commission Regulatory Officer, to present the draft decision. Mr. Ribeiro discussed the provisions in the decision with the exception of those related to Natural Resources. He stated that the draft decision would approve the project with conditions, subject to the granting of hardship exemption relief by the Commission. He then asked Heather McElroy, Commission Natural Resources Specialist, to speak on the natural resources issues.

Ms. McElroy said that significant work had been done over a period of years of project planning with between the Airport, Commission staff and other regulatory agencies to minimize the impacts of the proposed project components. Despite these efforts, she said the proposal still did not meet literal compliance with certain provisions of the Regional Policy Plan, given the Airport's location in wetland resource areas. Accordingly, the Airport seeks hardship exemption relief from those minimum performance standards of the Regional Policy Plan (RPP). She described the proposed on-site mitigation and said there is some potential for the state-required in-lieu fee program payments to be used on Cape Cod. She said the invasive species management proposed and the reduction in pavement on site were both positive aspects of the project. She noted that nearly the entire airport is located within a resource area of some type. She also noted that the Airport Commission has received approval from the state Natural Heritage and Endangered Species Program. She said the stormwater quality overall would be improved. She said staff has suggested the proposed project components are improvements to infrastructure but do not constitute expansion, thus the project is consistent with standards related to Land Subject to Coastal Storm Flowage.

### **Questions and Comment**

Elizabeth Taylor, Commission Brewster Representative, asked for clarification on a wetlands mitigation chart on a figure from the DRI application. Ms. McElroy and Ms. Ball explained an updated exhibit (Table 9 of the Application for Water Quality Certification) had been provided as a supplement to the application materials that more accurately describes the proposed mitigation activities. Mr. Ribeiro provided the file name for that table in the Commission members' materials. He said that for clarity Commission staff had chosen to group all wetland impacts together in the draft decision rather than distinguish between wetland types (as was done in the application materials) because all wetlands are treated equally by the RPP. He said Commission staff suggests the proposed mitigation activities are significant and are consistent with the standards for granting hardship relief.

Ms. Taylor said that the wetland restoration projects would probably survive because of the environmental factors present. Ms. Taylor asked what the proposed method of invasive species management for Phragmites. Ms. Ball replied that glyphosate will be applied by hand, and the invasive species management activities will be closely monitored by other regulatory agencies. Ms. Taylor asked what agency grants a Water Quality Certification Variance. Ms. Ball said it was under consideration by the state Department of Environmental Protection.

Mr. Idman then asked for comments from public officials or members of the public. Provincetown Town Planner Gloria McPherson spoke in support of the project. She said the project is consistent with local development by-laws subject to applicable review by local boards.

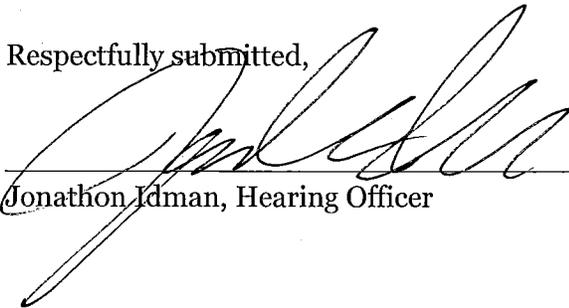
She later submitted her comments in writing, which are attached hereto. There was no further comment from officials or the public.

**Continuance**

Mr. Idman adjourned at 6:24pm. and continued the public hearing to the next meeting of the full Commission on November 12, 2015 at 3:00pm at the Assembly of Delegates Chamber at the Barnstable First District Courthouse located at 3195 Main Street, Barnstable, MA. (**Note** - That hearing was continued by the hearing officer on November 12<sup>th</sup> and duly noticed for the full Commission meeting agenda of December 3, 2015 at 3:00pm at the same location).

