



TOWN OF

HARWICH

732 Main Street

Harwich, MA 02645

CONSERVATION COMMISSION

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

HARWICH CONSERVATION COMMISSION – MINUTES

WEDNESDAY, MAY 15, 2019--6:30 P.M.

SMALL HEARING ROOM, HARWICH TOWN HALL

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

Call to Order

By Chairman Brad Chase.

Discussion

Changes in Cornelius Pond Conservation Restriction.

Presenter: Mike Lach

A conservation restriction was approved by the Commission, but there were changes made to language. Usowski recommends approving the changes. **Motion to approve the changes by John Ketchum and seconded by James Donovan. Motion approved unanimously.**

Requests for Determination of Applicability

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

Presenter: Mike Lewis

The applicant would like to install a stockade fence as well as a living fence. There will be a gap between the ground and the fence for wildlife passage. The plantings will consist of two rows of blueberry and either winterberry holly or sweet pepperbush. O’Leary and McGuire would like an improved site plan with the 50’ and 100’ buffer marked and a clearer fence and planting location. Usowski will verify the wetland line and work with Lewis on developing a better plan.

Ben Zehnder spoke on behalf of abutter Mike MacAskill. It is difficult for him and MacAskill to tell what is being planned with a lacking plan and narrative. A stockade fence will impede wildlife movement and there are other fence types that would be more appropriate. There has been no discussion on how installation will occur. Lewis stated that he is putting the fence up in

that area in order to keep his and the neighbors animals on their respective properties and there is room for wildlife to pass on either end of the fence.

MacAskill went through the various issues he has with the property and Lewis stated they have also had issues with work that the abutter has done. Lewis left the meeting.

The Commission would like a modified plan showing distances from the wetland and a project narrative that includes materials, work protocol and what the intention for the fence is. **Motion to continue to June 5, 2019 by Brad Chase and seconded by James Donovan. Motion approved unanimously.**

Patrick McClay, 35 Rainbow Way, Map 73 Parcel L-200. New deck footings and pergola over existing deck.

Presenter: PJ McClay.

The applicant would like to add a pergola over the existing deck and replace two existing footings. Usowski had him file an RDA because of the proximity to the wetland. She recommends approval with the conditions that it does not become a three-season room or habitable space and that there is not a full foundation. She would also like the propane tanks further from the wetland, but that has to go through the fire department. Crabtree asked when the shed was installed. The previous owner installed it so at least five years ago. Usowski will look to see if it is permitted. **Motion to approve by James Donovan and seconded by Mark Coleman. Motion approved unanimously.**

Notices of Intent

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

Presenter: Stephanie Sequin

A revised plan was submitted dated May 13, 2019. Existing lawn will be removed and restored with purple coneflower and yarrow. The mulch planting strips will remain, but sweet fern will be added and then allowed to naturalize. Usowski would like some shrubs added in with the coneflower and yarrow such as Carolina rose, Virginia rose or bayberry. Crabtree would like restrictions on fertilizer and lawn management practices. Any planting areas that are done as mitigation are to be considered no disturb/no mow zones. Ketchum is concerned with the maintenance of hydrangeas. He doesn't necessarily need them removed, but wants restrictions on fertilizer and irrigation. Sequin questioned where in the regulations it states fertilization cannot occur in the 100' buffer. It was determined that it is not clearly stated. **Motion to approve the Notice of Intent with the following conditions: all areas from mitigation areas to resource area are no disturb zones and no use of pesticides, fertilizers, herbicides, fungicides and irrigation. Motion by James Donovan and seconded by John Ketchum. Motion approved unanimously.**

Joseph Preston, 0 Sequattom Rd, Map 101 Parcel W2-C. Storm damage repairs. **Motion to continue to June 5, 2019 by Brad Chase and seconded by James Donovan. Motion approved unanimously.**

Dan & Jan Speakman, 4 Shady Dr, Map 73 Plot X-180. New dwelling and appurtenances.
Motion to continue to June 5, 2019 by Brad Chase and seconded by James Donovan.
Motion approved unanimously.

