



TOWN OF

HARWICH

732 Main Street
Harwich, MA 02645

CONSERVATION COMMISSION
7531

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HARWICH CONSERVATION COMMISSION
Wednesday, March 4, 2015 - 7 PM
Donn B. Griffin Room
HARWICH TOWN HALL

MINUTES

Present: Jane Fleming, John Rossetti, Robert Sarantis, Bob Hartwell, Dean Hederstedt, and Conservation Administrator Amy Usowski

Absent: Walter Diggs and Brad Chase

6:30 – 7pm – The Commission was in Executive Session

7p.m. Request to Amend an Existing Order of Conditions; Colin & Robin Fuller, 26 Kevin Road, Map 81, Parcel A32 – Amend an existing Order of Conditions to allow for a stem wall foundation in place of a sono-tube foundation for the proposed garage. Previously approved under DEP file # SE 32-2177. Work to occur within the 100' buffer zone to a Bordering Vegetated Wetland.

Dan Croteau from Moran Engineering and builder Bob Stello were present to represent the applicants. Dan described the project and why they could no longer use sonotubes to support the proposed 12'x18' garage. He stated for fire prevention and load they needed to do a 4' concrete stem wall foundation.

Amy Usowski stated she had spoken with the building inspector earlier that day and he had said that the disturbance to the ground the area surround the proposed garage would be about the same whether they did sono-tubes or the stem wall foundation, since the tubes would have to be very big and have large footings. Amy Usowski asked if any additional trees would need to be removed near the proposed garage since now they might need a bit more working room. She said it looks like you might lose two trees, both tupelos, one only 3" diameter and one 6-8" diameter. Also it looks like they may lose 1 larger tree out in front of the garage facing the road, but this is outside the 100' buffer zone. Bob Stello said this was correct.

There was discussion about making sure the roof runoff was directed into gutter, downspouts, and connected to drywells. The Commission also requested that additional stone trenches previously permitted by the Conservation Commission be dug to capture sheet runoff from the road and lot. Bob Stello said they did have some stone trenches now that you can't see because of all of the snow and ice, but that before the winter they were working well to slow down runoff and allow it to seep into the ground. He said they could add additional stone trenches on the backside of the garage in addition to the drywells.

Bob Sarantis MOVED to approve the amended order of conditions; Bob Hartwell SECONDED. All in favor, Motion carried 5:0.

7:30 p.m. - Notice of Intent - Vincent & Jeanne Helfrich, 23 Snow Inn Road, Map 8, Parcel P2 – Construction of a steel sheet pile bulkhead, establishing a zone of reconfiguration in order to rotate the previously approved 6 x 30 float and improve dredging in order to create more navigable water in main channel by moving float closer to shore. Work to occur in land under the ocean and land containing shellfish.

Applicant has requested a continuance until April 1, 2015. Dean Hederstedt MOVED and Bob Hartwell SECONDED to continue the hearing until April 1, 2015. All in favor, Motion carried 5:0.

7:35 p.m. – Bob Hartwell MOVED and Bob Sarantis SECONDED to approve of the minutes of February 4, 2015, with corrections. All in favor, motion carried with 3 in favor, none opposed, and 2 abstentions.

7:38 p.m.- Bob Sarantis MOVED and Dean Hederstedt SECONDED to approve of the February 18, 2015 minutes with corrections. All in favor, motion carried 5:0.

7:41 p.m. - Orders of Conditions for SE 32-2215, John & Leslie Hardy, 26 Walkerwoods Drive, Map 94, Parcel A5-7- *Seasonal pier/dock; vista pruning within land under a waterbody, inland bank and a bordering vegetated wetland.*

Bob Sarantis MOVED and Dean Hederstedt SECONDED to approve the Orders of Conditions. All in favor, Motion carried 5:0.

7:43 p.m. – Orders of Conditions for SE 32-2217 Plunkett/Winston LLC, Braddock Inc. d/b/a Winstead Inn & Beach Resort, 4 Braddock Street, Map 7, Parcel F17 – *Proposed beach cleaning, maintenance, and nourishment including installation of snow-fencing from late fall to spring; work to occur at and above the Mean High Water Line of a coastal beach on Nantucket Sound.*

Dean Hederstedt MOVED and Bob Sarantis SECONDED to approve the Orders of Conditions. All in favor, Motion carried 5:0.