**Minutes, Provincetown Airport CIP Phase I Hearing, November 4, 2015**

Respectfully submitted,



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Jonathon Idman, Hearing Officer

11/27/15  
Date

**Provincetown Municipal Airport  
Capital Improvement Plan  
Development of Regional Impact  
Hardship Exemption**

Provincetown, MA  
Cape Cod Commission Public Hearing  
November 4, 2015

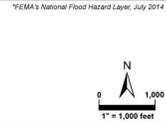
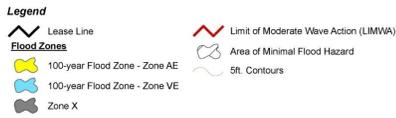
FEDERAL AVIATION ADMINISTRATION  
TOWN OF PROVINCETOWN  
MASSDOT  
Massachusetts Department of Transportation  
Aeronautics Division

**JACOBS** Horsley Witten Group, Inc.

**Existing Conditions - Site Context**

- Existing Infrastructure
- Freshwater Wetlands
- Coastal Dunes
- Cultural Grasslands
- Coastal Floodplain
- Rare Species Habitat

## Existing Conditions - Coastal Floodzone



Horsley Witten Group  
Sustainable Environmental Solutions  
www.horsleywitten.com

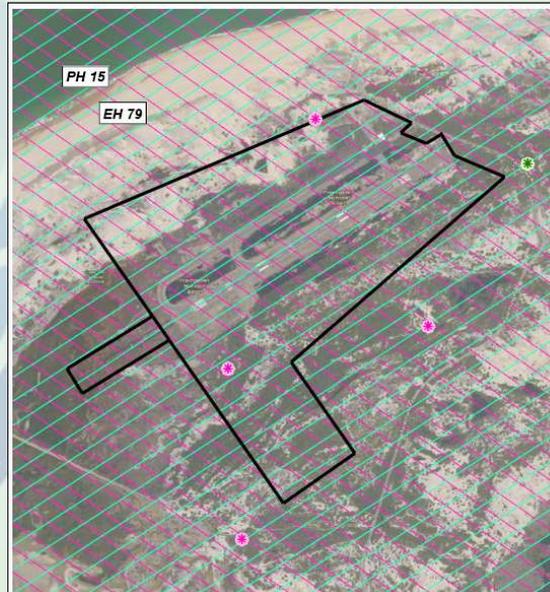
FEMA's National Flood Hazard Layer  
Provincetown Airport  
Provincetown, MA

