



TOWN OF

HARWICH

732 Main Street

Harwich, MA 02645

CONSERVATION COMMISSION

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

HARWICH CONSERVATION COMMISSION – MINUTES

WEDNESDAY, FEBRUARY 19, 2020--6:30 P.M.

SMALL HEARING ROOM, HARWICH TOWN HALL

Present: James Donovan, Mark Coleman, John Ketchum, Stanley Pastuszak, Ernie Crabtree and Conservation Administrator Amy Usowski.

Call to Order

By Ernie Crabtree

HEARINGS

Requests for Determination of Applicability

Mary Jane Chase Trust, 1039 Rt 28, Map 35 Parcel S2. Resource area delineation.

Presenter: John O'Reilly

Resources identified on the site plan were river, flood zone, coastal bank, marsh and vegetated wetland. There is no proposed work at this time; the applicant is just looking for approval of the wetland delineation. Usowski is comfortable with the delineation as presented and recommends approval with positive 1 and positive 2a determinations. This determination will be valid for three years. Donovan questioned the MHW delineation and if it was actually more landward. O'Reilly believes the edge of river/MHW are the edge of the creek bed as it is very well defined. Biser Bojkov, abutter, wanted clarification on the flag delineation colors. Usowski will email him clarification on that. The hearing will be continued to double check the MHW of the river.

Motion to continue to March 4, 2020 by John Ketchum and seconded by James Donovan.

Motion approved unanimously.

Jeffery & Karen Dunn, 49 Nons Rd, Map 5 Parcel W1-20. Deck expansion.

Presenter: John O'Reilly

The applicant would like to extend the deck by 6'. One pine tree will be removed with a replacement tree planted on the property. It was questioned if there was coastal dune on the property. O'Reilly did not include a dune on the site plan as the area does not look like a dune and there were no dune resources noted on the previous plans. Usowski acknowledged that it was not a traditional wind-blown dune, but may be an overwash dune. She would also like the upper

marsh delineation confirmed. The resource areas are critical to whether or not the project is in the no-disturb zone or not. She would like the wetland data sheets and possibly a third party opinion. Other properties in the area have similar conditions that have been classified as dunes. Until this is clarified, no recommendation can be made. **Motion to continue to March 4, 2020 by Mark Coleman and seconded by James Donovan. Motion approved unanimously.**

Notices of Intent

Karen Decker, 39 Prince Charles Dr, Map 110 Parcel S19. Seasonal dock.

Presenter: John O'Reilly

There is an existing seasonal dock that is not permitted. O'Reilly believes it is in conformance with the dock regulations. Usowski noted that since the dock is not in a "T" or "L" configuration it does not meet all regulations, but she believes it could be reconfigured to do so. Off season storage of the dock will need to be upland or in the existing seating area. She also noted that extensive cutting has been occurring on the property that goes beyond any permits received, but that this should be dealt with separately. The hearing will be continued to give O'Reilly a chance to develop a new dock configuration and to discuss the cutting with the property owner. **Motion to continue by Stan Pastuszak and seconded by Mark Coleman. Motion approved unanimously.**

Margaret Charron, 168 John Joseph Rd, Map 72 Parcel T3. Seasonal dock.

Presenters: Margaret and Rick Charron

The home was purchased and it was discovered the dock had never been permitted. It is a seasonal dock and there are no proposed modifications to what exists. Usowski noted that it does not conform to the float size regulations and it should be reduced to 100 sq.ft. The pier would be allowed to be widened to 4 ft. if desired. Mr. Charron stated that the dock fits together in sections of 40 sq.ft. and he would like to have the float be 120 sq.ft. to avoid having to reduce it to 80 sq.ft. Coleman stated he is ok with, but Crabtree, Pastuszak, Ketcum and Donovan would like it to conform to the regulations. **Motion to approve with the condition that the float be a maximum of 100 square feet by Donovan and seconded by Pastuszak. Motion approved unanimously.**

Elizabeth Maher, 48 Harbor Rd, Map 15 Parcel T2. Vegetation management and planting.

Presenter: Theresa Sprague

There is significant damage in the area due to recent storms. Removal and managing of invasive species will occur. There is some erosion at the toe of bank and they will try to establish vegetation there to protect the toe. Lawn area will be reduced and the ground cover and shrub layers will be increased. There will be 253 shrubs and 25 trees planted. All native vegetation will remain. Once invasive removal begins erosion control blankets will be placed on the bank and it will be seeded. There will be the conditions on the project that no chemical use or permanent irrigation will be used in conservation jurisdiction and if any company other than BlueFlax Design does the work the Commission shall be notified. **Motion to approve by James Donovan and seconded by Mark Coleman. Motion approved unanimously.**

Orders of Conditions

Sarah Turano-Flores, 21 Deacons Folly Rd, Map 46 Parcel X6. Raze and replace dwelling. **Motion to approve by John Ketchum and seconded by Stan Pastuszak. Motion approved unanimously.**

Taunton East LLC, 2071 Rt 28-Head of the Bay Rd, Map 109 Parcel R1. Screened porch and rebuild timber steps. **Motion to approve by Stan Pastuszak and seconded by James Donovan. Motion approved unanimously.**

Request for Extension Permit

Harbourwatch Condominium Association, 371 Rt 28, Map 13 Parcel A8. Request for 3-year extension. The applicant is requesting a three year extension, but a one year extension is recommend in order to bring issues into compliance. **Motion to grant a one year extension by Mark Coleman and seconded by Stan Pastuszak. Motion approved unanimously.**

Request for Certificate of Compliance

Davenport Companies, 375 Main St, Map 47 Parcel G3-3. New duplex. Cannot recommend approval of certificate of compliance because no as-built was submitted. No action will be taken.

Minutes

Motion to approve the June 5, 2019 meeting minutes by James Donovan and seconded by John Ketchum. Motion approved unanimously.

Motion to approve the January 17, 2020 meeting minutes, with amendments, by John Ketchum and seconded by Stan Pastuszak. Motion approved unanimously.

Adjournment

Motion to adjourn by Mark Coleman and seconded by Stan Pastuszak. Motion approved unanimously.

Minutes Transcribed by Nicole Smith, Assistant Conservation Agent.