7:45 p.m. – Order of Conditions for SE 32-2218 Alvin & Helen Silverstein, 5 Edith Grove Road, Map 80, Parcel F5 – Construct and maintain access stairs and a deck over an inland bank and within a bordering vegetated wetland, including installation of a dock within the waters of Hinckley’s Pond for private boating access.

Bob Sarantis MOVED and Dean Hederstedt SECONDED to approve the Orders of Conditions. All in favor, Motion carried 5:0.

7:50 p.m. – Orders of Conditions for SE 32-2216 Wychmere Harbor Real Estate LLC, 23 Snow Inn Road, Unit 13, Map 8 Parcel P2 – Construction of a pavilion within the footprint of an existing patio; requiring a variance from the Harwich Wetland Regulations 1.04.3 disturbance within the 50’ no disturb zone (buffer zone to a coastal bank) and within land subject to coastal storm flowage.

Dean Hederstedt MOVED and Bob Hartwell SECONDED to approve the Orders of Conditions. All in favor, Motion carried 5:0.

7:52 p.m. – Orders of Conditions for SE 32-2212 Vincent & Maureen Petroni, 110 Grey Neck Road, Map 11, Parcel X4-A – Construction of a detached garage and extension of a driveway in land subject to coastal storm flowage.

Bob Sarantis MOVED and Dean Hederstedt SECONDED to approve the Orders of Conditions. All in favor, Motion carried 5:0.

7:55 p.m. – Orders of Conditions for SE 32-2204 Thomas Morrison, 4 Fiddlers Landing, Map 13, Parcel R4 – Request to amend Order of Conditions to include construction of a second floor addition and alterations. Work to occur within the buffer zone to a coastal bank and within land subject to coastal storm flowage. Previously permitted under DEP file #SE 32-2204.

Dean Hederstedt MOVED and Bob Hartwell SECONDED to approve the Orders of Conditions. 4 in favor, 0 opposed, 1 abstention. Motion carried.

8:00 p.m. – Discussion on possible new Harwich Wetlands Protection Regulations.

Amy Usowski passed out a copy of the Town of Barnstable Conservation Commission’s policy on hiring outside consultants at the expense of the applicant on rare occasions when another expert opinion is necessary on projects. The commissioners agreed that this was a good idea, and Amy stated she would draft a similar one for Harwich and request town counsel input.

There was also discussion on what made for a good shellfish survey. Commissioner Brad Chase, who was unavailable tonight to come to the meeting, is in the process of drafting a shellfish survey protocol that the commission has seen a draft of. Discussion on regulating depth at MLW from the bottom of the ocean to the bottom of the draft of the boat also occurred. This would possibly be a better way to ensure there was enough depth at MLW so boats don't rest on the bottom. Currently, the regulation is that there must be at least 2.5' of water at MLW, but some boats draw more than that.

The Commission was in favor of a new regulation stating that there could be no fertilizer or herbicide within the wetland or within the 100' buffer zone to a wetland, with the exception of herbicides applied by a licensed applicator to eradicate invasive species, which would need conservation commission approval. Amy will provide a draft of this for a vote at the next meeting.

The Commission also supported a draft regulation stating the following: "Storage of floats, other seasonal pier materials, and boats shall not be allowed on marshes, dunes, or coastal banks. All such materials must be stored in a conservation commission permitted area and transported thereto without causing damage to any resource area, or outside of conservation jurisdiction."

Amy will incorporate this into the regulations, and provide a draft for a vote at next meeting.

Two other draft regulations had the support of the Commission as well, which Amy will draft for next meeting for approval as well. These two regulations would be in regards to mitigation plantings needing to survive at least 2 growing seasons prior to a certificate of compliance and having at least a 90% survival rate, and also prohibiting the removal of more than 15% of canopy trees within commission jurisdiction when applying for new structures or for vista clearing. Dead trees would not count in the percentage, but the commission encourages that dead trees that are not a danger be kept standing for their habitat value.

8:35 p.m. – Dean Hederstedt MOVED and Bob Hartwell SECONDED to adjourn the meeting. All in favor, meeting adjourned.

Minutes transcribed by Amy Usowski, Conservation Administrator

Public in attendance:

Dan Croteau of Moran Engineering

Bob Stello, Builder

Mr. and Mrs. Fuller, parents of applicant for 26 Kevin Rd.

W. Usowski
4-1-2015