Date: 3/12/2015 Figure 8

## Existing Conditions - Rare Species Habitat

- Eastern Box Turtle
- Eastern Spadefoot
- Vesper Sparrow

MESA Project  
Review *complete*



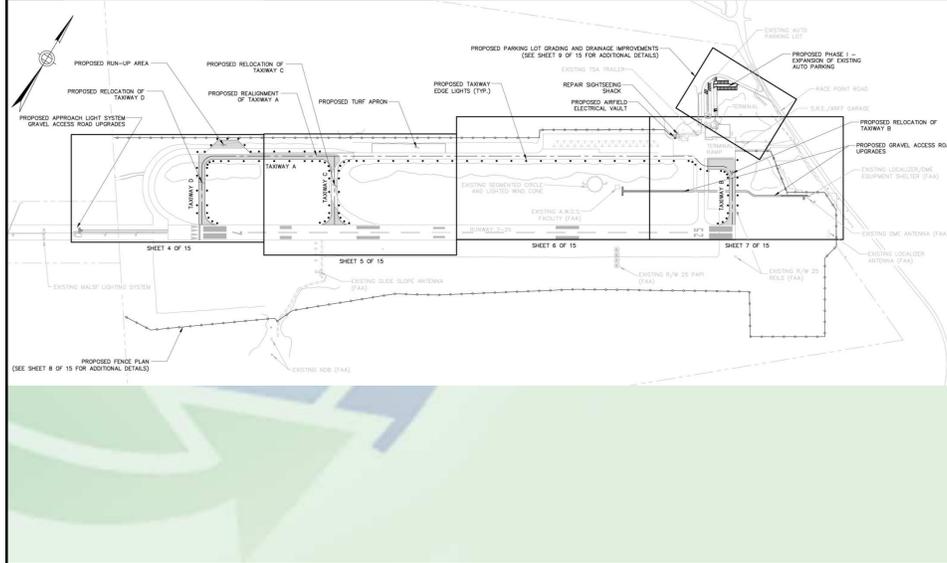
## Proposed Conditions

1. Westerly Taxiway System Improvements
2. Relocate East End Taxiway
3. Reconstruct Terminal Apron - *completed*
4. Reconstruct Easterly End of Taxiway - *completed*
5. Install Taxiway Lighting and Construct Electric Vault
6. Repair Sightseeing Shack
7. Improve Access Road to Approach Light System
8. Construct Service Access Roads to LES and AWOS
9. Install a Perimeter Safety/Security Fence
10. Expand Auto Parking
11. Expand Terminal Building - *to be deferred*
12. Expand Turf Apron

## Regional / Community Benefit

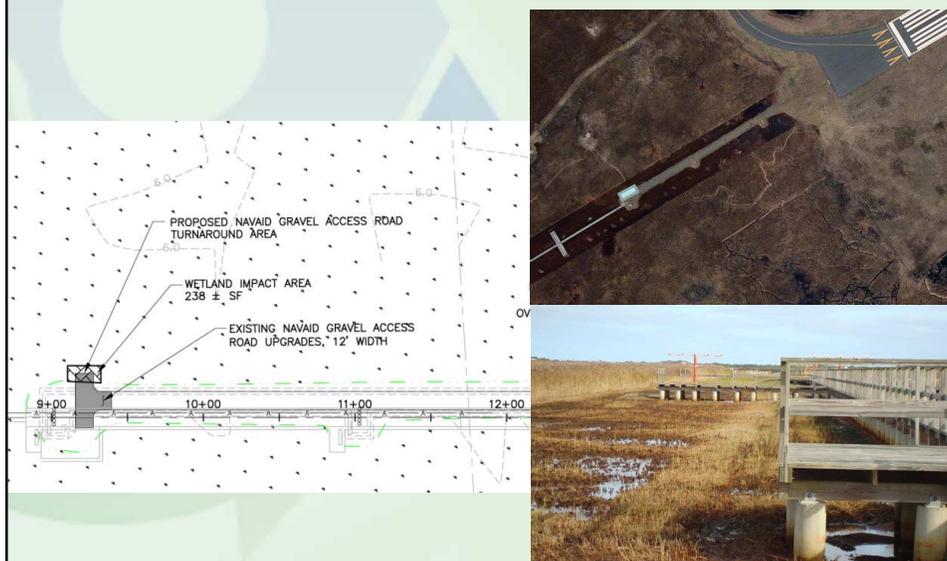
- Supports Goals of Regional Policy Plan
  - fosters sustainable economy
  - provides safe and reliable regional transportation options
- Resources
  - provides on-site and regional mitigation
  - manages invasive species
  - protects water quality
  - protects/restores habitat

