



TOWN OF

HARWICH

732 Main Street

Harwich, MA 02645

CONSERVATION COMMISSION

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HARWICH CONSERVATION COMMISSION – MINUTES

WEDNESDAY, JUNE 5, 2019--6:30 P.M.

DONN B. GRIFFIN HEARING ROOM, HARWICH TOWN HALL

Present: Brad Chase, James Donovan, John Ketchum, Stanley Pastuszak, Paula McGuire, Ernie Crabtree and Conservation Administrator Amy Usowski.

Call to Order

By Chairman Brad Chase.

HEARINGS

Requests for Determination of Applicability

Louis & Brenda Romeo, 29 Lakeview Dr, Map 83 Parcel P7. Septic upgrade.

Presenter: Jason Ellis

The existing leach pit is too close to groundwater and a new leach area and d-box are proposed. Trenching is only work that will occur in the buffer zone. Usowski recommends approval noting that the Commission should not confirm the wetland boundaries as the plan is not stamped by a P.E. **Motion to find a negative 3 determination by James Donovan and seconded by Stan Pastuszak. Motion approved unanimously.**

Rebecca Ahrensfield, 236 South St, Map 30 Parcel L4. Fence and plantings.

Presenters: Mike Lewis.

A new plan was made that shows the 50' and 60' buffers and where the fence will be located. Usowski believes the plan is accurate. The fence and plantings are proposed in the 0'-50' buffer. He spoke with a deer and coyote specialist that said those animals have large ranges and can easily adapt so the fence should not impact them. It was decided the fence would be moved to the 60' buffer line. **Motion to find a negative 3 determination by James Donovan and seconded by John Ketchum. Motion approved unanimously.**

Community Development Partnership, 19 Robert Ln, Map 10 Parcel K1-5. Drainage for mitigation of flooding and stormwater.

Presenter: John O'Reilly, Dave Abel

Propose work is within the flood zone. The property is having flooding issues and they would like to construct a berm at the end of Robert Ln. A leaching facility and pump are proposed in the event of large storm events. The pump is a last resort if the other aspects of the project don't work on their own. There will be some fill on an abutting property and they are working on a formal agreement. Usowski recommends a negative 2 determination. **Motion to approve the RDA with a negative 2 determination by John Ketchum and seconded by James Donovan. 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 June 19, 2019 by Brad Chase and seconded by John Ketchum.

Motion approved unanimously.

Julie Marotta, 522 Pleasant Lake Ave, Map 100 Parcel L4. Seasonal dock. A no take letter was received. Usowski recommends approval. **Motion to approve by John Ketchum and seconded by James Donovan. Motion approved unanimously.**

William and Caroline Counselman, 5 Fiddler's Landing, Map 6 Parcel A1-8. Installation of a rock revetment.

Presenter: Charlie Agro

The revetment was shortened and the area to the north of revetment will be regraded and vegetated. The revetment will be tapered into the existing grade by about 10' and as it goes into the grade the height will be tapered as well. There will be a planting plan prepared, but he would like to close hearing and then submit the planting plan before Order of Conditions is issued. Usowski believes with these changes the impact to salt marsh should be minor. If the large shrub cannot be saved, then it should be transplanted. The Commission would like to see the final plan before closing the hearing.

Tom Morris, abutter, spoke. He is in favor of the project but is concerned with unintended ramifications that may cause erosion issues for him. Usowski stated that these projects are designed to limit any foreseeable issues and they tapering and covering of the revetment should prevent end scour, however, there is never any guarantee. Any problems that did arise would likely be a civil matter between homeowners. The dock is proposed to be reconstructed in kind and the applicant will come back with a change in plan if anything needs to be revised.

Motion to continue to June 19, 2019 by Brad Chase and seconded by Stan Pastuszek.

Motion approved unanimously.

Jason Tribush, 64 Deep Hole Rd, Map 16 Parcel M5. Addition.

Presenter: Stevie Carvalho, Jason Tribush

The applicant is proposing a 410 sq. ft. addition where an existing deck exists. The driveway will be made of crushed shell. There is an area of mitigation to provide more buffer to the BVW. The addition will be 61.3' away from the edge of wetland and no major vegetation will have to be removed. Usowski noted that an outdoor shower, paver walkway and shell parking area were done without permits, but that these activities are fairly benign. There should be conditions on the project that the driveway is to remain pervious and that the shower has some sort of drainage of stone or drywell. Donovan would find an increase in planting will make up for the unpermitted parking area. **Motion to approve the NOI by James Donovan with the conditions that the mitigation increases and that no chemical use occur on the lawn. Motion seconded by Stan Pastuszek and approved unanimously.**

Jamie Kline, 61 Bells Neck Road, Map 18 Parcel K6. New dwelling and appurtenances. Request continuance. **Motion to continue to June 19, 2019 by Brad Chase and seconded by Stan Pastuszek. Motion approved unanimously.**

Joseph Preston, 0 Sequattom Rd, Map 101 Parcel W2-C. Storm damage repairs. **Motion to continue to June 19, 2019 by Brad Chase and seconded by Stan Pastuszek. Motion approved unanimously.**

Gary Pedi, 3 Skinequit Rd, Map 25 Parcel C3-18. After the fact filing for cutting of vegetation, staircase, dock and playground.

