



TOWN OF

HARWICH

732 Main Street

Harwich, MA 02645

CONSERVATION COMMISSION

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

HARWICH CONSERVATION COMMISSION – MINUTES

WEDNESDAY, NOVEMBER 19, 2018 6:30 P.M.

SMALL HEARING ROOM, HARWICH TOWN HALL

Present: Brad Chase, Stan Pastuszak, James Donovan, John Ketchum, Carolyn O’Leary and Conservation Administrator Amy Usowski.

Call to Order

By Chairman Brad Chase.

HEARINGS

Request for Determination of Applicability

Harwich Water Department, Lower County Road. Replace 12” diameter water pipeline.

Presenters: Dan Pelletier, Paul Costello

The Water Department would like to remove the existing line and replace with a 16” line in the same location. This is considered a limited project under the Wetland Protection Act. Robert B. Our is the contractor and will be installing the silt fence. All work and staging will be done from the road. Usowski stated that there should be no impact to the wetland and she can recommend approval. **Motion to find a Negative 3 determination by Carolyn O’Leary and seconded by John Ketchum. Motion approved unanimously.**

Jason Tribush, 64 Deep Hole Road, Map 16 Parcel M5. Addition, new deck and minor grading.

Presenter: Stevie Carvalho

The applicant is proposing to expand the deck footprint and add an enclosed structure. All work is in existing lawn area, which is why an RDA was chosen. A wetland delineation was not done because there is a well-defined ditch.

Expanding deck footprint, enclosed structure. Work in lawn area. Wetlands were not delineated. Work is within the 50’ buffer zone and flood zone. Usowski feels an NOI is needed and would like wetland data sheets and delineation. Proposed mitigation also needs to be shown. Chase agreed that the hearing cannot proceed without a wetland delineation. **Motion to continue to December 5, 2019 by James Donovan and seconded by Stan Pastuszak. Motion approved unanimously.**

Richard Waystack, 3 Mockingbird Lane, Map 73 Parcel B233. Fence.

Presenters: Dan Croteau, Richard Waystack.

The applicant would like to replace the existing wire fence with something more substantial to block the neighbor dogs. No trees need to be removed and it will be located in grass and ivy. Usowski stated that the existing fence was not permitted and is located in the no disturb zone. Chase is concerned that the fence will not allow wildlife passage. O'Leary would like a revised plan showing the 50' buffer line. **Motion to continue to December 5, 2019 by Stan Pastuszak and seconded by Carolyn O'Leary. Motion approved unanimously.**

Request for an Amended Order of Conditions

Salvatore & Kathleen Lupoli, 11 Shore Rd, Map 2 Parcel B1-14. Changes to hardscaping and landscaping.

Presenters: Stephanie Sequin, Mike Picard

The applicant is proposing changes to the approved driveway, addition of a sitting wall and stone steps. The project is still a net decrease in coverage of what was previously on site. More native plantings will be added. Usowski and the Commissioners were unsure about the accuracy of the square footage calculations between what was existing, proposed and what is currently being presented. Once that is straightened out Usowski believes asking for an amendment is appropriate. Sequin will provide a document with the correct coverage calculations. 2,984 sq. ft. of mitigation is being offered. Changes to the pool do not result in it being any closer to the resource area than already approved. **Motion to approve the amendment by Stan Pastuszak and seconded by James Donovan. Motion approved unanimously.**

Notices of Intent

Rick Vayo, 85 Sequattom Road, Map 101 Parcel W3-2. Bulkhead and boathouse reconstruction, dock construction, access path, stair relocation, tree cutting and site restoration (continued hearing). **Motion to continue to December 5, 2019 by Brad Chase and seconded by Carolyn O'Leary.**

Town of Harwich, Hinckley's Pond, Map 91 Parcel K4. The treatment of Hinckley's Pond with aluminum sulfate/sodium aluminate to bind phosphorus (continued hearing). **Motion to continue to December 5, 2019 by Stan Pastuszak and seconded by John Ketchum. Motion approved unanimously.**

Jeff Lang, 99 Riverside Dr, Map 4 Parcel A3-A1. Addition and driveway reconfiguration (continued hearing).

Presenter: Kieran Healy

A invasive removal protocol and native planting plan have been submitted. Additional mitigation areas were added. Usowski believes the amount of mitigation is adequate, however she would like additional plantings will be needed in the area where barberry and bittersweet are being removed.

