



TOWN OF

HARWICH

732 Main Street

Harwich, MA 02645

CONSERVATION COMMISSION

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HARWICH CONSERVATION COMMISSION – MINUTES

WEDNESDAY, JULY 2, 2019--6:30 P.M.

DONN B. GRIFFIN HEARING ROOM, HARWICH TOWN HALL

Present: James Donovan, John Ketchum, Stanley Pastuszak, Paula McGuire and Conservation Administrator Amy Usowski. Brad Chase arrived at 6:40 p.m.

Call to Order

By Stanley Pastuszak.

HEARINGS

Request for Determination of Applicability

Paula Flanagan, 6 Ship's Haven, Map 12 Parcel Y3-2. Proposed construction of a garage addition and second story dormer; replacement of (2) existing bay windows, deck, and stockade fence; reconfiguration of the driveway; and upgrade of existing septic system.

Presenter: Lynne Hamlyn

The only resource area on this property is LSCSF. The septic will be upgraded, deck rebuilt in same footprint and garage expansion that will require some fill. Usowski recommends approval with a Negative 2 determination. The Commissioners had no comments. **Motion to approve with a Negative 2 determination by John Ketchum and seconded by Paula McGuire. Motion approved unanimously.**

Request for Amended Order of Conditions

Deborah and Leo Heffernan, 54 Uncle Venies Road, Map 17, Parcel A1-15. Installation of an irrigation system within the 100' buffer zone and 200' Riverfront Area.

Presenters: Deborah and Leo Heffernan

The applicants would like to amend the OOC to allow for minimal fertilization and installation of an irrigation system to allow the grass to survive. The irrigation will be in the 50'-100' buffer in the front of the house. Usowski stated she does not see any negative impacts with allowing

irrigation, but the Commission has been very stringent regarding fertilizer regulations. She suggests that if the grass begins to die off that it be reseeded with native grasses that will be more drought tolerant. **Motion to allow the irrigation system, but to uphold the condition regarding no use of fertilizer. Motion by James Donovan and seconded by Paula McGuire. Motion approved unanimously.**

Notices of Intent

Dan & Jan Speakman, 4 Shady Dr, Map 73 Plot X-180. New dwelling and appurtenances. **Motion to continue to July 17 by Brad and seconded by Stan. Motion approved unanimously.**

Wychemere Harbor Real Estate, 23 Snow Inn Road, Map 8 Parcel P2-0. Proposed building and hardscape modifications.

Presenters: David Michniewicz, Andrew Singer, Bill Ganshirt

The applicant would like to reconfigure the pool area and rebuild the existing building. The new building will be larger, but the expansion is towards where the pools and patio already exist. There will be a 2nd building constructed to contain restrooms. Both buildings will be constructed on piles and will be flood compliant per FEMA and building code. Roof drainage will go into a stormwater collection system that will drain into a leaching facility in the lawn outside of the buffer zone. All work will occur within existing disturbed areas. Usowski stated that this work is an improvement due to flood zone compliance and better drainage. She recommends approval. Donovan stated that since the site is being modified the entire property is subject to review of chemical use. Usowski thought the best way to go would be to get the current practices and then review what could be improved. Ganshirt stated that they would be reluctant to stop fertilizing as most of the grass area is used for parking and the grass would not survive without fertilizer. Chase stated that since they will be before the Commission again regarding the tiki bar, they can be prepared to discuss fertilizer protocol then. It was decided that they must comply with the no use of fertilizer regulation or have an alternate proposal ready for the next meeting they attend.

Motion to approve the NOI with the condition that the property complies with regulations prohibiting fertilizer in the 100' buffer zone or to receive approval by the Commission for an alternative that provides for reduction in application. Motion by James Donovan and seconded by Stan Pastuszak. Motion approved unanimously.

Michelle Inglin, 47 Sequattom Road, Map 101 Parcel T1-1. Remove existing dock and install a new seasonal dock in the waters of Long Pond.

Presenters: Mark Burgess

The new dock plan was approved by the Waterways Committee. The pre-existing dock is in disrepair and will be removed. The new dock will be in a modified location and will be more conforming than the previous dock. The new location will be in an area of existing beach and no vegetation will have to be disturbed. Usowski stated the dock meets all standards except the 65' between structures and that is more of a navigational issue than a conservation issue. She recommends approval with condition that the old posts are removed and the holes filled and a few native plantings done. The dock must be stored in the upland.

