



TOWN OF

HARWICH

732 Main Street
Harwich, MA 02645

CONSERVATION COMMISSION

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HARWICH CONSERVATION COMMISSION

WEDNESDAY AUGUST 3, 2016

DONN B. GRIFFIN ROOM
HARWICH TOWN HALL

6:30 PM

MINUTES

PRESENT: Walter Diggs; Brad Chase; Carolyn O'Leary, and Rob Mador

ABSENT: John Rossetti; Ernie Crabtree, and Conservation Administrator, Amy Usowski

CALL TO ORDER

6:36 PM by Chairman, Walter Diggs

HEARINGS

Request for Determination of Applicability

6:36 **Roland Gagnier, 7 Old Wharf Road, Map 16, Parcel X4** - Construction of addition with lawn and landscape area.

Presenter: David Clark - David Clark, Engineering

Mr. Clark explained the project and said that the applicant is willing to work with HCC Administrator Usowski with mitigation.

Chairman Diggs asked regarding the purposed of the application. Answer: New kitchen.

Brad Chase clarified the difference between a Notice of Intent and a Request for Determination of Applicability and when a variance is required. In this instance there are no pre-requisites for a coastal bank.

Bob Mador stated that he had visited the site.

Motion by Brad Chase to accept the project as put forth with mitigation recommended by Ms. Usowski. Mr. Chase wants the applicant to come back with a mitigation plan. Vote: 4-0-0.

NOTICES OF INTENT

6:45 William Jusilla , 59 North Westgate Road, Map 78, Parcel G2-1 – Construct single family dwelling (Continued from 7-20-2016).

Presenter: William Jusilla

Mr. Jusilla said that a letter from the state regarding endangered species has been received. He also said that soil sampling has been done by Lynne Hamlyn. However, a report from Lynne Hamlyn had not been received by HCC Administrator Usowski as of Friday, July 29th when she left for vacation. The HCC recommends a continuance.

Mr. Chase addressed the driveway issue regarding changing from pervious to impervious or reducing the footprint. The contractor gave a brief explanation. Mr. Chase stated that Ms. Usowski needs to review the revised plan. He is looking for options of imperious material for the driveway, either stone or some other material.

Discussion regarding conditioning impervious driveway or reducing the footprint. Applicants expressed dismay that they needed a continuance. However, HCC stated that they need time to review plans and for Administrator Usowski to physically review the revised plan.

Mr. Mador told the applicant that it is not the intention of the HCC to be cumbersome, but that they need to come back in order for the Administrator to see the plan changes.

Mr. Chase stated that his preference regarding the driveway is that it be taken out of the 100' buffer.

Motion made by Carolyn O'Leary to continue 59 North Westgate Road to August 17, 2016. Seconded by Rob Mador. Vote: 4-0-0.

6:55 Arthur J. & Karen Boujoukos, 39 Rainbow Way, Map 73, Parcel L201 – Proposed additions and renovations to the existing dwelling and the installation of an upgraded septic system. Work will take place in the 50' buffer zone to a bordering vegetated wetland.

Presenter: Stephanie Sequin – Ryder & Wilcox

Ms. Sequin explained the project. She said that the soil is sandy and that there is high ground water requiring a pump system. She discussed the grade of the property on the inland side of the building and the wetland. She said that the house needs some renovations and the applicants want to enclose the porch in the existing footprint with no addition or disturbance to the area. They also want to replace the driveway with impervious material. A dumpster will be placed on the driveway to contain renovation material. There will be no stock piling of material.

Rob Mador said he felt it was a well thought out plan and addressed the issue of a drainpipe into wetland (cracked and exposed).

Carolyn O'Leary inquired regarding placement of a natural propane gas generator in the shed.

Chairman Diggs asked if whether the entire 100' buffer was in the wetland to the south. Answer: Yes.

Motion made by Brad Chase to accept the project for 39 Rainbow Way. Seconded by Rob Mador. Vote: 4-0-0.

7:10 David Handren, 10 Island Pond Road, Map 40 Parcel H1 - Remove existing house and accessory buildings; construction of new single family house with attached garage.

Presenters: Dan Croteau - Moran Engineering and David Handren

Mr. Croteau explained the project which includes:

- Removal of existing house and accessory buildings, 2275 sf
- Construction of new house, 2122 sf and 270 sf deck
- Planting conservation mix grass seed at areas of removed buildings and former (discontinued) parking areas

The structure coverage within 50' of the wetland resource will be reduced from 145 sf to 0 sf. The structure coverage within 100' of the wetland resource will be reduced from 1964 sf to 1910 sf.

Notes from Administrator Usowski advise that as of July 29, 2016 approval from Natural Heritage has not been received, and the hearing cannot be closed until approval from Natural Heritage has been received.

Mr. Croteau stated that the septic will be retained and has been inspected.

Rob Mador inquired as to the location of the septic. Answer: Northwest section of the house. He also asked if there were any plans to get rid of the Japanese Knot Weed. Answer: They would like to, as much as possible.

Carolyn O'Leary inquired as to Natural Heritage approval. Answer: Not as yet.

Brad Chase said that it was refreshing to see a tear down not seeking to increase the size of the project.