## Proposed Conditions



## Proposed Conditions

Improve Access Road to Approach Light System







### East End TW & Access Roadways to AWOS and LES



### Proposed Conditions

Install Taxiway Lighting and Construct Electric Vault

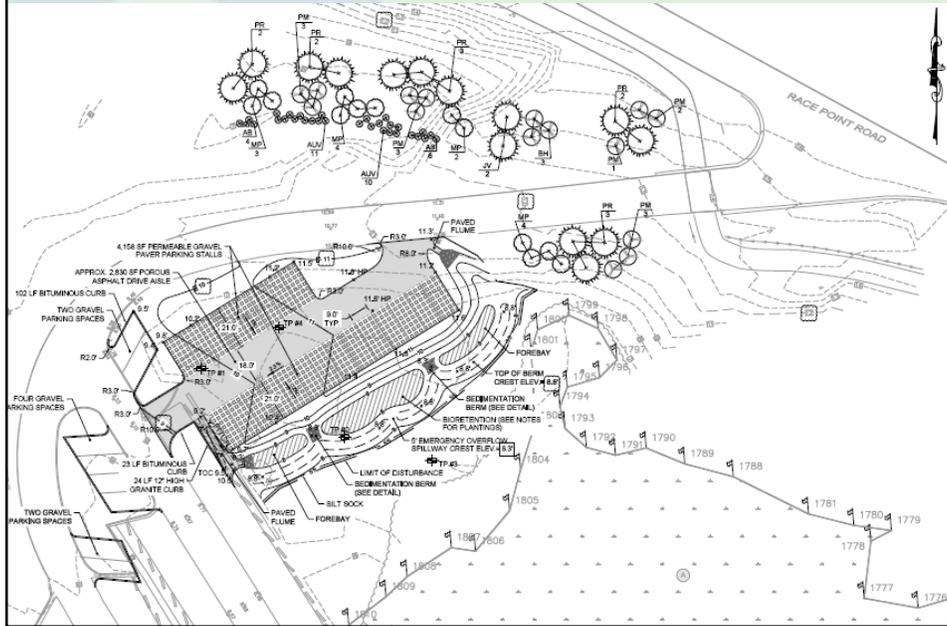


Repair Sightseeing Shack



### Proposed Conditions

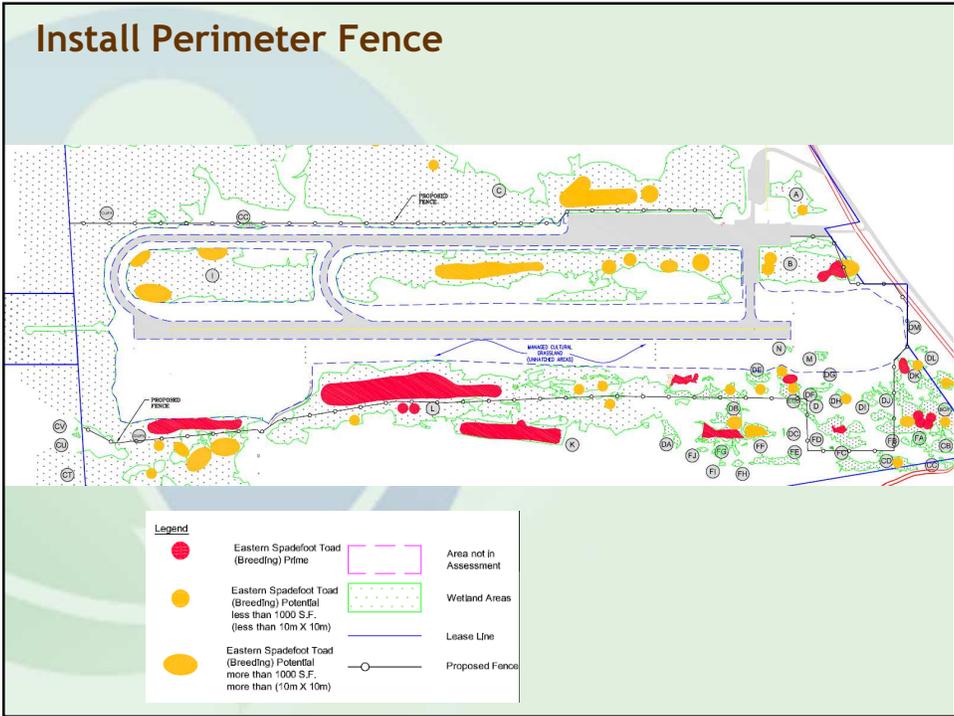
### Additional Auto Parking



### Proposed Conditions

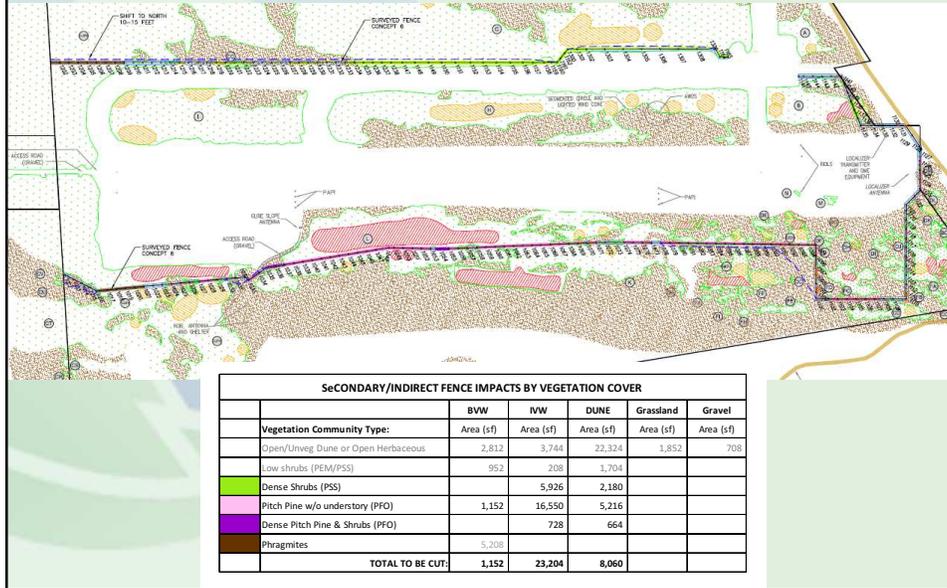
### Additional Auto Parking





## Breakdown of Fence Impacts

(to determine secondary impacts to resource areas)



## Freshwater Wetlands

**Total Direct Impacts:** 83,010 SF (1.91 ac)

- *Westerly Taxiway Improvements* 29,465 SF (0.68 ac)
- *East End Taxiway* 28,110 SF (0.65 ac)
- *Improve MALSF Access Road* 238 SF (<0.01 ac)
- *AWOS Access Road* 335 SF (<0.01 ac)
- *Install Perimeter Fence*
  - *Post Installation* 506 SF (0.01 ac)
  - *Vegetation Cutting* 24,356 SF (0.56 ac)

**Total Indirect Impacts:** 41,304 SF (0.95 ac)

## Coastal Dunes

Total Direct Impacts: 44,871 SF (1.03 ac)

- *Westerly TW System Improvements* 5,567 SF (0.13 ac)
- *Relocate East End TW* 4,781 SF (0.11 ac)
- *LES Service Access Road* 4,768 SF (0.11 ac)
- *AWOS Service Access Road* 6,595 SF (0.15 ac)
- *Expand Auto Parking (Phase 1)* 15,100 SF (0.35 ac)
- *Install Perimeter Fence\** 8,060 SF (0.19 ac)

*\*Total Impacts from Change in  
Vegetation Community*

\*Total Indirect Impacts: 24,028 SF (0.55 ac)

## Proposed Mitigation

- On-site Wetland Mitigation
  - BVW Replication at 3:1
  - Wetland Restoration at 1:1 for all vegetated wetlands
- Participation in MA In Lieu Fee Program
- On-site Coastal Dune creation
- On-site Invasive Species Management
- Net Reduction in Pavement by 34,111 SF (0.78 ac)
- Stormwater Management (per MASWMS)
- Erosion and Sedimentation Control
- Construction Timing
- Mitigation Oversight - Environmental Monitor
- Rare Species Protection Plans

