



TOWN OF

HARWICH

732 Main Street
Harwich, MA 02645

CONSERVATION COMMISSION

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HARWICH CONSERVATION COMMISSION

WEDNESDAY OCTOBER 5, 2016

DONN B. GRIFFIN ROOM
HARWICH TOWN HALL
6:30 PM

MINUTES

PRESENT: Walter Diggs; Ernie Crabtree; Carolyn O'Leary; Brad Chase, and Conservation Administrator, Amy Usowski.

ABSENT: John Rossetti and Rob Mador.

CALL TO ORDER

6:30 PM by Chairman, Walter Diggs

HEARINGS

NOTICES OF INTENT

6:30 Rupert L. Nichols Family Limited Partnership, 335 Lower County Road, Map 12 Parcels Y1-56, Y2-1 & Y1-57B – Pump existing cesspools and fill with clean soil, Install new tight tanks to service the sanitary sewage flow of the existing buildings. No changes to the buildings are proposed.

Presenter: Daniel Croteau, PE - Moran Engineering Assoc., LLC

Mr. Croteau discussed the project. Board of Health review set for October 18, 2016.

Motion made by Brad Chase to continue 335 Lower County Road project to November 2, 2016. Seconded by Ernie Crabtree. Vote: 4-0-0.

6:42 Terence & Pamela McDermott, 151 Gorham Road, Map 24, Parcel R1-1 – Construction of addition to dwelling within 100' of a cranberry bog.

Presenter: David A. Clark, P.E. - Clark Engineering, LLC

Discussion of project and limits of work and performance standards. No disturbance in the 50' buffer. Mr. Clark said he does not think that the project will impact the vegetated wetland.

Amy Usowski stated that the land adjacent is owned by the Harwich Conservation Trust (HCT) and is an abandoned cranberry bog. The bog is hydraulically connected to Cold Brook which outfalls to Saquatucket Harbor, a tidal estuary. She discussed recalculation for planting mitigation. She said mitigation is left up to HCC, and may be put in the Order of Conditions.

Ernie Crabtree asked the reason for expansion. Mr. Clark answered that the applicant needs more family living space.

Discussion of topography and steep slope.

Brad Chase stated that he favors 1:1 mitigation in the 50 to 100' buffer for a total of 16 mitigated bushes.

Motion made by Brad Chase to approve the Notice of Intent for 151 Gorham Road with the Condition of 1:1 mitigation in the 50 to 100' buffer (367 Sq. Ft.). Seconded by Ernie Crabtree. Vote: 4-0-0.

6:44 Gwynne Daks, 18 Harbor Way, Map 1, Parcel C-2-7-0 - Proposed upgrade from existing cesspool to a Title 5 sewage disposal system within the 100' buffer zone to a coastal bank and 200' buffer zone to riverfront area.

Motion made by Ernie Crabtree to continue 18 Harbor Way to October 19, 2016. Seconded by Carolyn Crabtree. Vote: 4-0-0.

ORDERS OF CONDITION

6:45 15-17 Wipple Street LLC/Frank Sarcia, 602 Queen Anne Road, Map 83, Parcel S2 - Site re-development and construction of a single family house within 100' of bordering vegetated wetland and inland bank and within a riverfront area.

Motion made by Ernie Crabtree to approve the Orders of Condition for 602 Queen Anne Road. Seconded by Carolyn O'Leary. Vote: 4-0-0.

SHOW CAUSE HEARING

6:59 Jeffrey Eldredge, 9 Cranberry Trail - Doing work on a parcel of land that does not belong to him, as per Town Assessing Records, within the buffer zone to an isolated vegetated wetland. (Continued from 9-21-16).

Motion made by Carolyn O'Leary to continue Show Cause Hearing for 9 Cranberry Trail to November 2, 2016. Seconded by Ernie Crabtree. Vote: 4-0-0.

CHANGE IN PLAN

7:00 Arthur & Karen Boujoukos, 39 Rainbow Way, Map 73, Parcel L201 (SE 32-2272)

Amy Usowski explained the change in plan primarily for the approved porch enclosure to be on crawl space foundation. She recommends approval as a new plan of record.

Motion made by Ernie Crabtree to approve the Change in Plan for 39 Rainbow Way. Seconded by Carolyn O'Leary. Vote: 4-0-0.