Applicant addressed the taking down of two pine trees (one not in the 100' buffer and the other in the work area). Chairman Diggs stated that it could be conditioned with approval from Ms. Usowski.

Motion made by Brad Chase to approve the project for 10 Island Road with the hearing being kept open until approval of Natural heritage is received, and with the conditioning of no irrigation; no fertilizer, and only Cape Cod lawn in the 0-50' buffer. Seconded by Rob Mador. Vote: 4-0-0.

EXTENSION REQUEST

7:16 Christopher J. & Lisa M. Barton, 11 River Pine Circle, Map 11, Parcel P3-15 (SE 32-2144) - Installation of vinyl bulkhead, raise elevation of existing boathouse and pier, extend pier, replace ramp, mitigation planting.

Motion made by Brad Chase to grant a one year extension for 11 River Pine Circle. Seconded by Rob Mador. Vote: 4-0-0.

AMENDED ORDER OF CONDITIONS

7:18 Stevens Wequasset Trust, 19 Wequasset Road, Map 5, Parcel K1-41 - Changes to hardscape amenities during construction, construction of the parking/turning area north of the driveway, the outdoor shower and utilities area on the north side of the house, and a minor change to the landscape design.

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

Ms. Wilson explained the changes in the plan as follows:

- Revisions to hardscape resulting in a net reduction of 35 sf of driveway in the 100' buffer
- Reduction of 40 sf in other hardscape
- A few oak trees that were infected by the gall wasp were removed and maples were replanted
- Need to go forward with planting for one season
- First inspection report has been provided to Administrator Usowski

Carolyn O'Leary expressed concern regarding applicants changing plans after they had been approved by HCC (brought to HCC attention by a neighbor). Ms. O'Leary addressed #13 of the Approve Order of Conditions and the need for an Amended Order.

Ms. Wilson explained that no new plan or filing fee has been paid for the Amended Order.

Rob Mador questioned irrigation of the lawn (a violation).

Ms. Wilson said that above ground irrigation for first growing season is allowed. Mr. Mador addressed issues of lawn specifics.

Mr. Chase questioned the need for a site visit and a possible continuance to address issues of:

- Fiber rolls
- Lawn condition
- Enough questions raised to require a site visit with Ms. Usowski

In notes provided to the HCC, Ms. Usowski said she recommended approving the Amendment for 19 Wequasset Road with the revised plan being added as a Plan of Record. The planting plan that was approved has not changed, so it remains the same and is also a Plan of Record.

Motion made by Brad Chase to continue Stevens Wequasset Trust, 19 Wequasset Road for two weeks to August 17th to allow for site visits. Seconded by Carolyn O'Leary. Vote: 4-0-0.

CERTIFICATE OF COMPLIANCE

7:04 Saquatucket Point, Map 8 Parcel G1-9 (SE 32-1874) - Proposed bulkhead replacement, maintenance dredging and 2 float additions and landscaping (Continued from 7-6-16).

Motion made by Brad Chase to continue Saquatucket Point to August 17, 2016. Seconded by Rob Mador. Vote: 4-0-0.

7:36 William Stevenson Phillips, 14 Saltwater Lane, Map 4, Parcel A1-A8 (SE 32-1240).

Presenter: Atty. Roger O'Day

Mr. O'Day addressed the following issues:

- Order of Conditions for 14 Saltwater Lane dated 1997 seeking new stairs and pier lapsed
- New Order of Conditions in 2002
- In 2005 a Certificate of Compliance was issued
- Need old 1997 Certificate of Compliance to be closed out at Registry of Deeds as the property is being sold.
- Mr. O'Day said he looked at the old Order of Conditions and nothing has changed. He said he met with Ms. Usowski on July 12th and wrote a letter documenting the above.

Brad Chase stated that he would like Ms. Usowski's input before voting on 14 Saltwater Lane and, recommends continue the case in order to see the paperwork, visit the site and consider Ms. Usowski's recommendation.

Mr. O'Day stated that time was of the essence as the property was scheduled to go to closing on August 17th.

Motion made by Brad Chase to approve the Certificate of Compliance for 14 Saltwater Lane pending positive review and comments from Conservation Administrator Usowski. Seconded by Rob Mador. Vote: 4-0-0.

MINUTES

7-20-2016 Postponed to next meeting

DISCUSSION

7:55 Long Pond Issues:

- Flushing of boats; fuel in the water
- Penalty of \$1,000 discussed
- Discussion of being proactive
- Need for discussion with Harbormaster

8:05 Herring River:

Brad Chase would like oyster rolls placed in Herring River and discussed funding for it.

ADJOURN

Motion Made by Brad Chase to adjourn at 8:10 PM. Seconded by Rob Mador. All in Favor.

Minutes transcribed by Board Secretary, Marie Hickey

**SIGN IN SHEET
Donn B. Griffin Room
August 3, 2016**

William J. Jusilla
David Clark
Stephanie Sequin
Arlene Wilson
Roger O'Day

49 N. Westgate Road

Ryder Wilcox
A.M. Wilson Assoc., Inc.
Representing: William S. Phillips

*WW Dyer
8-17-2016*