



TOWN OF

HARWICH

732 Main Street

Harwich, MA 02645

CONSERVATION COMMISSION

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

HARWICH CONSERVATION COMMISSION – MINUTES

WEDNESDAY, FEBRUARY 19, 2020--6:30 P.M.

SMALL HEARING ROOM, HARWICH TOWN HALL

Present: Stanley Pastuszak, Carolyn O’Leary, Ernie Crabtree, James Donovan, Mark Coleman, John Ketchum and Conservation Administrator Amy Usowski.

Call to Order

By Stanley Pastuszak.

HEARINGS

Requests for Determination of Applicability

Beth Winmill, Common Area of Daisy St and Sequattom Rd, No Map or Parcel. Rebuild beach stairs.

Presenter: Beth Winmill

Applicant is requesting that the unpermitted re-build of the steps be allowed to remain in place with the addition of plantings on the bank. Usowski stated the Commission has the ability to allow a dug-in staircase with erosion and run off controls and recommends the stairway be approved with the requirement of a planting plan. Coleman recommends that ¾” native crushed stone be placed under stairs as well. Commission agrees that they wish the stairs had been permitted and designed more to specifications of regulations, but more damage would be done at this point if they were to be removed and rebuilt. The stone from the previous stairs needs to be removed, and if the area is unstable, jute matting and more plantings shall be placed. **Motion to approve with a negative 2 determination by Mark Coleman and seconded by James Donovan. Motion approved unanimously.**

Thomas & Caroline Lucey, 32 Dunes Rd, Map 5 Parcel W1-52. Site improvements & sewage disposal system modifications.

Presenter: Stacy Kanaga

The applicant would like to improve the navigable walkways to be more uniform and have handrails. The septic pump chamber will have to be relocated. There will be a decrease in impervious area of 33 sq. ft. Usowski recommends approval and to have the submitted plan

approved as the correct delineation for the property. There is to be no chemical application within Conservation Commission jurisdiction. **Motion to approve with a negative 3 determination by James Donovan and seconded by Mark Coleman. Motion approved unanimously.**

David Fogaren, 12 Hiawatha Rd, Map 6 Parcel F3-5. Demo existing building and associated features. Build new dwelling with associated features and new septic system.

Presenter: Rick Judd, David Forgaren

The applicant would like to remove and rebuild a dwelling that will be slightly smaller than what is currently in place. The Title 5 system will be completely compliant with no variances and the walkways and driveway will be pervious. Usowski stated the only resource area is flood zone and building and site coverage are decreasing so she recommends approval. **Motion to approve with a negative 2 determination by John Ketchum and seconded by Ernie Crabtree. Motion approved unanimously.**

John & Diane Giblin, 36 Deep Hole Rd, Map 17 Parcel A1-41. Demolish garage, deck, porch & patio and build new garage and deck.

Presenter: Dan Ojala

The proposed work will be out of the flood zone and further from the wetland than existing and there is a decrease in coverage of 284 sq. ft. There will be no chemical use on the property including organic fertilizer. O'Leary would like the applicant to consider a pervious driveway, but the driveway location is outside of Conservation Commission jurisdiction. A drywell will be added to the building. Crabtree would like roof run-off outside of the 100' buffer zone to make up for the gravel area becoming a structure. **Motion to approve with a negative 3 determination by James Donovan and seconded by Mark Coleman. Motion approved unanimously.** A revised plan will be submitted.

Notices of Intent

Sarah Turano-Flores, 21 Deacons Folly Rd, Map 46 Parcel X6. Raze and replace dwelling.

Presenter: David Lyttle

A revised site plan and coverage calculations were provided. There is a 76 sq. ft. reduction in the 0'-50' buffer. Proposed mitigation is 1,809 sq. ft. that includes 8 trees and no lawn. The dock and boardwalk repairs are not a part of this application. The existing well shall be abandoned and drywells put in place. Coleman would like a stone drainage trap around the perimeter to catch run-off from the hardscape. **Motion to approve by John Ketchum and seconded by Mark Coleman. Motion approved 5-0-1 with Ernie Crabtree abstaining.** A revised plan shall be submitted within one week.

Taunton East LLC, 2071 Rt 28-Head of the Bay Rd, Map 109 Parcel R1. Screened porch and rebuild timber steps.

Presenter: David Lyttle

The applicant would like to construct a screened porch on a portion of the existing deck and to replace timber steps. He believes this can be done in the existing footprint with little disturbance

to the site. The porch will be built on sonotube footings. A few tree branches would have to limbed, but no tree removal is proposed. There will be a condition that the screened porch is not to become habitable space and that the stairway may be either timber or stone as long as it is in the same footprint. While not related to this application, it was noted that the dock should be stored off of native vegetation. Stone at the roof dripline is to be installed. **Motion to approve by Mark Coleman and seconded by James Donovan. Motion approved unanimously.**

Orders of Conditions

Wychmere Harbor Club, 23 Snow Inn Rd, Map 8 Parcel P2. Amended OOC. Reconfiguration of pools and patios and relocation of coastal bar. **Motion to approve by Stan Pastuszak and seconded by James Donovan. Motion approved unanimously.**

Request for Extension Permit

39 Strandway, Eric & Reva Fischman, Map 1 Parcel J1-31A. Three year extension to complete pool and landscape renovations.

An extension is needed in order to finish work and install planting and make sure the plantings have a few growing seasons. Usowski recommends approval. Plantings shall be done in the spring of 2020. **Motion to approve a two year extension by John Ketchum and seconded by James Donovan. Motion approved unanimously.**

Request for Certificate of Compliance

Mark Corliss, 254 Bank St, Map 31 Parcel B1. Pool, garage and fence. The garage and fence were not constructed. The pool was installed and approximately half the mitigation was done, which is acceptable because less than half the work was done. **Motion to approve by Stan Pastuszak and seconded by Carolyn O'Leary.**

Minutes

Motion to approve the January 8, 2020 meeting minutes by Stan Pastuszak and seconded by James Donovan. Motion approved 5-0-1 with Ernie Crabtree abstaining.

Public Hearing

The Harwich Conservation Commission will hold a public hearing regarding proposed changes to the Harwich Wetlands Protection Bylaw in preparation for articles to be voted on at the May 2020 Town Meeting.

The Commission discussed adding an In-Lieu fee program that will allow fees to go into the wetlands account. This will allow the Commission to use these fees for off-site mitigation when mitigation cannot be done on a property.

The Commission will revise the bylaw to not include a buffer zone to the flood zone, so that only the flood zone is regulatable.

It was clarified that the 50'-60' zone is for access to a dwelling, walkways, landscaping and minor work, but is not to contain structures.

The size of a regulatable wetland is proposed to change from 3,000 sq. ft. to 500 sq. ft. Coleman does not support this change.

The Commission would like to look into the legality/practicality of limiting the number of new applications to be heard at a meeting.

Motion to approve the changes to the Bylaw and to present at Annual Town Meeting by Stan Pastuszak and seconded by James Donovan. Motion approved 5-1 with Mark Coleman against.

Adjournment

Motion to adjourn by Stan Pastuszak and seconded by James Donovan. Motion approved unanimously.

Minutes Transcribed by Nicole Smith, Assistant Conservation Agent.