She also recommends removal of pitch pine saplings and planting with an appropriate shrub. With these additions she can recommend approval. There will be removal of pitch pines and black cherries that are leaning and in danger of pulling the bank. The trees will be replaced with native shrubs or cedars. There will be a condition that monitoring reports are submitted. **Motion to approve the Notice of Intent by John Ketchum and seconded by Stan Pastuszek. Motion approved unanimously.**

Chase Street Properties, 20 Chase Street, Map 4 Parcel N2-2. Proposed removal of dwelling, outbuilding and garage; construction of a new dwelling and guest house, replacement of timber steps and mitigation (continued hearing).

Presenters: David Lyttle, Phil Cheney

A revised site plan, mitigation plan, mitigation narrative and coverage calculation sketches have been provided. The 564 sq. ft. shed will be removed and the area will be restored. There is a reduction of 551 sq. ft. in the 0'-50' buffer, an increase of 923 sq. ft. in the 50'-100' buffer and an increase of 24 sq. ft. in the riverfront. There is 1130 sq. ft. of mitigation which is in excess of the requirements. The applicant is still proposing tree removal and pruning of bayberry for view. Usowski stated she is ok with the tree removal because they are also planting trees. The bayberry should be pruned no lower than 3-4 feet and pruning shall not impair the health of the plant. The herbaceous area will be mowed annually to provide more diversity on the property, but there will be a 10' buffer strip at the top of the bank that will not be mowed. **Motion to approve by James Donovan and seconded by John Ketchum. Motion approved 4-0-1 with Stan Pastuszek abstaining.**

Ken & Brenda Weeks, 116 South St, Map 21 Parcel G1-7. Storage of 800 lobster traps from November 1st until May 31st annually. **Motion to continue to December 5, 2018 by Stan Pastuszek and seconded by James Donovan. Motion approved unanimously.**

Charles & Maria Dickson, 51 Saquatucket Bluffs Rd, Map 8 Parcel 5. Demolition of existing dwelling and construction of a new dwelling.

Presenters: David Clark, Andrew Garulay

The dwelling is being moved outside of the Velocity Zone and away from the resource area. There is a 70 sq. ft. site coverage reduction in the buffer zone and hardscape is being reduced. The plantings that will be done have not been determined yet and the Commission encourages native vegetation. No fertilizer use, no expansion of irrigation and roof runoff into drywells will be conditions. If the applicant chooses to address the bittersweet issue they can request an amendment to the Order of Conditions. **Motion to approve by John Ketchum and seconded by Stan Pastuszek. Motion approved unanimously.**

Orders of Conditions

Roberta Dudeck, 53 North Road, Map 117 Parcel P3-3. Repair and raise existing revetment. **Motion to approve by Brad Chase and seconded by Stan Pastuszek. Motion approved unanimously.**

Christopher Barton, 11 River Pine Circle, Map 11 Parcel P3-15. Replace existing fiber rolls with rock revetment. **Motion to approve, with modifications, by James Donovan and seconded by Carolyn O'Leary. Motion approved unanimously.**

Ty Cronin, 211 Route 28, Map 11 Parcel X2-B. Construct multi-use building with associated stone parking and landscaped areas; installation of a new septic system. **Motion to approve by Brad Chase and seconded by Stan Pastuszek. Motion approved unanimously.**

Certificates of Compliance

Town of Harwich, Earle Rd and Pleasant Rd beaches, Map 5 Parcel D3 & Map 2 Parcel B1-18, 19 & 20. Temporary de-watering sites.

Thomas Flannery, 58 Chase St, Map 4 Parcel E2-B. Ramp and float. A letter will be included regarding the time frame that the dock is allowed to be in the water and that it shall be stored outside of the buffer zone.

John Welch, 0 Snow Inn, Map 8 Parcel F2. Dredging, ramp and float. Commission is ok with seasonal dock parts being stored on the permanent part of the dock.

Motion to approve the three Certificates of Compliance by Brad Chase and seconded by Carolyn O'Leary. Motion approved unanimously.

Discussion and Possible Vote

Conservation Commission's role on implementation of the Wastewater Project. There are a handful of people in Phase 2 that are in the buffer zone to a wetland that will be doing work to install sewer components. Usowski would like to do the vast majority of permitting administratively, but will recommend an RDA if the project scope is larger, very close to a wetland or requires a lot of vegetation removal.

Minutes

Motion to approve the June 6, 2018 meeting minutes, with corrections, by Brad Chase and seconded by Stan Pastuszek. Motion approved unanimously.

Motion to adjourn by Carolyn O'Leary and seconded by Stan Pastuszek. Motion approved unanimously.

In attendance at meeting: Mike Picard, Paul Costello, Dan Pelletier, Dan Croteau, Richard Waystack, Stevie Carvalho, Stephanie Sequin, Kieran Healy, Phil Cheney, David Lyttle, David Clark, Andrew Garulay

Minutes Transcribed by Nicole Smith, Assistant Conservation Agent.