



TOWN OF

HARWICH

732 Main Street
Harwich, MA 02645

CONSERVATION COMMISSION

508 430-7538 FAX: 508 430-7531

HARWICH CONSERVATION COMMISSION

Wednesday August 5, 2015

GRIFFIN ROOM

HARWICH TOWN HALL

MINUTES

Present: Walter Diggs, John Rossetti, Dean Hederstedt, and Brad Chase

Absent: Amy Usowski, Bob Sarantis, and Bob Hartwell

6:35 Call to Order by Chairman Walter Diggs

SE 32-2231

Abbreviated Notice of Resource Area Delineation:

6:36 Mark E. Lynch Jr., Smelt Creek between Lynch Lane and Old Brewster-Harwich Road, Map 65, Parcels M1, M2, M3, N5-6, N5-7, and two parcels south of M3 – Confirmation from the Conservation Commission that Smelt Creek is a perennial stream and that it has an associated Riverfront Area. No work is being requested or proposed for any of the parcels at this time.

Applicant Mark Lynch described the request and the history of the site of Smelt Creek, adjacent ponds and bogs. In 2006 the Conservation Commission determined that this was a Perennial Stream, affording it Riverfront Area designation. This determination has since expired, and he would like the commission to re-confirm this delineation which has been re-documented and studied by Horsley Witten Group. John Chatham, the previous Conservation Administrator, walked with Mark Lynch the entire length, looking at all the culverts.

Scott Horsley of Horsley Witten reiterated that the old delineation has since expired and they would just like it to be re-affirmed. He asked if it would be worth going forward tonight with a full presentation or if they should ask for a continuance so the commission could review all of the information that has been provided. Mark said he only wanted to go through everything one time so he would be fine with a continuance, and invited the commissioners onto the property to view the creek. Scott and Mark requested to be continued until the September 2, 2015 hearing.

Brad Chase asked how Smelt Creek got its name. Mark said that back in the day smelt would run up there. Walter asked what the impact of the Dennis well field has been. Scott said there has been a draw-down of about 2 feet in the water table as a result of the Dennis and Brewster Town well fields.

Dean Hederstedt MOVED and Brad Chase SECONDED to continue the hearing until September 2, 2015. All in favor, motion carried.

6:48

Notice of Intent:

Jean Paul & Derith E. Marjollet, 484 Pleasant Lake Ave, Map 100, Parcel K4-1

Installation of a 200 sf seasonal aluminum dock and transition in Long Pond. Work to occur on an inland bank, land under waterbodies, and within bordering land subject to flooding.

The Marjollets were present to represent their project. Walter asked if it was right next to the herring run and if their home was across the street. Yes to both. Derrith Marjollet stated that the town Waterways committee had reviewed the project and approved it.

Dean asked where will their store the dock in the off-season? Derrith stated it would be stored up at their home across the street and away from the wetland.

Brad asked if any of it would be permanent. No- it would be set on pads. Dean asked if anything would be driven into the bottom. No. Brad asked what kind of vessel it would be. They said an 18' motor boat. Brad asked if they could move the typical time of installation each year to May 30 instead of our typical May 15 since it is right next to the herring run and the herring are still moving through May.

Walter stated this project still needs NHESP approval before we vote. Brad MOVED and Dean SECONDED to continue the hearing until August 19 to hear from NHESP. All in favor, motion carried.

Orders of Conditions:

SE 32-2230

Margaret & David Brauer, Mercan LLC, 29 Walther Road, Map 16, Parcel T7 – *repair of an existing vertical bulkhead which shall occur w/in land subject to coastal storm flowage; a coastal dune, a coastal bank, a coastal beach and the buffer zone to the bank, dune and beach.*

Brad Chase MOVED and Dean Hederstedt SECONDED approving the Order of Conditions as written. All in favor, motion carried.

SE 32-1927 Amended

Michael Gilligan & Anne Helgren, 74 Uncle Venies Road, Map 25, Parcel U7- *amend an existing Order of Conditions to include the construction of a screened porch. The structure will be located in the 50-100' wetland setback. The construction of the porch will require removal of 165 s.f. of existing lawn. Previously permitted under SE 32-1927.*

Brad Chase MOVED and Dean Hederstedt SECONDED approving the Amended Order as written. All in favor, motion carried.

SE 32-2227

David and Kimberly Sterling, 2267 Route 28, Head of the Bay, Map 119, Parcel N6 - *Removal of dwelling, cottage, shed and septic system and construction of new dwelling, septic system and*

landscaping., Work to occur within the buffer zone to a coastal bank and a bordering vegetated wetland. Variance request from Harwich Wetland Protection Regulations for work within the 50' No Disturb Zone.

Brad Chase asked to include a condition stating that an As-Built Plan certified by the engineer must be supplied when requesting a Certificate of Compliance. With this condition, Brad Chase MOVED and Dean Hederstedt SECONDED approving the Order of Conditions. All in favor, motion carried.

Douglas and Christy Godshall, 2A Sea Street, Map 7, Parcel D2 Continuance... – Move house 25' North from previously approved location to remove house from flood velocity zone; use section of existing foundation for patio location; install new septic system and necessary retaining wall; raise stone driveway and extend back up section north 8'; add retaining wall at north west parking edge; construct landscape retaining wall off front porch. Project located within the 100 yr. flood plain and land subject to coastal storm flowage.

Brad requested that Special Condition #11 be re-worded to include that the As-Built plan be signed by an engineer. With this change, Dean Hederstedt MOVED and Brad Chase SECONDED approving the Order of Conditions. All in favor, motion carried.

MINUTES

July 22, 2015 – Dean Hederstedt MOVED and John Rossetti SECONDED approving the minutes as-written. All in favor, motion carried.

July 8, 2015 – Brad Chase would like to make it clear in the section on hunting in the Bells Neck that he said that each side of the argument has legitimate points, and that is okay to have different views. Dean Hederstedt MOVED and Brad Chase SECONDED continuing discussion on these minutes until August 19th so this wording could be changed. All in favor, motion carried.

Brad would like to see discussion of the leash law at Thompson's Field on an upcoming agenda.

Dean and Walter would like a status update on the artificial reef.

7:16 PM – Dean Hederstedt MOVED to adjourn the meeting and Brad Chase SECONDED. All in favor, meeting adjourned.

Minutes transcribed by:
Amy Usowski
Conservation Administrator

Others in Attendance:

Mark Lynch
Scott Horsley
Linda Cebula
The Marjollets

WW Digler
8-2-2015