



TOWN OF

HARWICH



732 Main Street
Harwich, MA 02645

CONSERVATION COMMISSION

(508) 430-750-7538 FAX: (508) 430-7531

HARWICH CONSERVATION COMMISSION

JULY 6, 2016

DONN B. GRIFFIN ROOM
HARWICH TOWN HALL

6:30 PM

MINUTES

PRESENT: Walter Diggs; Brad Chase; John Rossetti; Ernie Crabtree, and Amy Usowski, Conservation Administrator.

Absent: Carolyn O'Leary

Note: New HCC member Rob Mador (to be sworn in, not present)

Also Present: Julie Kavanaugh, Board of Selectmen Liaison

CALL TO ORDER

6:34 PM by Chairman, Walter Diggs

HEARINGS

Notice of Intent

6:34 Wychmere Estates Limited Partnership, 23 Snow Inn Road, Map 8, Parcel P2-0 - Proposed maintenance dredging.

Presenter: Catherine Ricks - Coastal Engineering; Don Munroe - Coastal Engineering

Ms. Ricks explained the dredging proposed. She also stated that a letter from MA Division of Marine Fisheries has been received.

Amy Usowski stated the following:

- Shellfish survey done by Pam Neubert, Ph.D. - Stantec Consulting Services, Inc.
- Provisions for collecting shellfish before dredging in place.
- John Rendon, Harbormaster is in agreement with the dredging plan, as it will benefit the waterway.
- Harbormaster Rendon has provided the coordinates for the project (10' off any structure including bulkheads).

- Ms. Usowski has spoken with Heinz Proft, Shellfish Constable and Natural Resources Director regarding the harvesting of the shellfish and discussed timing for the harvesting.
- Area is Town and State mapped for quahogs.
- Project would increase water quality in the harbor.
- Project would also improve the quality of the sediment in the harbor.
- Dredging of 50% of the harbor is already approved by the town.
- Not a lot of material to be removed for this project (approximately 99 cubic yards).

Discussion regarding:

- Piers
- Channel last dredged in 2015
- Dewatering of dredged material if not usable for beach nourishment
- Waterways Committee has approved the plan

John Rossetti asked if this is the first time a private entity has done dredging in the harbor. Ms. Ricks said that private owners have done so in the past. Mr. Rossetti also asked why the need for widening what the town already dredges. Ms. Ricks said that there is a need for private vessels to get closer to the Wychmere Harbor Club and that the Wychmere Harbor Club wants to do dredging as maintenance.

Brad Chase addressed the 99 cubic yards of dredged material and asked if it would stay within the state limits. Ms. Ricks answered that staying under 99 cubic yards does stay within the water quality permitting. Mr. Chase also discussed the process of moving shellfish (capture and reseeding). He discussed the frequency of dredging and the impact on shellfish. He also discussed commercial shell fisherman vs. recreational shell fishermen. He would like brief monitoring of numbers of shellfish and a monitoring of the collecting. Mr. Chase stated that the harbor is a public resource and that there is a need for private as well as commercial people to be informed of the time for the shellfish collecting to make it fair for all involved.

Amy Usowski discussed having Heinz Proft involved and the conditioning of the shellfish monitoring.

Motion made by Brad Chase to approve the 23 Snow Inn dredging project with conditions discussed. Seconded by John Rossetti. Vote: 4-0-0.

Certificate of Compliance

7:02 6 Saquatucket Point, Map 8, Parcel G1-9, SE32-1874 - Proposed bulkhead replacement, maintenance dredging and 2 float additions and landscaping.

Presenter: Don Munroe - Coastal Engineering

Discussion: regarding lack of documentation (bulkhead replacement, dredging and landscaping are in compliance). However, the As-Built Plan shows 3 floats on the channel side of the bulkhead. The project was amended to include float additions, but neither the town nor Coastal Engineering have a copy of the plan reflecting this.

Amy Usowski said that her research dates to 1997 and that permitting was dated in 2000. She discussed three floats in the other wall. In the order of Conditions there is no mention of the floats. Referring to Chapter 91 (216 feet of additional existing float area). There was an additional 150 sf of amended area, but no plan is available. Ms. Usowski consulted with John Rendon and he said the floats have been there. Mr. Munroe said some dredging was done 3-5 years ago.

Discussion of maintenance dredging permitted 30 years ago and 10 year frequency in question.

Ms. Usowski said she recommends removing one float to be in compliance or an extension of time to apply for the additional float.

Brad Chase expressed his concern regarding the lack of plans. Ms. Usowski said that the amendment for request for additional floats was dated 2009. Mr. Chase said he wants to make a site visit and develop more documentation.

Arlene Wilson of A.M. Wilson Assoc., Inc. discussed Chapter 91 and said that approval of the Conservation Commission is preliminary to an approval.