## Hardship Exemption

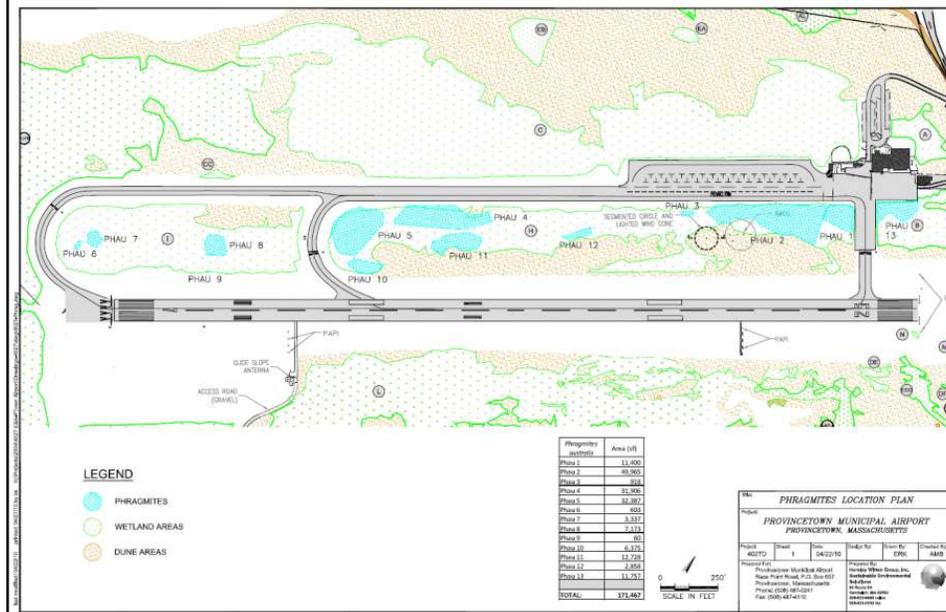
- CR3.1 Buffers to Coastal Wetlands
- CR3.3 Stormwater Discharges in 100-foot Buffer
- WET1.1 Wetlands
- WET1.2 Wetland Buffers
- WET1.4 Stormwater Mgt. in 100-foot Buffer

## Flexibility Sought

- WR7.8 Min. 2-foot Separation to Groundwater
- CR2.8 Public Infrastructure in LSCSF
- CR3.4 Stormwater Mgt to Accommodate SLR



## On-Site Invasive Species Management



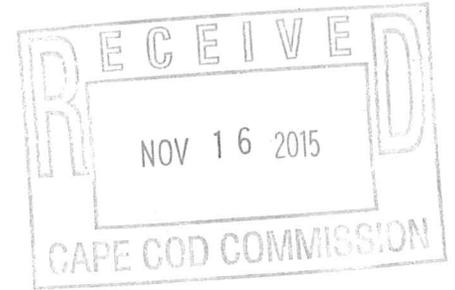
## Overall Permitting

- Water Quality Certification (WQC) w/Variance
  - MA DEP
- Individual Permit
  - U.S. Army Corps of Engineers
- CZM Consistency Review
  - MA Coastal Zone Management
- Development of Regional Impact
  - Cape Cod Commission
- Order of Conditions (under Wetlands Bylaw)
  - Provincetown Conservation Commission





**Town of Provincetown  
Planning Department  
260 Commercial Street  
Provincetown, MA 02657  
(508) 487-7072**



November 11, 2015

Cape Cod Commission  
PO Box 226  
3225 Main Street  
Barnstable, MA 02630

RE: Provincetown Municipal Airport Capital Improvements Plan Phase 1

Dear Mr. Ribeiro,

On behalf of the Provincetown Planning Department and Town Administration, I would like to submit these comments in regard to the Provincetown Municipal Airport Capital Improvements Plan Application for Development of Regional Impact. These comments were given verbally during the public hearing of November 4, in the Judge Welsh Hearing Room, Provincetown Town Hall.

The Town of Provincetown is very supportive of the proposed improvements to the airport and thankful to the Airport Commission for their diligence in working with the Cape Cod Commission and local, state and federal agencies to minimize environmental impacts and respect the sensitive environment, with its dunes, wetlands and wildlife habitat.

The airport is an important transportation hub for Provincetown and the entire Outer Cape. It is a facility that is critical to the Town's economic development goals, which will be supported by this project since it will increase ease of access to Provincetown for tourists, businesses and residents.

We believe the requested hardship exemption makes sense for this proposed project in this location because it is an existing facility with existing infrastructure and the environmental mitigation proposed is appropriate, including the 3:1 BVW replication and the elimination of invasive species.

That said, local permitting will be required, including the filing of a Notice of Intent with the Conservation Commission and application for a Special Permit from the Zoning Board of Appeal and possibly from the Planning Board, depending upon the volume of earthmoving.

If you should have any questions, please feel free to contact me at your convenience.

Sincerely,

Gloria McPherson  
Town Planner

Cc: Town Manager, Assistant Town Manager, Airport Commission