



TOWN OF

HARWICH



*732 Main Street*

*Harwich, MA 02645*

CONSERVATION COMMISSION  
(508)430-7531

(508)-430-7538 FAX

**HARWICH CONSERVATION COMMISSION – MINUTES**

**WEDNESDAY, MARCH 7, 2018**

**6:30 P.M.**

**DONN B. GRIFFIN ROOM, HARWICH TOWN HALL**

**Present:** Brad Chase, Carolyn O’Leary, Paula McGuire, Stan Pastuszak and Conservation Administrator Amy Usowski

**Call to Order**

By Chairman Brad Chase.

**HEARINGS**

**Request for Determination of Applicability**

**Deborah and Leo Heffernan, 54 Uncle Venies Rd, Map 17 Parcel A1-15.** Invasive species/land management and landscape improvements.

**Presenter:** Nick Crawford.

Proposing to remove bittersweet along the ditch, prune trees and remove one pitch pine. In addition to what is shown on plan, 32 native shrubs will be planted and a colonial seed mix will be used. The areas that are being planted do not currently have native vegetation. A concrete pad needs to be placed outside of the 50’ buffer to hold the air conditioning unit. Usowski recommends approval. Chase stated concern that lawn will encroach on the brook. The Heffernan’s have said they don’t want a maintained lawn and intend to have a meadow that gets mown; they have no intention of expanding usable area. Chase would like a no-mow zone and no further encroachment on the brook. Usowski stated she will condition the RDA to include 32 native shrubs, staking, no mow zone, no fertilizer and that a sign off of work completed is required. The concrete pad and A/C unit are allowed and invasive species will be treated with herbicide using the cut and wipe method. **Motion to find a Negative 2 and Negative 3 determination by Brad Chase and seconded by Stan Pastuszak. Motion approved unanimously.**

### Notices of Intent

**Joshua and Jason Michniewicz, 45 Main Street, Map 55 Parcel H2-1.** Proposed site development for a 6,000 sq. ft. industrial building within 100' of a wetland.

**Presenter:** David Michniewicz

The plan has been revised to address previous concerns. The retaining wall was extended which eliminates grading in the buffer zone. Pavement was removed out of the buffer zone to further reduce grading. The work limit was reconfigured, the area of disturbance was reduced and landscaping enhancements were added. The number of plantings were increased and variety was added. Usowski agrees with the modifications and there was a big improvement by reducing grading. The stormwater report was reviewed and it meets standards. She recommends approval.

**Motion to approve by Paula McGuire and seconded by Carolyn O'Leary. Motion approved unanimously.**

**Luiza A. Beaupre, 9 Herring Run Road, Map 36 Parcel L11.** The proposed additions/renovations to an existing structure and installation of a Title 5 septic system. Work will take place in the 100' buffer to a coastal bank and in riverfront area.

**Presenter:** Stephanie Sequin.

A revised plan with a date of March 5, 2018 and a project narrative were submitted. The retaining wall will be replaced and the limit of work was modified to allow access to the wall. Tree that will be removed should be flagged and replaced at a 2:1 ratio. The dilapidated dock not being touched at this time. **Motion to approve by Stan Pastuszak and seconded by Paula McGuire. Motion approved unanimously.**

**John R. Lewicki & Julie K. Kratochvil, 58 Uncle Venie's Road, Map 17 Parcel A1-14 and A1-19.** Additions to existing dwelling, new septic system, removal of existing structures within the 50' wetland setback, invasive species removal and native plantings.

**Presenter:** Dan Croteau, Katrine Higgins, Rob McPhee, Julie Kratochvil

Carolyn O'Leary has reviewed all pertinent information regarding the previous hearing for this property and it was agreed that she may vote.

