**TOWN OF  HARWICH**

***732 Main Street***

***Harwich, MA 02645***

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

**HARWICH CONSERVATION COMMISSION – MINUTES**

**TUESDAY – JUNE 28, 2022 – 3:00 PM**

**On-Site Meeting at Cold Brook Preserve**

**Commissioners Present:** Brad Chase, John Ketchum, Alan Hall, and Wayne Coulson

**Staff Present:** Conservation Administrator, Amy Usowski and Conservation Assistant Agent, Melyssa Millett

**Representatives Present:** Eric Ford, Nick Nelson and Mike Lach

**Public Present:** Jon Chorey and Phyllis Thomason

**Call to Order:**

Commission Member, Brad Chase, called the meeting to order at 3:00PM.

Amy Usowski, Conservation Administrator, gave a brief explanation of the project, and the information that had been requested by the Commission at the last meeting. Brad Chase explained that he had a call with the representatives the week prior to discuss potential fish run issued and that he would present a review of the information at the next hearing where they discuss this project. Nick Nelson led the group around the property, answering questions during the walk.

John Ketchum asked if all of the hydrology at the Preserve had been altered in the past, and Nick Nelson responded that about 1-2 feet of sand had been placed on all wetland surfaces, and that the sand would be selectively removed during this project to restore ponds and streams in some areas, and in other areas it would be mixed up to create micro topography. Wayne Coulson asked where the sand would go that was being removed, and Nick Nelson responded that it would remain on site in certain areas, that that any brush or vegetation that was removed would be handled differently depending on the ecological needs of each ‘cell’, or project area. Alan Hall asked how much of the existing vegetation is made up of upland versus wetland species, and Nick Nelson responded that he did not have an exact number. Alan Hall asked whether the statement that this project would have a net benefit was opinion, or if it was backed by fact. Nick Nelson stated that, while the existing habitat does have benefits, the fully restored area would have even more value in the future, including benefits to fish passage, water quality, Nitrogen attenuation, and wetland habitat.

John Ketchum asked for information on other projects in the region that they had worked on, and Nick Nelson gave some history and update on them. Alan Hall mentioned that the Town was being required to shorten the timeline for their sewer plan. Wayne Coulson asked if any of these other projects had a focus on helping to alleviate septic system problems, and Nick Nelson stated that they did not. Eric Ford mentioned that there had been extensive studies done by the state that showed that wetland habitats decrease the amount of Nitrogen and other pollutants. Wayne Coulson stated that he felt it was important to hear from the people who had created these studies. Mike Lach stated that he would try to get the writers of these studies to attend the next hearing so that they could answer questions for the Commission. Amy Usowski stated that she would also be happy to organize a field trip to other project sites so that the Commissioners could see the stages of these projects for themselves.

Phyllis Thomason asked how the invasive species would be kept from returning once they were removed, and Mike Lach responded that Harwich Conservation Trust(HCT) had already started to manage certain invasives like Phragmites to decrease of the chance of them coming back after construction. Nick Nelson added that there would be a 3 year invasive management requirement as part of the contract. Mike Lach stated that the continued management past that time frame would fall to HCT, as it always had, and Nick Nelson added that some invasive species would likely be less prevalent due to the wetter conditions. Amy Usowski stated that the Commission would likely require a longer monitoring period for the property if the project was approved.

Phyllis Thomason asked if they could provide details on where access would be and what construction procedures would be like, which Nick Nelson provided, stating that they would mainly use the old bog roads, and that they would try to do most work in the fall and winter when dust is not as much of an issue, but pollution control measures would be put in place if needed. Alan Hall asked where the staging for the property would be, and Nick Nelson responded that it would be at the current entrance to the preserve from the 203 Bank Street property. Mike Lach stated that HCT had bid on the purchase of the 203 Bank Street property, and that the Select Board would be deciding between the bids that had been submitted at the July 11, 2022 BOS meeting.

Alan Hall asked what had determined the size and scope of the design, and Nick Nelson responded that they were looking to treat the whole Preserve owned by HCT, while also looking at the needs of the Town for Nitrogen attenuation. Eric Ford stated that they fit the scope to the estimated cost/funding for the project, and explained how funds were raised/received for the project. Phyllis Thomason asked how it would be determined whether this project was helping with Nitrogen attenuation, and Eric Ford explained that the studies that had been done had provided them with estimates for what this size project could help with, and that the restoration would help the Town to not meet the Total Maximum Daily Load (TMDL) that is set by the State.

Phyllis Thomason asked whether they planned to open up or replace the Route 28 or Hoyt Rd Culvert, and Eric Ford responded that it was not a part of this plan, but that the plans had been designed so that changes to the culvert could be easily integrated in the future. Brad Chase commented that the culverts would need to be replaced in the next 5-10 years.

Alan Hall stated that he was unsure if the Commission should approve a project this large since homeowners are not permitted to do small projects within the buffer zone to a resource area, or in a resource area, and that he was concerned that a project this large could set a precedent for future projects. Nick Nelson responded that the task of the Conservation Commission is to protect and maintain the health of wetlands, and while this project would set a precedent, it would only offer farmers and other owners of wetlands or bogs the chance to restore those wetlands as well. John Ketchum stated that the Commission tried their best to allow property owners to improve the buffer zones and resource areas on their property, but that restoration projects are different than projects that only benefit the property owner and do not have a greater benefit for the wetland or the community.

Alan Hall asked if a version of the project with a smaller scope had been considered. Nick Nelson stated that this was the best version of the project, taking into consideration all of the goals and the cost, and that this version of the project would result in the greatest net benefit, including to water quality and Nitrogen attenuation, but that they would revisit and prioritize different parts of the project if the budget changed for some reason. Eric Ford stated that the DEP viewed projects like this in a similar way.

Jon Chorey asked when the cost estimate had last been calculated, as costs had changed in recent years. Nick Nelson responded that they used other recent project costs to reach their current estimate, and that the project was close to happening so the estimate should be very close to correct.

Jon Chorey asked if the carbon release from this project had been taken into account, and Eric Ford responded that it had not been quantified, but that in the long run this project would allow for more carbon sequestration. Nick Nelson added that all plant materials, other than invasive species, would be used to improve the habitat onsite, so that would help limit the carbon release as well.

Nick Nelson explained that the stream crossing would be replaced to meet State requirements, and that ADA access would be at that location if not from the 203 Bank St property. He explained that the stream crossing would not be moved, but that a 30ft boardwalk style bridge would be built, and that there would be a 4ft ADA accessible path leading to it. John Ketchum asked if the stream crossing was tidal, and Nick Nelson responded that it was actually not brackish and gave some detail on mean water levels in this area. Alan Hall asked how the Grassy Pond water level controls would be affected by or integrated into the project, and Nick Nelson stated that the controls would not be changed under this project. Mike Lach stated that the DWF and Mosquito Control currently controlled the board levels, and that they would continue to monitor and control those levels. Alan Hall asked how this may affect upstream property owners, and whether they would be protected from flooding. Brad Chase responded that Grassy Pond is not the main source of water for Cold Brook, as it was mainly fed by ground water, but that water flow would need to be increased to accommodate a fish run. He stated the NRCS would be giving updates on Friday about how much they wanted to integrate this area into the potential fish passage project to Grassy Pond.

Nick Nelson mentioned that the project hearing would likely be continued to a future meeting in order to meet the submission deadlines.

Vice Chair, John Ketchum, called for the meeting to adjourn. Seconded by Brad Chase. Motion carried, 4-0. Meeting adjourned at 4:05PM.

Respectfully Submitted,

Melyssa Millett

Approved: 7/20/22