



TOWN OF

HARWICH

732 Main Street

Harwich, MA 02645

CONSERVATION COMMISSION

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HARWICH CONSERVATION COMMISSION – MINUTES

WEDNESDAY, JANUARY 8, 2020--6:30 P.M.

DONN B. GRIFFIN HEARING ROOM, HARWICH TOWN HALL

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

Call to Order

By Chairman Brad Chase.

HEARINGS

Request for Determination of Applicability

Harwich Conservation Trust, 588 Queen Anne Rd, Map 83 Parcel S1-0-E. Vista pruning, creation of trail and installation of wood bench.

Presenter: Tyler Maikath

Proposing 2 view corridors and a new trail spur going off of main trail and installation of benches. Has filed with NHESP, but has not heard back yet. Usowski stated that only minor work is needed to accomplish the goal and pending NHESP comment, she recommends approval. **Motion to approve the RDA with a negative 3 determination by James Donovan and seconded by John Ketchum. Motion approved unanimously.** This will be placed on the next agenda for signature unless NHESP has additional comments.

Swavi Osev, 346 Rt 28 & 0 Sisson Rd, Map 21 Parcels N1 & N2. Mini-golf course.

Presenters: Swavi Osev, Dan Croteau

The applicant would like to install a mini-golf course within LSCSF. The lot will remain unpaved other than an area for disabled parking. The Town Engineer will review stormwater drainage, but Croteau does not believe the project will impact surrounding properties in the event of a flood. Usowski reminded that audience that the purview of the Conservation Commission is in regards to LSCSF only and they cannot address aesthetics, lighting or other areas outside of jurisdiction. She believes that this is an improvement over existing conditions due to the

substantial native plantings being proposed. The tupelos may not do well at this site and she recommends replacing them with something else, but recommends approval of the project. Nancy Bielecki, abutter, questioned how this project may impact wildlife. Usowski stated that wildlife is not one of the protected interests of LSCSF, but she believes that increase of native vegetation will be a positive for wildlife and may cause an increase. **Motion to approve with a negative 2 determination by Mark Coleman and seconded by Stan Pastuszek. Motion approved unanimously.** A condition will be put in place stating that no chemical use will be allowed on the property.

George & Catherine Lemont, 2092 Head of the Bay Rd, Map 108 Parcel J5. Abandon cesspools and install septic system. **Motion to continue to January 22, 2020 by Brad Chase and seconded by Stan Pastuszek. Motion approved unanimously.**

Donna Smith, 296 Rt 28, Map 12 Parcel H1. Site reconfiguration with new snack shack and septic system

Presenter: Lynne Hamlyn

The applicant would like to reconfigure the trampoline park within LSCSF. Modifications will include installation of a concrete pad for a bungee apparatus, a snack shack and installation of a septic system. Reductions in site coverage will be around 1,000 square feet. Usowski recommends approve with the condition that no chemicals be used within conservation jurisdiction. O'Leary is in favor of plantings and greenery and is ok with installation of irrigation to support that. **Motion to approve with a negative 2 determination by John Ketchum and seconded by Mark Coleman. Motion approved unanimously.**

Dan & Ann Shapiro, 88 Belmont Rd, Map 3 Parcel T1-A. Addition, outdoor shower and bulkhead.

Presenter: Paul Shea

The applicants would like to construct a 10.5'x12' addition, outdoor shower and bulkhead within LSCSF. The addition will not require any vegetation removal. Usowski does not believe the work will have an adverse impact on abutting properties in the event of a flood. Donovan requested no chemical use on the property. Kevin Donnelly, abutter, asked if any trees would need to be removed. Tree removal is not anticipated, but if the need arise the Commission will be notified and the trees will be replaced. **Motion to approve with a negative 2 determination by Brad Chase and seconded by James Donovan. Motion approved unanimously.**

Beth Winmill, Common area of Daisy St and Sequattom Rd, No Map or Parcel. Rebuild beach stairs. **Motion to continue to Feb 5, 2020 by Brad Chase and seconded by James Donovan. Motion approved unanimously.**

Request for Amended Order of Conditions

Craig & Terrie Borden, 2A Hinckley Rd, Map 91 Parcel J3-8. Installation of a stairway and landing.

Presenter: Craig Borden

Pastuszak is abstaining.

Work has not been done in accordance with the approved plan. A 10'x12' landing has been constructed and the stairway is more formalized than what was approved. The original plan did not show any disturbance outside of the 4' access way. The proposed plantings are spaced about 15' apart and should not count as mitigation as that area was not supposed to be disturbed.