A revised plan was submitted and the garage was moved 3.5' towards the road and mitigation was enhanced. The wood chips will be removed as needed with focus being on the thicker area. The fire pit will be removed and 3,000 sq. ft. of mitigation is proposed at a 6:1 ratio. The retaining wall will remain in order to provide a clear demarcation between the human use area and the natural area and will avoid erosion issues. The natural meadow area will be weed wacked annually, but not mown. Herbicide use is allowed for the initial removal of invasive plants.

**Motion to approve by Brad Chase with the following conditions: the retaining wall stays in place, there can be annual weed wacking in the 0'-50' buffer, but no mowing, no pesticide, herbicide or fertilizer use, other than herbicide during the initial removal of plants and an annual monitoring report must be submitted starting November 1, 2018. Stan Pastuszak seconded the motion. Motion approved unanimously.**

**Darlene and Robert Turner, 18 Strandway, Map 1 Parcel J1-5 and J1-90.** Proposed steps, dock, revetment enhancements and dredging.

**Presenter:** Mark Burgess

**Motion to approve a continuance to April 4, 2018 by Brad Chase and seconded by Stan Pastuszak. Motion approved 3-0-1 with Carolyn O'Leary abstaining.**

**Robinson Lee, 55 Snow Inn Rd, Map 15 Parcel N3-0.** Reconstruction of an existing licensed dock and dredging.

**Presenter:** Mark Burgess, Robinson Lee.

Carolyn O'Leary has reviewed all pertinent information regarding the previous hearing for this property and it was agreed that she may vote.

The plan has not been revised yet, but they are able to answer questions that arose at the previous hearing. The shellfish survey went to the end of the float and the grid is slightly rotated compared to the original plan. They will not be changing the beach to land under ocean, but will definitely need the overwash wall. The wall prevents collapse of the salt marsh and will allow full tidal action to the salt marsh. Usowski believes that dredging without installation of the wall would be a detriment to the salt marsh. The volume of dredging has decreased. Waterways did not like the idea of extending the float seaward. Heinz Proft recommends having commercial shellfishermen come in to remove shellfish. It is likely that dredging once will be sufficient for a significantly long time. No other reasonable alternatives were able to be found. The final plan needs to be received and reviewed before the project can be approved. **Motion to continue to April 18, 2018 by Brad Chase and seconded by Paula McGuire. Motion approved unanimously.**

### Certificates of Compliance

**Alfred Weaver Trust Et Al, 23 Wequasset Road, Map 5 Parcel K1-42.** Grading and mitigation for garden and swing set areas. Chase would like to see the property before the certificate is voted on.

**Rosemary and Christine Gregorski, 33 Nons Road, Map 5, Parcel W117.** Bank stabilization and revetment return extension. Representatives would like to come and discuss what is going on at this property as they are not fully in compliance with the Order of Conditions.

**Linda P. Brown, 87 Punkhorn Road, Map 100 Parcel A6-0.** Upgrade of existing septic system. **Motion to approve by Brad Chase and seconded by Carolyn O'Leary. Motion approved unanimously.**

**Marilyn and Kevin Joyce, 22 Harwich Pines, Map 103 Parcel S1A-14.** Reinforcement of retaining wall. **Motion to approve by Carolyn O'Leary and seconded by Paula McGuire. Motion approved unanimously.**

### Other Business

Chase will be holding an education event for fish migration day at the West Reservoir. He will bring the information to discuss at the next meeting.

Wychmere Harbor Club would like to add a spa to the pre-existing patio. The only new disturbance will be the utility line. The Commission decided they would like an RDA for this work.

**Motion to adjourn by Brad Chase and seconded by Carolyn O'Leary. Motion approved unanimously.** Meeting adjourned at 9:07 p.m.

**In attendance at meeting:**

Nick Crawford, Dave Michniewicz, Stephanie Sequin, Dan Croteau, Katrine Higgins, Rob McPhee, Julie Kratochvil, Robinson Lee, Larry Ballantine, Josh Michniewicz, Jason Michniewicz, Nancy Michniewicz, Holly Michniewicz, Tom Sherry

Minutes Transcribed by Nicole Smith, Assistant Conservation Agent.