



TOWN OF

HARWICH

*732 Main Street**Harwich, MA 02645***HARWICH CONSERVATION COMMISSION - MINUTES****PHONE (508)-430-7538 FAX (508)430-7531****WEDNESDAY July 19, 2023 – 6:30 PM****TOWN HALL - GRIFFIN ROOM – HYBRID PARTICIPATION**

**Commissioners and Staff Present:** Chairman John Ketchum, Jim Atkinson, Brad Chase (arrived at 6:33pm), Sophia Pilling, Alan Hall, Wayne Coulson, and Conservation Administrator Amy Usowski

**Commissioners Absent:** Mark Coleman

**Audience and Representatives Present:** None

**Call to Order**

**Public Comment: Possible update on 374 Main Street property**

Mr. Ketchum said he spoke with Mr. MacAskill on the phone, who said there was nothing new to report so would not be attending the meeting. Mr. Ketchum stated he would like to talk about this property but will wait until the end of the meeting if time allows.

**The following applicants have requested a Change of Plans:**

**William L & Caroline C Counselman Jr, 5 Fiddlers Landing, Map 6, Parcel A1-8, SE32-2469.**

Demo existing and reconstruct single family dwelling and make site improvements.

Ms. Usowski stated the applicant applied for two minor changes in plan. However, upon the site inspection, a fenced utility area and raised garden bed was discovered which was never approved. She informed the builder, and because mitigation will likely be required, a Request for an Amended Order of Conditions would be needed to keep those unpermitted items. She said the Applicant is getting together a formal plan and will present at another meeting. She said no action is required by the Commission at this time.

**The following applicants have filed a Notice of Intent**

**Karen C. Argus Revocable Trust, 109 Riverside Drive, Map 4, Parcel A3-A2.** Proposed reconstruction of licensed dock.

Ms. Usowski stated the Applicant requested a continuance until August 2, 2023, because Don Monroe of Coastal Engineering has been out of the office, and saw some discrepancies with the plan after it was filed, such as the need for fiber rolls. He will be meeting with Ms. Usowski this week to review the project.

Mr. Atkinson moved to grant a continuance for 109 Riverside Dr to August 2, 2023. Seconded by Mr. Chase. No discussion from the Board.  
Vote 5-0. Motion carries; case continued.

**V & J Helfrich Realty Trust II**, 33 Snow Inn Rd, Map 8, Parcel P3. Proposed addition to existing single-family dwelling. *Requested continuance to August 2<sup>nd</sup>, 2023.*

Ms. Usowski said she does not know why the Applicant requested a continuance. Mr. Ketchum stated if the Applicant requests another continuance, the Commission will want a continuance to a date certain,.

Mr. Atkinson moved to grant a continuance for 33 Snow Inn Rd to August 2, 2023. Seconded by Mr. Coulson. No discussion from the Board.  
Vote 5-0. Motion carries; case continued.

### **Order of Conditions:**

**Gertrude Collins, SE32-2535, 587 Pleasant Lake Ave, Map 110, Parcel C1-93.** Creation of an on-grade path to water, pruning to create a view corridor and a small landing near pond.

Mr. Atkinson moved to closed the public hearing and approve the Order of Conditions for SE32-2535, 587 Pleasant Lake Ave, Map 110, Parcel C1-93. Seconded by Mr. Coulson. No discussion from the Board.  
Vote 5-0. Motion carries; Order of Conditions approved.

### **The following applicants have requested a Certificate of Compliance:**

**Michele C. McMahon 2016 Living Trust, 10 Captain Scott Rd, Map 103, Parcel W1-19, SE32-2484.** Seasonal Dock.

Ms. Usowski stated the property was inspected and in compliance. Although the plants have not been in for two year, they look good and she recommends a Certificate of Compliance with ongoing conditions of no fertilizers or chemical and if mitigation plants die, they must be replaced. Mr. Chase asked if the site had any beach augmentation or nourishment. Ms. Usowski responded there has not been any changes to the beach.