Usowski recommends triple the plantings be required. The applicant is offering to not rebuild the boathouse as mitigation for the landing. The dock shall be store on the landing or outside of the 100' buffer zone. The dead pine tree is allowed to be flush cut. **Motion to approve the Request for an Amended Order of Conditions with the added conditions of a \$300.00 fine, the tripling of plantings, removal of the reconstruction of the boathouse and seasonal storage of the dock. Motion by Brad Chase and seconded by Carolyn O'Leary. Motion approved 4-1-1 with John Ketchum opposed and Stan Pastuszak abstaining.**

Wychmere Harbor Club, 23 Snow Inn Rd, Map 8 Parcel P2. Reconfiguration of pools and patios and relocation of coastal bar.

Presenters: Dave Michniewicz, Tom Mulkehey from Hawk Design

Carolyn O'Leary is abstaining.

The applicant is proposing to relocate that coastal bar out of the wetland resource area. There is a proposed area of artificial turf which will reduce impervious coverage by 470 s.f. and reduction of fertilized lawn by as much as 27,000 s.f. The turf is superior to lawn because it is durable, has a higher permeability, no chemical needs and no maintenance from gas powered machines.

Ketchum asked about the lifespan of the product and will chunks of the product break off. Since the turf will be used for lounging purposes it should not experience a lot of wear and tear or shed pieces. The estimated nitrogen reduction is 132 pounds/year. Donovan doesn't see a difference in plastic turf vs. any other type of pervious patio. He feels it is appropriate for the pool area but does not see it as a solution for the whole property. Chase would like the site coverage calculations for the next meeting. The applicants will try to gather some referrals from people who have used the turf. **Motion to continue to January 22, 2020 by Brad Chase and seconded by John Ketchum. Motion approved 5-0-1 with Carolyn O'Leary abstaining.**

Notices of Intent

Rick & Linda Vayo, 0 Sequattom Rd, Map 101 Parcel W4-1. Dock.

Presenters: Dan Croteau and Rick Vayo

A letter of no take was received by NHESP. That is all that was pending and Usowski recommends approval and has drafted an Order of Conditions. In regards to dock storage, Usowski believes that on the sand area with no vegetation would be acceptable. This can be tried for one year and if there are any adverse impacts the dock should be stored upland. The Order will contain the specific location for storage. **Motion to approve the Notice of Intent by James Donovan and seconded by Stan Pastuszak. Motion approved unanimously.**

Robert McPhee, 5 Brooks Rd, Map 5 Parcel X1-2. New dwelling.

Presenters: Dan Croteau, Sue Contonio

The existing dwelling is dilapidated and needs to be removed. The existing garage and septic system are not to be changed. The deck and steps, patio and walkways will be removed and reconstructed. Five cedar trees will be removed and replanted. A new cap will be placed on the wall for safety purposes. The resource boundaries on the plan need to be revised as the bank as delineated is not a regulatory bank. Usowski questioned if there was any need to keep the retaining wall and bulkhead as they do not seem to serve a purpose any longer. The house will be flood compliant with the lowest floor to be above flood level. The homeowners have stated they do not want to bother touching the walls other than to make it safe. **Motion to approve by Stan Pastuszak and seconded by James Donovan. Motion approved unanimously.**

Aaron & Barbara Thall, 10 Chase St, Map 4 Parcel N3A. Pier, ramp, float, vista pruning.

Presenters: Mark Burgess, Pamela Neubert, Michelle Hutton

The project will include doing shellfish mitigation directly on site and a monopile design. The applicants have created a meadow that will be mowed once a year and a no mow zone. The kayak rack and storage bench were removed. There is a 12'x12' "snug" (shed) with no utilities that will serve as a "hang-out" space. Usowski stated that the only way the project does not meet Town regulations verbatim is that it is in mapped shellfish area; DMF recommendations have been met and she recommends approval. She is not worried about impact to saltmarsh, pruning is limited to limbs and dead trees and possibly a live tree or two and the snug is outside of the no-build zone. She does not recommend adding woody vegetation to the meadow, but agrees with the removal of invasive species and replanting with natives. Donovan stated he is concerned with loss of marsh biomass and the cumulative effects of docks. Burgess stated that a dock with a 1:1 height to width ratio may cause loss of biomass, but this dock has been revised to 1.5:1 per DMF recommendation. Coleman does not believe there will be a lingering detriment with this project. Chase would like to focus more on habitat protection of shellfish and less on mitigation for habitat loss. Neubert and Burgess stated that this project offers an opportunity for monitoring that could help shed a light on the effect of docks on marsh and shellfish. Neubert believes that water quality is the biggest limiting factor to shellfish numbers improving. **Motion to approve the Notice of Intent under the Act and Bylaw by Carolyn O'Leary and seconded by Mark Coleman. Motion approved 4-2-0 with James Donovan and Brad Chase opposed.** Usowski will draft the Order and then the Commission can comment on specifications they would like added such as monitoring.