EXTENSION REQUEST

7:02 Keith O'Donnell, 55 Sugar Hill Drive, Map 88, Parcel R49 (SE 32-2166)

Presenter: Keith O'Donnell

Mr. O'Donnell explained the request for the extension is due to economic hardship. The septic has been done. He is requesting extension for remodeling and mitigation.

Amy Usowski said she recommends a 2 year extension under the Act and Bylaw.

Motion made by Brad Chase to approve the Extension Request for 2 years under the Act and Bylaw. Seconded by Carolyn O'Leary. Vote: 4-0-0.

CERTIFICATE OF COMPLIANCE

7:04 Dunes Road Real Estate Trust/Dennis E. Barry, 60 Harbor Road, Map 15, Parcel C2-B1, (SE 32-2072) (Continued from 9-21-16).

Amy Usowski explained that the small area of over dredging was not the fault of the owner.

Brad Chase said he would like to see an "As Built" as the problem may come up again in the future.

Amy Usowski to write a letter regarding the over dredging to the owners.

Motion made by Carolyn O'Leary to grant the Certificate of Compliance for 60 Harbor Road with awareness of over dredging. Seconded by Brad Chase. Vote: 4-0-0.

7:12 Bruce H. Garrett, 58 Fox Run, Map 32, Parcel X3-6 (SE 32-2221).

Amy Usowski recommends Certificate of Compliance

Motion Made by Ernie Crabtree to approve the Certificate of Compliance for 58 Fox Run. Seconded by Carolyn O'Leary. Vote: 4-0-0.

7:14 Derek & Susan Ellen Woelfel, 23 Grist Mill Lane, Map 41, Parcel S1-18 (SE 2173).

Amy Usowski reports that there is quite a required list of mitigation. Deck is long and narrow. Stone retaining walls are working well to prevent erosion. Driveway is pervious. No irrigation as conditioned in 0-50' and 50 to 100' buffer. Ms. Usowski states that old cranberry bog ditch does fill with water. She recommends any irrigation heads come out of 0 to 50' buffer.

Discussion of procedure requiring the removal of irrigation.

Amy Usowski recommends approving Certificate of Compliance with a letter of enforcement and follow up.

Motion made by Ernie Crabtree to approve the Certificate of Compliance for 23 Grist Mill Lane with the issue of Order of enforcement. Seconded by Brad Chase. Vote: 4-0-0.

7:29 MINUTES

Minutes of September 21, 2016

Motion made by Carolyn O'Leary to approve the Minutes of September 21, 2016 with an edit on page 4. Seconded by Ernie Crabtree. Vote: 3-0-1.

7:32 DISCUSSION

• **Irrigation and Fertilization Regulations Vote**

Amy Usowski reported on research she has done on policy in other towns with regard to irrigation and fertilization regulations. She will continue to compile data and report at next HCC meeting. Vote on Regulations continued to October 19, with more HCC members present.

• **Bells Neck Bog RFP**

Amy Usowski reports she has been in discussions with people knowledgeable regarding hydrology of the site. She now feels she has a good understanding of what to ask for in the RFP. She would like to use the same third party for the review.

7:40 ANNOUNCEMENTS

- Chairman Walter Diggs discussed his report for the HCC to the Board of Selectmen. He discussed codium concentrations and the particular areas of high concentration in Harwich. He also discussed the quandary regarding the resolution to the codium issue and whether or not hauling it off is an option.
- BOS and HCC approved acceptance of the deed of the Compact Trust with clarification of parcels.
- Amy Usowski announced that the deadline for applications for the Assistant Conservation Commission Administrator position is Friday, October 7th and that she will be recalling some applicants for additional interviews on Tuesday, October 11th.

ADJOURN

Motion Made by Ernie Crabtree to adjourn at 7:42 PM. Seconded by Brad Chase. All in Favor.

Minutes transcribed by Board Secretary, Marie Hickey

SIGN IN SHEET
Donn B. Griffin Room
October 5, 2016

WW Diggs
11-2-16

Lee Marchildon
Dory Marchildon
Rich Judel
Charles Kalsuker

(Applicant for Assistant Conservation Adm. Position in audience, introduced himself to the HCC at the end of the meeting)