

RFJ Chen
12/19/2018



TOWN OF

HARWICH

732 Main Street

Harwich, MA 02645

CONSERVATION COMMISSION
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HARWICH CONSERVATION COMMISSION – MINUTES

WEDNESDAY, AUGUST 1, 2018

6:30 P.M.

DONN B. GRIFFIN ROOM, HARWICH TOWN HALL

Present: Stan Pastuszak, Carolyn O’Leary, Ernest Crabtree, Mark Coleman, James Donovan, Associate Member John Ketchum and Conservation Administrator Amy Usowski. Brad Chase arrived at 6:55 p.m.

Call to Order

By Ernie Crabtree.

HEARINGS

Notices of Intent

Mark Kelleher, Nantucket Sound. Commercially culture endemic Sugar Kelp at two sites in the waters of Nantucket Sound.

Presenter: Mark Kelleher.

Applicant is proposing to use two sites to experiment with culturing kelp and to see if it is a viable opportunity. One site is off of Herring River and the other is in the deeper water of Nantucket Sound. Both sites have sandy bottoms and no eel grass. The installation of buoys and lines are done in October and the kelp is placed in November. Harvesting of the kelp generally takes place in May and is harvested by pulling up the lines and cutting it off. The kelp absorbs nitrogen mainly in winter and then has a growth spurt in the spring. Army Corps of Engineers has given approval and it is expected that DMF will as well. NHESP has not given a decision yet. Usowski stated the Waterways Committee had no objection with the October-May timeline. Kelleher’s intent is to sell it in the fresh food market. If the experimental years are successful he would increase the area to no more than five acres and would consider doing aquaculture in conjunction. O’Leary stated concern that he would be introducing an invasive species. Kelleher stated it is native to the area, it

is just not prevalent. Woods Hole, URI, DMF and other agencies have not expressed any concern about this having a detrimental effect. O'Leary wanted a guarantee that he would be out of the navigational area by Memorial Day and it was stated that the time frame would be a part of the conditions. All equipment will be removed at the end of the season. He may adjust the array slightly to avoid interaction with fishermen. This will be a three year permit and would need to file for an amendment or new permit if he wants to expand. The first year will be about an acre in total size. Ketchum asked if there is a risk of entanglement of marine mammals. Kelleher stated that it is not a major concern for Nantucket Sound. DMF may request quick release line and he will comply with any of their requests. **Motion by Carolyn O'Leary to continue to August 15, 2018 in order to hear from other agencies; motion seconded by Ernie Crabtree. Motion approved unanimously.**

Jeffrey King, 30 Lothrop Ave, Map 11 Parcel M6. The construction of a wooden deck at the back of the house and minor alterations to eliminate water from entering the basement entry (continued hearing).

Motion to continue to September 5, 2018 by Brad Chase and seconded by Ernie Crabtree. Motion approved unanimously.

Holly Tarleton, 130 Forest St, Map 31 Parcel A12. Enclose carport in order to create garage.

Presenter: Holly Tarleton.

Applicant would like to enclose the carport with walls and a garage door in order to use it for storage. Usowski stated that with the conditions that it is not converted to livable space and there is no expansion of the footprint she can recommend approval. Roof runoff will go into gutters and drywells or a French drain if ground water is too high for a drywell. O'Leary stated she is concerned with storage of gasoline and chemicals in the garage. The garage is built in a way that will keep any gasoline from seeping into the buffer zone. **Motion to approve the Notice of Intent by Carolyn O'Leary and seconded by James Donovan. Motion approved unanimously.**

Robert and Darlene Turner, 18 Strandway, Map 1 Parcels J1-5A & J1-90. Raze existing dwelling, accessory structure and hardscape. Construct new dwelling, accessory structure, driveway, pool, hardscape, grading and landscaping. Remove invasive plant species and restore bank with native plant species. Rebuild the stone revetment (continued hearing).

Presenters: Theresa Sprague, Dan Croteau, Andrew Gaulay

All existing buildings will be removed. The new dwelling and accessory structures will be farther from the resource area. The cesspools will be removed and replaced with a Title V septic system. The driveway will be permeable. They have gotten close to 2:1 mitigation, but were hoping for consideration of other improvements such as a permeable driveway, moving everything from the coastal bank and removing cesspools. They are proposing 8,220 sq. ft. of mitigation and 2:1 would be 8,552 sq. ft. They were able to increase the original mitigation by removing lawn and decreasing the revetment. Runoff that was going down the bank will now go to drywells. Some of the fence has been eliminated and all of it will be out of the resource area. Usowski stated that they have made a lot of positive changes. It is hard to quantify the improvements, such as removal of cesspools, but the site is greatly improved by this project and she feels they meet the mitigation

