



TOWN OF

HARWICH

*732 Main Street*

*Harwich, MA 02645*

CONSERVATION COMMISSION

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

**HARWICH CONSERVATION COMMISSION – MINUTES**

**WEDNESDAY, APRIL 15, 2020--6:30 P.M.**

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

**Call to Order**

By Chairman Brad Chase.

**HEARINGS**

**Notices of Intent**

**Christian Davenport, 0 Old Campground Rd, Map 30 Parcel C12.** Construction of a duplex.

**Presenter:** John O’Reilly

The plans have been revised and disturbance in the buffer zone has been decreased to 1,200 sq. ft. Usowski stated all of the structure is outside of the buffer and the only disturbance is grading/site work. She recommends approval. Donovan would like three years of monitoring to make sure the plantings have become an effective living fence before a certificate of compliance is issued.

**Motion to approve the project by Carolyn O’Leary and seconded by Stan Pastuszak.**

**Motion approved unanimously by roll call vote.**

**G. Rockwood Clark, 220 Long Pond Dr, Map 102 Parcel K2.** Remove walkway, steps, retaining wall. Construct new walkway, landing, stairs and stone wall. Plant area of erosion.

**Motion to continue to May 6, 2020 by Brad Chase and seconded by Ernie Crabtree. Motion approved unanimously via roll call vote.**

**Steve Hassett, 46 Indian Trail, Map 34 Parcel K3-2.** New dwelling.

**Presenter:** David Clark

The applicant is proposing a new dwelling with 16,800 sq. ft. of disturbance without including restoration plantings. Usowski stated there is Isolated Land Subject to Flooding and a vernal pool on the property and there are unanswered questions regarding the resource boundaries. The

wetland was delineated using vegetation not soils and may need further investigation. This is a vacant lot so mitigation will be difficult. The project needs to be evaluated to determine if the lot is being disturbed to the least extent possible. Clark stated that the driveway could become pervious and the terrace could be dry laid to become semi-pervious. The septic is as far away from the wetland as possible and there is not room to move the house closer to the street. Ketchum would like a more detailed planting plan. Donovan believes that the area surrounding the vernal pool is actually a resource area, not buffer to the vernal pool. Chase believes the resource boundary issue needs to be resolved before new information is provided. **Motion to continue to May 6, 2020 by Brad Chase and seconded by Stan Pastuszak. Motion approved unanimously by roll call vote.**

**Edge Environmental, 15 Glendoon Rd, Map 12 Parcel X3-41.** Gas remediation.

**Presenter:** Eric Johnson

This project is in response to the Emergency Certificate for remediation of a gas spill that happened in July 2019. Monitoring wells have been installed and acceptable levels are being found. They are now looking to plant the area of excavation. It is difficult to determine exactly how much gasoline was recovered. There is no way to determine how much was taken up by absorbents during initial response. It is likely 1,500 gallons was not recovered and that 15-20% will not be recovered. Not all of the gasoline will be in groundwater, some will be in places like cracks in the street. Usowski spoke with Jamie Gonsalves from DEP and he stated that cleanup projects like this often take 3-5 years and 100% recovery is not possible. Levels are still high in some spots and she questions if more soil will need to be excavated. She would like to see quarterly reports. Johnson has plans for continued monitoring to see if more soil needs to be excavated, but he does not believe so. Usowski and Johnson will work together to determine a seed mix to stabilize the swale. The swale acted as a retention basin and that was excellent for recovery. Usowski recommends approval with the condition that there is continual monitoring and quarterly reports for at least 1 year. She said the planting plan may need to be revised to consider the wet conditions in the area and planting should not be done this spring. The Commission was curious as to what fines and penalties have been levied against the responsible parties. Johnson stated the US Coastguard has issued a fine and that all departments such as police and fire have been reimbursed. Usowski is unsure what steps, if any, the Town plans on taking in regards to fines. **Motion to approve by Brad Chase and seconded by Mark Coleman. Motion approved unanimously by roll call vote.**

### Orders of Conditions

**Thomas Smith, 52 North Rd, Map 19 Parcel S1.** Additions. This will not be issued as there is no DEP number.

**Christian Davenport, 0 Old Campground Road, Map 30 Parcel C11.** Construction of a duplex.

**Vincent Helfrich, 33 Snow Inn Road, Map 8 Parcel P3.** Emergency repair to an existing bulkhead.

**Wychmere Harbor Club, 23 Snow Inn Rd, Map 8 Parcel P2.** Emergency repairs to existing boathouse and accessory structure.

The Commission questioned if dredging is occurring and if it is following the Order of Conditions. Usowski will follow up on this. She will add wording to the Order stating that this work as already occurred and under an emergency permit.

**Encore Construction, 31 Mill Road, Map 15 Parcel U3.** Remove and replace existing dwelling and hardscape.

**Motion to approved 0 Old Campground, 33 Snow Inn Rd, 23 Snow Inn Rd and 31 Mill Rd by Brad Chase and seconded by John Ketchum. Motion approved unanimously.**

#### Discussion and Possible Vote

**Tree removal within buffer zone to wetland at 8 Shady Drive.** The owner states trees were damaged due to storms, but when Usowski got to the site there was no way to tell what had been damaged. Since there is no way to tell O'Leary does not recommend a fine. Usowski recommends planting of trees and shrubs. **Motion to approve an Enforcement Order requiring the planting of 3 trees and 10 shrubs by Brad Chase and seconded by Ernie Crabtree. Motion approved unanimously.**

**Erosion at east end of Red River Beach.** Usowski stated that in the past seaweed collected from the beach was dumped in the area of erosion and she suggested that could be done again. Chase suggested a row of toe stones and Usowski thought that would be an option because they are easily removable. Coleman suggested combining both options. Donovan doesn't support any hard solutions as he does not feel the small parking area in question is sustainable in the long term. Whatever is done he wants to ensure that the area is not filled in any more than it already is. **Motion by Brad Chase to approve an Emergency Certification to add toe stones with codium and a thin layer of sand behind the stones with the condition that no material is to spill over the stones. Motion seconded by Mark Coleman. Motion approved 6-1 with Donovan against.**

The Waterways Committee is not meeting at this time and will not be commenting on water dependent structures. Usowski is waiting for an opinion from Town Counsel on ability to postpone hearings due to this.

#### Minutes

**Motion to approve the April 1, 2020 minutes by Brad Chase and seconded by Carolyn O'Leary. Motion approved unanimously.**

#### Adjournment

**Motion to adjourn by Brad Chase and seconded by Ernie Crabtree. Motion approved unanimously.**

Minutes Transcribed by Nicole Smith, Assistant Conservation Agent.