Motion to approve the dock with the condition that it be stored in the upland and to grant the variance to the 65' setback from adjacent structures. Motion by Stan Pastuszak and seconded by John Ketchum. Motion approved unanimously.

27 Soundview LLC, 27 Soundview Road, Map 26 Parcel L1-9. Construction of a single family dwelling, including grading, driveway construction, and installation of a septic system and underground utilities.

Presenters: Stephanie Sequin, Sarah Turano-Flores

27 Soundview is an undisturbed lot and the applicants would like to build a two car garage with one bedroom living space above and a pervious driveway. There will be no disturbance in the 50' buffer zone and the closest structure will be 60' from the top of the coastal bank. Structure and hardscape will be 1,261 s.f. and approximately 2,500 s.f. of mitigation is needed. Crawford Land Management has suggested doing native plantings between existing trees to provide a better understory. Usowski stated that the regulations for mitigation are difficult in regards to undisturbed lots and she is waiting for an opinion from Town Counsel. She stated this is a very natural area but does lack stratification of vegetation and there is room for improvement. Chase suggested the applicants come back with the planting plan and the discussion will go from there. It is understood that they have minimized disturbance as much as possible. The planting plan should be delivered by July 12, 2019. **Motion to continue to July 17, 2019 by Brad Chase and seconded by John Ketchum. Motion approved unanimously.**

William and Caroline Counselman, 5 Fiddler's Landing, Map 6 Parcel A1-8. Installation of a rock revetment. **They have requested a continuance until July 17, 2019.**

Joseph Preston, 0 Sequattom Rd, Map 101 Parcel W2-C. Storm damage repairs. **They have requested a continuance until July 17, 2019.**

Alfred and Carol Novak, 30 Harbor Road, Map 15 Parcel 15-A. Proposed access stair relocation, pier, ramp, float, and dredging. **They have requested a continuance until August 7, 2019.**

Discussion and Possible Vote

Andrea Besse, 61 Lovers Lane, Map 41 Parcel M1-2. Violation.

Presenter: David Lyttle, Phil Cheney

Trees and vegetation were removed and fill was being added to the property to change grade. A fine of \$600.00 was issued and paid. The stumps are sprouting and may be managed so that they grow into a tree, but they are not to be removed. A planting plan was submitted for the area and the plants must be installed this fall. The Order of Conditions is still open and will not receive a certificate of compliance until plants are established. **Motion to approve the vegetation plan by Brad Chase and seconded by Stan Pastuszak. Motion approved unanimously.**

141 Riverside Dr Violation-They were unable to attend this meeting and will be at the July 17, 2019 meeting.

21 Uncle Venies Rd-They are not in compliance with the Order of Conditions because they have not been providing vegetation updates, installed irrigation and the use of fertilizer was observed. **Motion to issue a \$300.00 fine for violation of the Order of Conditions by Brad Chase and seconded by James Donovan. Motion approved unanimously.**

Request for Extension of Order of Conditions

Wychmere Estates, 23 Snow Inn Rd, Map 8 Parcel P2-0. Dredging.

The applicants were not able to dredge to due structural issues along the channel and would like a three year extension to address those issues and complete the dredging. If they work cannot be done within the three years a new NOI will be required. **Motion to approve the three year extension by Brad Chase and seconded by Stan Pastuszak. Motion approved unanimously.**

Orders of Conditions

Meredith Henderson, 8 Monument Way, Map 49 Parcel B11. Additions and vegetation management. **Motion to approve the Order of Conditions by Brad Chase and seconded by James Donovan. Motion approved unanimously.**

Gary Pedi, 3 Skinequit Rd, Map 25 Parcel C3-18. Vegetation management. **Motion to approve the Order of Conditions by James Donovan and seconded by Stan Pastuszak. Motion approved unanimously.**

Adjournment

Motion to adjourn by Brad Chase and seconded by John Ketchum. Motion approved unanimously.

Minutes Transcribed by Nicole Smith, Assistant Conservation Agent.