Richard & Cathy Boskey, 2 Lake Shore Dr, Map 110 Parcel A2. Remove existing garage, deck renovations, construction of new garage and addition.

Presenters: David Lyttle, Phil Cheney

A revised mitigation plan was provided. Mitigation for deck expansion includes removal of boardwalk which will equal the square footage of deck expansion. There is greater than 3:1 mitigation as they are increasing the width of the buffer along the pond edge to a 10' minimum. Usowski recommends approval. Ketchum would like hand removal of any invasive plants in the mitigation areas. **Motion to approve by Brad Chase and seconded by Mark Coleman. Motion approved unanimously.**

John Leong, 27 Soundview Rd, Map 26 Parcel L1-9. Vista prune.

Presenters: Stephanie Sequin, Nick Crawford

The applicant lives at the adjacent property and are working with the property owner to allow vista pruning on this vacant lot. They are looking to preserve the view that is already there. There will be removal of three trees and pruning of additional trees. Twenty five native shrubs will be planted and there is no need for invasive species management on this property. The trees to be pruned will be trained to have lateral growth and pruning will take place every other year.

Usowski recommends approval. **Motion to approve by James Donovan and seconded by Mark Coleman. Motion approved unanimously.**

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

Presenter: David Lyttle

The applicant would like to demo the existing dwelling and foundation and construct a new dwelling within the same foundation footprint. There will be cantilevered expansions and a roof over the deck, but the existing footprint will be mostly maintained. A new septic system will be installed. The trees proposed for removal are all in close proximity to the dwelling. There are approximately 120 trees on the property. The planting plan proposes planting of 12 trees, 124 woody shrubs, 730 perennials and 263 groundcovers. This is a very shady site so the removal of the trees will allow survival of the robust planting plan. A construction protocol was provided. Usowski stated that the project does not quite reach mitigation ratios, but there is a lot of room to work with removal of proposed hardscape. More research needs to be done on when the boardwalk and dock may have been installed so she cannot make a recommendation at this time. In general, the Commissioners viewed the cantilevered areas as acceptable but want a reduction in hardscape. **Motion to continue to January 22, 2020 by Brad Chase and seconded by John Ketchum. Motion approved unanimously.**

Orders of Conditions

Town of Harwich, 0 Cove Landing Rd, Map 115 Parcel P2. Reconstruction of boat ramp.

Mary Judge, 6 & 10 Neel Rd, Map 9 Parcel A7-1 & 2. Shorefront protection.

Rick & Linda Vayo, 0 Sequattom Rd, Map 101 Parcel W4-1. Dock.

Sheila & Alfred Quirk, 11 Prince Charles Dr, Map 110 Parcel S26. Addition, move outdoor shower, construct window well and plantings.

Michael & Jennifer Monteiro, 11 Braddock St, Map 7 Parcel F19. Demo and rebuild dwelling.

Motion to approve the Orders of Conditions for 0 Cove Landing Rd, 6 & 10 Neel Rd, 0 Sequattom Rd, 11 Prince Charles Dr and 11 Braddock St by Brad Chase and seconded by Stan Pastuszak. Motion approved unanimously.

Adjournment

Motion to adjourn by Brad Chase and seconded by John Ketchum. Motion approved unanimously.

Minutes Transcribed by Nicole Smith, Assistant Conservation Agent.

Legible sign-ins: Cyndi William, Paul Shea, John Leong, Craig Borden, Nancy Bieleck, Sue Contonio, Kevin Donnelly, Ed Saras, Wendy Hall, Michele Hunton, Sandra Hall, Stephanie Sequin, Swavi Osev, Mike Sharlet, Bill Ganshirt, Tyler Maikath, Barbara Thall, Aaron Thall, Nancy Langway, Tom Langway, Mark Burgess, Nick Crawford, Janet Baker, Phil Cheney, David Lyttle, Pam Neubert, Dan Croteau