



TOWN OF

HARWICH

732 Main Street

Harwich, MA 02645

CONSERVATION COMMISSION

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HARWICH CONSERVATION COMMISSION – MINUTES

WEDNESDAY, MAY 6, 2020--6:30 P.M.

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

Call to Order

By Chairman Brad Chase.

HEARINGS

Requests for Determination of Applicability

Great Sand Lakes Association, 0 Vacation Ln, Map 72 Parcel BA-A. Erosion control measures.

Presenter: Dave Callaghan, Jim Robichaud

The vegetation in the area is sparse and the topsoil has washed away causing water runoff to go down to the pond. They would like to break up the hardpan by hand, add topsoil and plant a 60’x30’ area with Harmony and CC grass seed mixes. Once seeded it will be covered with some sort of material to prevent erosion while seed establishes. Usowski stated there are substantial trees in the area but no understory vegetation. She recommends approval with the condition that the area is not to become a lawn area. Coleman would like to see more plant material added.

Motion to find a negative 3 determination by Stan Pastuszak and seconded by Carolyn O’Leary. Motion approved unanimously.

Samantha Poitras, 5 Yankee Clipper Way, Map 103 Parcel S2-4. Driveway and grading.

Presenter: John O’Reilly, Samantha and Jonathan Poitras

A small portion of the lot is in the buffer zone. The proposed dwelling will be outside of the buffer zone but some of the driveway is within jurisdiction. Usowski stated that the driveway will be pervious and they have put in measures to mitigate runoff. This is the least impactful place to place the driveway and she does not believe it will have any impact on the resource area. She would like the condition that area that is not driveway be planted with native vegetation and

she can work with the applicant to develop a plan. She recommends approval. The drainage swale will be buried with loam and seeded but the applicants are willing to plant other vegetation. Crabtree questioned if the 2:1 mitigation requirement was met and Usowski stated that there isn't room to mitigate for the dwelling as the lot is already fully vegetated. **Motion to find a negative 3 determination by John Ketchum and seconded by Stan Pastuszak. Motion approved unanimously.**

Mike and Beth Adams, 97 Pleasant Road, Map Parcel Z3-5. Enlarge Driveway.

Presenter: John Cassaboon, Beth Adams

The applicants would like to widen the driveway at the end for better access and maneuverability. Usowski stated that the closest disturbance would be only 5' away from wetland and that goes against the 50' no disturb zone and she would like to consider other possible options before giving a recommendation. O'Leary would like the 50' buffer marked on the plan and Ketchum thought a new site plan would be appropriate since this one is from 1998. The Commission sees the need for expansion, but is uncomfortable with how close to the wetland it will be. Usowski suggested meeting with the applicants on the property again. Ketchum mentioned if they are concerned about emergency vehicles they should discuss that with the Fire Department. Donovan would like a more thorough filing (NOI) due to proximity to the wetland. Chase cannot support a variance as proposed as there is no environmental benefit. Usowski recommends continuing to be able to do a site visit and modify the project. **Motion to continue to May 20, 2020 by Brad Chase and seconded by Mark Coleman. Motion approved unanimously.**

Notices of Intent

Steve Hassett, 46 Indian Trail, Map 34 Parcel K3-2. New dwelling.

Presenter: David Clark

The State determined that the extent of flooding is the edge of vernal pool, therefore, the entire wetland in question would be considered the vernal pool. Clark stated the project is not subject to the Wetland Protection Act only Harwich regulations so he doesn't feel the need to wait for any opinions from the State. He did believe the dwelling could be rotated or flipped in order to get it closer to the street and decrease the size of the driveway. However, there is no way to get the house completely out of the vernal pool habitat. Clark would like guidance on the required 4:1 mitigation requirement because there is no room on-site for mitigation. The applicants will decide if they want to continue to pursue this and possible new plans will be drafted. **Motion to continue to June 3, 2020 by Brad Chase and seconded by Stan Pastuszak. Motion approved unanimously.**

