



TOWN OF

HARWICH

732 Main Street

Harwich, MA 02645

CONSERVATION COMMISSION

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

HARWICH CONSERVATION COMMISSION – MINUTES

WEDNESDAY, APRIL 3, 2019--6:30 P.M.

DONN B. GRIFFIN HEARING ROOM, HARWICH TOWN HALL

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

Call to Order

By Chairman Brad Chase.

HEARINGS

Request for Minor Change in Plans

Robert and Darlene Turner, 18 Strandway, Map 4 Parcel J1-5A. Revised pool shape.

The applicant would like to change pool shape from kidney bean to rectangle. The patio has not changed. Amy recommends approving the plan. **Motion to approve the change in plan by Carolyn O’Leary and seconded by Mark Coleman. Motion approved unanimously.**

Request for Amended Order of Conditions

Chase Street Properties, 20 Chase Street, Map 4 Parcel N2-2. Minor change to configuration of dwelling and additional mitigation.

Presenter: David Lyttle

The project has not started, but when construction documents were done some changes were made. There will be an increase in square footage and an increase in mitigation. The limit of work is the same. The proposed work is not any closer to the resource area than existing and there is an overall reduction in site coverage. Chase would like to see more mitigation in the 0-50’ buffer. Usowski suggested expanding the existing mitigation areas. **Motion to approve the Request for an Amended Order of Conditions with the condition that mitigation increases by 390 sq. ft. Motion by Brad Chase and seconded by John Ketchum. Motion approved unanimously.**

An Abutter from 32 Chase St expressed concern with how these changes affect his property line. Lyttle stated no change in relation to his property line.

Requests for Determination of Applicability

Alison Ferrandi & Rachel Smith, 52 North Rd, Map 19 Parcel S1. New septic system.

Presenter: Stephanie Sequin.

The existing house has a cesspool and an upgrade is needed upon property transfer. The entire property is in flood zone and the majority of the property is wetland. The septic was located as far from the edge or wetland as possible. The new system will be built above grade and they are proposing a containment wall to raise the grade for the leaching system. Two trees will be removed. Usowski recommends approval as this is an improvement of what is currently in place. Donovan would like the trees replaced. Coleman suggested either replace with a tree or several shrubs to hide the wall. **Motion to find a negative 2 determination with the condition that the cherry tree is replaced with a tree or 4-5 shrubs. Motion by James Donovan and seconded by Carolyn O'Leary. Motion approved unanimously.**

Notices of Intent

Great Woods LLC, 7 Great Woods Rd, Map 104 Parcel E8-1-2. Removal of parking area, installation of walkway, beach modifications.

Applicant asked for a continuance in order to wait for NHESP opinion. **Motion to continue to April 17, 2019 by Brad Chase and seconded by John Ketchum. Motion approved unanimously.**

Request for Extension Permit

Betsy Bray, 46 Indian Trail, Map 34 Parcel K3-2.

Presenter: Betsy Bray.

The lot was purchased in 2016 and is now in the process of being sold. She had obtained a permit, but was unable to build. She would like to keep the permit open so the potential buyers can see that it is buildable. O'Leary is not in favor of extending a permit for 6 years. Coleman believes the existing plan meets current regulations. He favors the extension because if any changes were made the applicants would have to come before the Commission. **Motion to deny the extension request by Brad Chase and seconded by John Ketchum. Motion approved 4-1-0 with Mark Coleman against.**

Public Hearing

Discussion and possible vote regarding agricultural lease agreements and management of the following properties that are owned by the Town of Harwich and under the Conservation Commission's jurisdiction:

Great Swamp Bog, 0 Birch Dr, Map 79 Parcel C1A. Leo Cakounas presented. He does not use the property for cranberry farming. He has tried other crops but they have not done well due to 4-

wheeler use. There is a lot of illegal activity in the area. If he does not hold the bog, he would like the Tech School to take it over. He does not like the idea of leaving the property to sit. If it goes out to bid again, he will be bidding with the tech school. He does not believe a 10 year lease is long enough.

Main Street Bog, 374 Main St, Map 47 Parcel A10. The Town bought it as an active cranberry bog. Cakounas believes if any land in Harwich should stay in agriculture use it should be this one. He would like to continue to lease this land. Ketchum and Donovan would like a requirement that it is organically farmed. Leo stated even organic chemicals can cause harm and management practices are what is important.

Herring River Bogs, 0 Depot St, Map 36 Parcel M3. This area can be a problem area for poaching herring and they may begin to lock the gates at night.

The Commission will gather a list of concerns and then set up a site visits at the properties.

Certificates of Compliance

Gwynne Daks, 18 Harbor Way, Map 1 Parcel C2-7. Septic upgrade.

The driveway was expanded, mulch added, change in steps and removal of vegetation without permission when they repaired the access to the new septic system. Mulch will either need to be removed or planted over. Plants should go through two growing seasons before requesting a certificate of compliance. Motion to issue a \$300.000 fine, require restoration and to not issue a certificate of compliance at this time. **Motion by Brad Chase and seconded by John Ketchum. Motion approved unanimously.**

Discussion and Possible Vote

Use of Bell's Neck Conservation Area for small wedding ceremony- A couple would like a small wedding ceremony at the pedestrian bridge. **Motion to grant permission by Mark Coleman and seconded by John Ketchum. Motion approved unanimously.**

Installation of Sonar at Hinckley's Pond-DMF would like to change the location of the sonar. This is to compare the sonar count with the volunteer count. **Motion to approve by Carolyn O'Leary and seconded by James Donovan. Motion approved 4-0-1 with Brad Chase abstaining.**

Conservation Commission Cheat-Sheet- The commission will discuss this at the next meeting.

236 South Street- Possible agricultural exemption for installation of a fence.

Mike Lewis presenting. The farm bureau recommended t-fencing so that installation is done by pushing into the ground and holes don't have to be dug. The Commission needs to decide if this activity is exempt. Chase stated that without an approved farm plan he is not sure it can be exempt. They need to prove that the fence is directly related to producing commodities. Donovan suggested a living fence with a temporary fence installed while the plants become established. Usowski suggests they come up with several options to present.

9 Fiddler's Landing- They have an approved plan that shows a hedge, but does not specify what it will be made of. They wanted to use Privet, but Usowski said that is too invasive. They have found a privet that is non-invasive. Donovan says there are a lot of native options that can be managed as a shrub. The commission would like them to use native vegetation instead of privet.

Approval of Minutes

Motion to approve the October 17, 2018 and March 20, 2019 minutes by Brad Chase and seconded by James Donovan. Motion approved unanimously.

Adjournment

Motion to adjourn by Brad Chase and seconded by James Donovan. Motion approved unanimously.

In attendance at meeting:

Larry Ballantine, David Lyttle, Stephanie Sequin, Elizabeth Bray, Lawrence Damon, Mike Lewis, Leo Cakounas

Minutes Transcribed by Nicole Smith, Assistant Conservation Agent.