Discussion of lack of As-Built Plan and options for proceeding from this point.

Motion made by Brad Chase to continue discussion of the Request for Certificate of Compliance until 7/20/2016. Vote: 4-0-0.

Extension Request

7:26 Snow Inn Road, Map 8 Parcel P2 – Demolish existing hotel (Snow Inn). Construct replacement hotel and new 12 unit condominium building; reorganize parking and circulation; utility connections; drainage and landscaping.

Presenter: Arlene Wilson, A.M. Wilson Assoc., Inc.

Ms. Wilson explained the plans and the superimposed proposed plan sketch.

She stated:

- 15.6 acres in total site
- 1.7 acres of site in question
- Demolish western section
- Building proposed to be on pilings with parking underneath because of storm water regulations prohibiting habitat in the storm water area.
- Project will provide improvement to drainage
- Mitigation and plantings proposed (including roof garden of native plantings).
- New at grade planting of 4,000 sf
- All work is connected to wastewater plant

Amy Usowski recommends a three year extension. She provided an explanation for new members of HCC not present of the original plan. She said that a large majority of the building is not in the HCC jurisdiction due to topography. The Building and Historical Committees have signed off on the plan.

Motion made by Brad Chase to approve a three year extension request for 23 Snow Inn Road. Seconded by John Rossetti. Vote: 4-0-0.

Certificate of Compliance

7:44 6 Hoyt Road, Map 23, Parcel R2, SE 32-2196 – demolish existing dwelling; construct new; relocate shed.

Motion made by Ernie Crabtree to approve the Certificate of Compliance for 6 Hoyt Road. Seconded by Brad Chase. Vote: 4-0-0.

7:45 Craig & Terrie Borden, 424 Pleasant Lake Avenue, Map 91, Parcel J3-4 - Construction of a single family dwelling adjacent to the 100' buffer zone to the inland bank along Hinckleys Pond.

Motion made by Ernie Crabtree to approve the Order of Conditions for construction of a single family dwelling at 424 Pleasant Lake Avenue. Seconded by Brad Chase. Vote: 4-0-0.

7:46 Craig & Terry Borden, 424 Pleasant Lake Avenue, Map 91, Parcel J3-4 - Installation of a seasonal aluminum dock into the waters of Hinckleys Pond. Also included is the reconstruction of an existing boathouse outside the bordering vegetated wetland.

Motion made by Brad Chase to approve the Order of Conditions for 424 Pleasant Lake Avenue dock and boathouse. Seconded by Ernie Crabtree. Vote: 4-0-0.

7:50 13 Whipporwill Lane, Map 73, Parcel B245 - Removal of 2-3 trees and the pruning of shrubs and low tree limbs within two view corridors to Bucks Pond. A 4' wide on-grade dirt path is also permitted to the water.

Motion made by Brad Chase to approve the Order of Conditions for 13 Whipporwill Lane. Seconded by Ernie Crabtree. Vote: 4-0-0.

Show Cause Hearing

7:52 30/40 Lothrop Avenue (continued rom May 25, 2016)

Motion made by Brad Chase to continue 30/40 Lathrop Avenue to July 20th for more information. Seconded by Ernie Crabtree. Vote: 4-0-0.

Discussions:

7:55 Letter Regarding McNeely

Discussion regarding July 6, 2016 to Peter and Valerie McNeely to be sign by Chairman Diggs regarding invasive maintenance and scheduling of replanting for 12 Mill Road.

Motion made by Ernie Crabtree to approve the letter to McNeely, dated July 6, 2016. Seconded by Brad Chase. Vote: 4-0-0.

7:58 Postpone election of positions for HCC to next meeting when new member Bob Mador approved by BOS is present and sworn in. Bob Sarantis has resigned from the Commission.

7:59 Stop Work Order - Jeffrey Eldredge - discussion of letter and Show Cause Hearing date of August 17, 2016. Fines discussed; mitigation if he cannot provide proof of ownership of property; need for permit from HCC for agricultural exception if he owns the land.

Amy Usowski to amend letter with fines defined. Commissioners to sign the letter when amended.

New BOS Liaison, Julie Kavanagh introduced to HCC.

MINUTES

Minutes of June 15, 2016 - Postponed to next meeting.

MOTION TO ADJOURN

8:10 Motion made by Brad Chase to adjourn. Seconded by Ernie Crabtree. All in Favor.

Minutes transcribed by Marie Hickey, Board Secretary

**SIGN IN SHEET
Donn B. Griffin Room
July 6, 2016**

**Arlene Wilson
Catherine Ricks
Don Munroe
Julie Kavanaugh**

**A.M. Wilson Assoc., Inc.
Coastal Eng. Co.
Coastal Eng. Co.**

*W W Dyer
7-20-16*