Julie Marotta, 522 Pleasant Lake Ave, Map 100 Parcel L4. Seasonal dock.

Presenter: Julie and Bob Marotta.

The dock has been in for over 20 years and has a Chapter 91 license, but was not permitted by the Town. It is in from Memorial Day to Labor Day and no part of it is permanent. Usowski stated the dock meets the standards of the dock regulations and she can recommend approval. The Commission raised no objections, but cannot vote until NHESP give their opinion. **Motion to continue to June 5, 2019 by Brad Chase and seconded by James Donovan. Motion approved unanimously.**

Request to Amend Order of Conditions

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

Presenter: Catharine Ricks

The applicant would like to amend the Order of Conditions in order to remove invasive plants, place sandy loam and plant native plants. Plantings include: native coastal grasses, 46 bearberry, sweet fern, beach plum and bayberry. The bearberry will be planted in groups so that it is not shaded out by the grasses. Ricks and Usowski will work together on placement of plants, otherwise she can recommend approval. **Motion to approve the amendments by James Donovan and seconded by Carolyn O'Leary. Motion approved unanimously.**

Request for an Extension Permit

Steven Szafran, 177 Forest Street, SE 32-2247

Presenter: Steven Szafran

The applicant is asking for a one year extension. He will do the mitigation once the house is complete which he expects to be this fall. The Commission stated that the plantings need to go in by the original date of June 30th. Donovan would like a site visit done around that date and if they plantings are not in there will be a stop work order for the entire project. **Motion to approve the extension with the condition that a stop work order will be issued if the plantings are not done by June 30, 2019. Motion by James Donovan and seconded by Paula McGuire. Motion approved unanimously.**

Request for Change in Plans

Steve Walsh, 9 Fiddler's Landing, Map 6 Parcel A1-9.

No representative present. The applicants wanted to plant privet and Usowski suggested Eastern red cedars and they countered with arborvitae. Chase said that since they are being planted in the area they want to naturalize it should be native vegetation. Donovan suggested native plants in

the 0'-60' buffer, but after that they can plant the arborvitae. **Motion to approve the change in plans with the exception that only native vegetation be planted in the 0'-60' buffer. Motion by Brad Chase and seconded by Mark Coleman. Motion approved unanimously.**

Discussion and Possible Vote

Gwynne Daks, 18 Harbor Way, Map 1 Parcel C2-7. Work beyond scope of permit. The Daks were unable to attend this meeting and will be on the June 5, 2019 agenda.

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; Main Street Bog, 374 Main St, Map 47 Parcel A10; Herring River Bogs, 0 Depot St, Map 36 Parcel M3.

There is no agricultural activity on Great Swamp Bog at this point. The Commission will wait to discuss this until the lessee can be available for discussion. A sub-committee may be formed to keep this moving forward.

Other Business

-The police are willing to close the gate to Bell's Neck herring run area at night as long as someone else is responsible for opening them in the morning.

-Chase went to the Waterways Committee meeting earlier today and there is discussion of a sub-committee with Waterways, Harbor Master, Conservation and Natural Resources to discuss docks, dredging and regulations.

-The lawn regulations will be discussed and clarified at the next meeting.

Minutes

Motion to approve the November 7, 2018 meeting minutes by Mark Coleman and seconded by John Ketchum. Motion approved unanimously.

Motion to adjourn by Brad Chase and seconded by Mark Coleman. Motion approved unanimously.

In attendance at meeting:

Mike Lach, Stephanie Sequin, Catharine Ricks, Mike Lewis, Julie Marotta, Bob Marotta, Patrick McClay, Steve Szafran, Ben Zehnder, Mike MacAskill,

Minutes Transcribed by Nicole Smith, Assistant Conservation Agent.