Presenter: Dan Croteau, Emma Vantour

The area of cut vegetation will be allowed to regenerate and will likely significantly do so within two or three growing seasons. Some larger trees were removed and instead of replacing them they would like to allow some of the selectively chosen oak saplings to grow to full size. They will not allow all oaks to grow back or the other vegetation will not do well. They are choosing to let the area regenerate instead of planting so that they area is not over planted and the root and soil system remains intact. Thirty three shrubs and two serviceberries will be planted in the area lacking vegetation. Topped trees will be correctively pruned in order to grow back. Mitigation for the play area will be to restore the 50' buffer that is not vegetated by removing lawn and invasive species. A split rail fence will be installed along the 50' buffer to provide a barrier to disturbance. The dock and stairway were repair/replacements of what was existing. At the bottom of the stairs is a landing that they would like to stay in permanently. Usowski stated that the property owners were notified of the issue and it was to be rectified by March, however, there was no communication until April. The property has been in violation for clearing before under the same ownership and they are aware of the regulations. The homeowners stated that they asked the landscaper to do some pruning, but did not expect it to be this severe. Usowski stated they had no permits for cutting any vegetation regardless of how much was done. Usowski would like the dock to be seasonal and stored upland. She has concerns with the area of mitigation that involves invasive removal and planting of native seed mix. She feels this will turn into more usable area. Vantour believes the natives will grow in well and naturalize and they could extend the fence to block off that area as well. Donovan would like a reduction in the proposed fragrant sumac. Croteau would like to continue the hearing to be able to go to

waterways. **Motion to continue to June 19, 2019 by Brad Chase and seconded by Stan Pastuszak. Motion approved unanimously.**

Discussion and Possible Vote

Gwynne Daks, 18 Harbor Way, Map 1 Parcel C2-7. Work beyond scope of permit. During a COC site visit, it was noticed that landscape/hardscape had been changed. The original driveway and landscaping was impacted by the access to the back of house for septic system installation. When it was repaired, it went beyond what was existing. They will replant vegetation in the bare areas. Usowski recommends they work with her to find plantings that will work in the area and to add plantings as mitigation for the change in driveway. **Motion to fine the contractor \$300.00 by Brad Chase and seconded by Paula McGuire. Motion approved unanimously.**

Request for Change in Plan

Salvatore Lupoli, 11 Shore Rd, Map 2 Parcel B1-14. New dwelling. Crawford Land Management would like to fill in some of the slope to be more conducive to plantings. **Motion to approve the change in plan by Brad Chase and seconded by James Donovan. Motion approved unanimously.**

Orders of Conditions

John and Lauren Powers, 3 Davis Ln, Map 7 Parcel J9. Additions and renovations.

Douglas & Wendy Kreeger, 1 Wah Wah Taysee Rd, Map 6 Parcel F2-1. Invasive species removal.

Motion to approve the Orders of Conditions for 3 Davis Ln and 1 Wah Wah Taysee Rd by Brad Chase and seconded by Paula McGuire. Motion approved unanimously.

Request for Extension of Order of Conditions

Colman & Ann Walsh, 3 Littlefield Pond Rd, Map 77 Parcel C2-A. Single family dwelling. The applicants would like a one year extension to allow for plantings to establish and more plantings to occur. **Motion to approve request by James Donovan and seconded by Brad Chase. Motion approved unanimously.**

Requests for Certificates of Compliance

Wequassett Inn LLP, 4 Cove Landing Rd, Map 115 Parcel R2. Building modifications and vegetation management (SE 32-2176); Bank stabilization (SE 32-2237). An as-built has not been provided so no action will occur at this time.

Peter & Lisa Hennessy, 637 Route 28, Map 15 Parcel P4-1. Dredging and dock. An as-built has not been provided so no action will occur at this time.

Inn on the Beach, 16 Bank St, Map 7 Parcel F2. Site work and remodel. **Motion to approve the COC by Brad Chase and seconded by James Donovan. Motion approved unanimously.**

Public Hearings

Donovan suggested applying for funds from CPA to get fencing, gates and other land management supplies.

Discussion and Vote on Amendments to the Harwich Wetlands Protection Regulations – 1.06 Lawns

Ketchum wanted to clarify that the new regulations would only be applicable to areas in our jurisdiction that are coming before the Commission with a new project. Past project without these conditions or before the regulations changed are exempt until they come before the commission with a new filing. Members will look at other towns to research their policies. They would like to pursue a no chemical policy in all of jurisdiction or even town wide. The change in lawn regulations will also include flood plain and 200' Riverfront.

Minutes

Motion to approve the May 15, 2019 and November 19, 2018 meeting minutes by Brad Chase and seconded by Paula McGuire. Motion approved unanimously.

Adjournment

Motion to adjourn by John Ketchum and seconded by Paula McGuire. Motion approved unanimously.

Minutes Transcribed by Nicole Smith, Assistant Conservation Agent.