requirements and she would recommend approval with certain conditions. Crabtree is concerned with the bocce ball court and feels that the stone dust is basically impervious. The court will have a 6" permeable border around the court for rainwater to penetrate. It is also on the road site of the lot and will have little adverse impact on the coastal bank. Crabtree questioned if the cesspools had been pumped and if they haven't been they need to be. Coleman would like a provision for disposal of pool water. It either needs to be trucked off site or have a facility underground to handle the water. Ketchum questioned the use of herbicides. They are using a wetland approved herbicide and the work will be done by a certified applicator. They will start with a basal bark application and then cut and wipe. In future years they will use a very low volume nozzle for maintenance of invasive sprouts. Chase asked why beach grass wasn't included in the planting plan. Sprague stated this is not an appropriate location as it does better in a dune environment and without sand nourishment it will eventually die off. As mitigation for the bocce ball court Chase would like a little more diversity in plantings. It was decided that five more eastern red cedars will be planted. **Motion to approve the Notice of Intent by Ernie Crabtree with the conditions that pool water is trucked off site, 5 additional cedars are planted, bocce court will have a pervious surface and that there will be benchmarks placed on the revetment. Motion seconded by Mark Coleman. Carolyn O'Leary abstained. Motion approved 5-0-1.**

Darlene & Robert Turner, 18 Strandway, Map 1 Parcel J1-5A & J1-90. Proposed steps, dock and dredging (continued hearing). **Motion to continue to September 19, 2018 by Brad Chase and seconded by Stan Pastuszak. Motion approved unanimously.**

Orders of Conditions

James and Janice Di Stasio, 19 & 25 Bonnie Ln, Map 16 Parcels C1-2 & C1-1. Construction of a single family dwelling with driveway, septic system, utilities and hardscaping. **Motion to approve the Order of Conditions by Carolyn O'Leary and seconded by Ernie Crabtree. Mark Coleman abstained. Motion approved 5-0-1.**

William and Judith Barnatt, 24 Wychmere Harbor Drive, Map 15 Parcel E4-6. Invasive species management and reconstruction of existing in-ground timber steps. **Motion to approve the Order of Conditions by Carolyn O'Leary and seconded by Ernie Crabtree. Motion approved unanimously.**

Shirley Sullivan, 72 Julien Rd, Map 16 Parcel X2-6. Remove existing deck and construct a 16'x18' addition with associated landings and steps. **Motion to approve the Order of Conditions by James Donovan and seconded by Ernie Crabtree. Motion approved unanimously.**

Rick Vayo, 89 & 91 Sequattom Rd, Map 101 Parcels W4-2, W5, X2. Removal of existing dwelling. The new dwelling will be outside of the 100' buffer. Disturbed area to be filled, graded and planted. **Motion to approve the Order of Conditions by Carolyn O'Leary and seconded by James Donovan. Motion approved unanimously.**

Neal Winneg, 0 Deep Hole Rd, Map 17 Parcel A1-65. Reconstruct boathouse and deck. **Motion to approve the Order of Conditions by Carolyn O’Leary and seconded by Stanley Pastuszak. Motion approved unanimously.**

Certificates of Compliance

Marian Piro, 15 Vacation Lane, Map 72 Parcel L-297. Replacement of railroad tie wall.

Stephen & Bonnie Chandler, 595 Queen Anne Rd, Map 71 Parcel E2. New dwelling, bog road, reclaim bog, site work.

Thomas White, 6 Neel Rd, Map 9 Parcel A7-2. Beach nourishment.

Motion to approve the Certificates of Compliance for 15 Vacation Ln, 595 Queen Anne Rd and 6 Neel Rd by Brad Chase and seconded by James Donovan. Motion approved unanimously.

Petroni Family LLC, 106 Grey Neck Rd, Map 11 Parcel X4-A. Demolition and rebuild. After a site visit it was determined that it is not ready for a COC yet. The Commission will take no action.

Wequassett Resort and Gulf Club, 2171 Route 28, Map 115 Parcel S1-3. Demo and rebuild three buildings, landscaping. After doing a site visit it was determined that an as-built will be needed as the site is very complicated. The Commission will take no action.

Extension Request

David and Kimberly Sterling, 2267 Route 28, Map 119 Parcel N6. Demo and rebuild dwelling. Dwelling is expected to be done in the fall and revegetation is 2/3 done. Recommends a one year extension. **Motion to grant the extension by James Donovan and seconded by Stanley Pastuszak. Motion approved unanimously.**

Minutes

Motion to approve the July 18, 2018 meeting minutes by Brad Chase and seconded by James Donovan. Motion approved unanimously.

Discussion and Possible Vote

177 Forest Street-Usowski is hoping to get out this week to stake where the plantings will go.

One-time beach cleaning near Ayer Lane-The commission would like them to file a notice of intent.

Appointment of John Ketchum to Community Preservation Committee-Motion to approve the appointment of John Ketchum to the CPC by Brad Chase and seconded by Carolyn O’Leary. Motion approved unanimously.

Harwich Wetlands Protection Regulations-A definition for vegetated buffer strip will be added. The strip will be no less than 5 ft. and structures must be 60' from the resource area. Dock and pier definitions and regulations were updated. Mitigation requirements, lawn and irrigation regulations were updated. **Motion to approve the changes to the regulations by Brad Chase and seconded by Stan Pastuszak. Motion approved unanimously.**

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

In attendance at meeting:

Mr. and Mrs. Kelleher, Andrew Gaulay, Holly Tarleton, Theresa Sprague, Bob Turner, Darlene Turner, Dan Croteau

Minutes Transcribed by Nicole Smith, Assistant Conservation Agent.