Mr. Atkinson moved to issue the Certificate of Compliance for SE32-2484. Seconded by Mr. Chase. No discussion from the Board.  
Vote 5-0. Motion carries; Certificate of Compliance issued.

**Mark Zippo, 226 South Westgate Rd, Map 56, Parcel, M2-5, SE32-1952.** New Dwelling  
**Mark Zippo, 230 South Westgate Rd, Map 56, Parcel, M2-4 SE32-1953.** New Dwelling.  
**Mark Zippo, 236 South Westgate Rd, Map 56, Parcel, M2-3, SE32-1954.** New Dwelling.

Ms. Usowski stated no work was done on all 3 permits and new permits were issued for these properties. She recommended a Certificate of Compliance for Work Never Done. Mr. Ketchum asked the status of the subsequent permits. Mr. Usowski stated only two of the properties are within Conservation's jurisdiction and have not received a Certificate of Compliance yet, but there are no issues.

Mr. Atkinson moved to issue the Certificate of Compliance for SE32-1952, SE32-1953, and SE32-1954. Seconded by Mr. Chase. No discussion from the Board.

Vote 5-0. Motion carries; Certificates of Compliance issued.

### **Minutes**

Mr. Coleman moved to approve the minutes, with edits by Mr. Ketchum, for the June 7<sup>th</sup> and May 24<sup>th</sup>, 2023 meetings. Seconded by Mr. Atkinson. No further discussion.

Vote 5-0. Motion carries; minutes approved.

### **Discussion**

Mr. Ketchum discussed his telephone conversation with Mr. MacAskill regarding 374 Main St. He said a draft agreement with the Cape Cod Regional Technical School would be ready next week for review and the Selectboard would like to schedule a joint meeting, the earliest date being August 7<sup>th</sup>. Mr. Ketchum suggested having a posted meeting for the Commission to visit the Main Street Bogs, and Leo Cakounes agreed. The Commission determined two possible dates, August 9<sup>th</sup> at 3:30pm or August 28<sup>th</sup> at 3:30pm. Mr. Ketchum will ask Mr. MacAskill which date is preferable.

### **Bells Neck Land Management Plan**

Mr. Usowski stated Mr. Proft, Director of Natural Resources, will review the Water Flow Management Plan draft and provide his input by the next meeting. The Commission and Ms. Usowski reviewed previous edits and discussed and make revisions to the remaining sections of Bells Neck Land Management Plan, including the Naturalization Goals. Ms. Usowski explained the process for obtaining bid for invasive species management and specifics of phragmites removal to the Commission. The Commission discussed the possibility of providing handicap accessible access, whether there are any statutory requirements to do so and concerns of grading within a resource area. The Commission agreed to request an opinion from Town Counsel regarding ADA requirements in Conservation areas, specifically the herring run in Bells Neck. The Commission discussed who will be responsible for monitoring water levels in Bells Neck, Natural Resources Director, or Conservation staff. The Commission finished reviewing and editing the draft plan and Ms. Usowski will create a final draft for final review.

### **CPC Update**

Mr. Ketchum, the CPC representative for Conservation Commission, updated the Commissioners on CPC business, who decided Bells Neck Conservation Area would be a good location to put up a banner notifying residents CPC funds were used in the project. The Commissioners agreed to would be a good location.

Mr. Coulson asked if there were any provisions in place for emergency, such as hurricanes. Ms. Usowski responded when a State of Emergency is declared, just as the tornado a few years ago, the Commission can issue Emergency Authorization Permits to ensure public safety.

**Adjournment**

Mr. Atkinson moved to adjourn at 8:06pm. Seconded by Mr. Coulson.  
Vote 5-0. Motion carries; meeting adjourned.

Respectfully submitted by Lecia McKenna, Assistant Conservation Agent.