Donald Annino, 14 Mill Point Road, Map 1 Parcel J1-94. Pier, ramp, and float. **Motion to continue to July 1, 2020 by Brad Chase and seconded by John Ketchum. Motion approved unanimously.**

G. Rockwood Clark, 220 Long Pond Road, Map 102 Parcel K2. Remove walkway, steps, and retaining wall. Construct new walkway, landing, stairs, and stone wall. Plant area of

erosion. **Motion to continue to May 20, 2020 by Brad Chase and seconded by Mark Coleman. Motion approved unanimously.**

Extension Request

Old Mill Point Association, Herring River to Pleasant Road Beach, Maps 1 & 2 Parcels J1-105, J1-111, J1-D & A1-82. Beach maintenance.

Presenter: John Connelly

The applicant would like to extend the beach maintenance permit for another three years. It was originally issued in 2014 and has received one extension already. Usowski recommends approval with the condition that reporting is improved. Connelly is requesting to not have to submit the surveys from BSC Group any longer. Usowski does not see a problem with this as long as the reporting detailing what was done continues. **Motion to approve the extension by Ernie Crabtree and seconded by Carolyn O'Leary. Motion approved unanimously.** The extension will include annual reporting but does not require the flora and fauna survey.

Rocco Orsini, 56 Purmackene Ln, Map 24 Parcel H17. Dwelling. **Motion to continue to May 20, 2020 by Brad Chase and seconded by John Ketchum. Motion approved unanimously.**

Order of Conditions

Thomas Smith, 52 North Rd, Map 19 Parcel S1. Additions. **Motion to approve by Brad Chase and seconded by John Ketchum. Motion approved unanimously.**

Edge Environmental, 15 Glendoon Rd, Map 12 Parcel X3-41. Gas remediation. **Motion to approve by Brad Chase and seconded by Stan Pastuszak. Motion approved unanimously.** The Commission would like to discuss fines at a later date if it is found that fines are not being issued by another source.

Christian Davenport, 0 Old Campground Rd, Map 30 Parcel C12. Construction of a duplex. **Motion to approve by Brad Chase and seconded by Mark Coleman. Motion approved unanimously.**

Discussion and Possible Vote

51 Dunes Road Violation: The homeowner has requested to work with the Association to develop a vegetation plan. Usowski has stated she would have to approve any plans and planting will likely take place in the fall. The fine has been paid. **Motion by Mark Coleman to require submission of a planting plan within 45 days and that all work must be done by November 1, 2020. Motion seconded by Brad Chase and approved unanimously.**

141 Riverside Drive Violation: Work seems to be continuing with no update on the status of the enforcement. They have applied for a septic permit and it will not be signed off on until an update is given.

422 Main Street Violation: Usowski suggests giving a deadline of 45 days to submit a planting plan. Fines can be discussed when they are scheduled for a public hearing. **Motion by Brad Chase to require submission of a planting plan within 45 days. Motion seconded by Carolyn O’Leary and approved unanimously.**

Erosion at east end of Red River Beach: Temporary measures have been installed. Usowski plans on revising the original plan to submit for approval by DEP.

Management Plan for the Bogs at the Bells Neck Conservation Area: Chase will draft some language for options of naturalizing the area. Coleman stated too much time has passed to make area usable for farming. Donovan stated a lot of quality native plants have started to naturalize the area. Different options will be drafted and discussed at the next meeting.

Plover Update: Red River Beach currently has a nest. Bank St Beach has plovers present, but no nests at this time.

Route 6 Oil Spill: An outflow pipe coming from Route 6 has created oily conditions in the wetland. It is a large system that feeds from a lot of areas. The extent of contamination needs to be determined. It is difficult to say who will be the responsible party or where it came from. Usowski is working with DOT to find a solution.

Minutes

Motion to approve the April 2, 2020 minutes by Brad Chase and seconded by John Ketchum. 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.