



TOWN OF

HARWICH

732 Main Street

Harwich, MA 02645

CONSERVATION COMMISSION PHONE (508)-430-7538 FAX (508)430-7531

HARWICH CONSERVATION COMMISSION - MINUTES

WEDNESDAY OCTOBER 21, 2020 - 6:30 P.M.

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

Applicants and Audience Present Remotely: Larry Ballantine, Mark Kelleher, Chris DiPilato, Swavi Osey, Tom Smith, Lars Jensen, Helene Monohan, Ruthanne and David Schoetz, John Hardy, Anne Freschette

CALL TO ORDER

By Chairman Brad Chase at 6:30pm.

HEARINGS

All hearings shall be subject to discussion, taking of testimony, review of submitted and documents which may result in a vote being taken to approve or deny a project; or to issue a continuance to a time and date certain in order to receive and review further information as needed.

Requests for a Change in Plan

Mark Kelleher, Nantucket Sound, SE32-2346. The applicant would like to keep his gear in longer than the current time allowed. John Rendon has no issue with the location and ability to navigate. **Motion to approve by Brad Chase and seconded by Stan Pastuszak. Motion approved unanimously by roll call vote.**

Jeffrey and Karen Dunn, 49 Nons Road, Map 5, Parcel W1-20. Would like to replace or change pilings from the current configuration.

The current pier has stub pilings and the applicants would like to modify that to do full pilings. The float is currently held in place by four pipes and they would like to change that to two permanent pilings. Usowski stated that there is a benefit to not having to drive the poles each year and recommends approval. Chase has some concern with permanent pilings. The applicant believes permanent pilings are more secure. **Motion to approve by John Ketchum and**

seconded by Carolyn O’Leary. Motion approved by roll call vote 6-1 with Brad Chase opposed.

Swavi Osev, 348 Route 28, Map 21, Parcel N1. Reduction in scope of work than what was originally permitted for the mini golf project.

The work has been scaled down by removing the second 18-hole golf course and more landscaping has been added. Usowski stated there will be less disturbance in the flood zone and recommends to keep the original Order of Conditions but make this the new plan of record.

Motion to approve by Carolyn O’Leary and seconded by Stan Pastuszak. Motion approved unanimously by roll call vote.

Request for an Amended Order of Conditions

Steven Szafran, 177 Forest Street, Map 31, Parcel C2, SE32-2247. Replacement of old hardscape and installation of new hardscape. No representative was present. **Motion to continue to November 18, 2020 by Brad Chase and seconded by Carolyn O’Leary. Motion approved unanimously by roll call vote.**

Notice of Intent

Steve Hassett, 46 Indian Trail, Map 34, Parcel K3-2. New Dwelling with appurtenances. The applicant has asked for a continuance. **Motion to continue to November 4, 2020 by Brad Chase and seconded by John Ketchum. Motion approved unanimously by roll call vote.**

Thomas Smith, 47 North Rd, Map 19 Parcel S2. Install sheet pile and deadmen to reinforce existing timber bulkhead.

The applicant would like to add vinyl sheet piles behind the wall to keep sediment from washing out. Gaps between the wood and vinyl walls will be filled with a gravel material that cannot seep out through holes in the wood. Usowski stated she would like a site plan submitted and the letter that was submitted was not done in enough time for the Commission to review. The engineer has not been to the site. Due to this she cannot recommend at this time. **Motion to continue to November 4, 2020 by Brad Chase and seconded by James Donovan. Motion approved unanimously by roll call vote.**

Request for an Extension Permit and Amended Order of Conditions

Ayer Lane Homeowners Association, Association Beach between Pine and Pilgrim Roads. Beach maintenance activities.

The applicant would like to amend the Order of Conditions to reflect current practices and then extend the permit for 3 years. The original Order had conditions for machinery, but they are using far less invasive means. **Motion to approve by Carolyn O’Leary and seconded by John Ketchum. Motion approved unanimously by roll call vote.**

Request for Certificate of Compliance

William Crowell, Belle Brook Lane, Map 23 Parcel XA. Work never started. **Motion to approve by Brad Chase and seconded by Carolyn O’Leary. Motion approved by roll call vote 6-0-1 with Mark Coleman abstaining.**

Ruthanne and David Schoetz, 10 Spring Tide Lane, Map 31 Parcel A1-5. Reestablishing old footpath, removal of trees and saplings, and native planting. **Motion to approve by Carolyn O’Leary and seconded by Ernie Crabtree. Motion approved unanimously by roll call vote.**

John and Leslie Hardy, 26 Walkerwoods Drive, Map 94 Parcel A5-7. Installation and maintenance of a seasonal dock, vista pruning, and outdoor kitchen. The outdoor kitchen was never built. The slope is well vegetated and pruning is being done correctly. **Motion to approve by Ernie Crabtree and seconded by Carolyn O’Leary. Motion approved unanimously by roll call vote.**

Jo & Larinda Raquel, 40 Bob White Lane, Map 17 Parcel R4. Demolition and reconstruction of dwelling. No action will take place at this time as some information is missing.

Discussion and Possible Vote

Draft floatation regulations

Revisions were made to both salt and freshwater regulations. Usowski suggests that flotation material be non-biodegradable and that Styrofoam or similar material not be allowed. If the float is deemed in need of replacement by the homeowner or Conservation Agent the replacement material must be approved. Plans and applications must state what the material will be. This regulation will give the Commission the ability to approach people with degrading materials and have them replace it. This will apply to all water dependent structures requiring flotation.

Motion to approve the changes by Brad Chase and seconded by Ernie Crabtree. Motion approved unanimously by roll call vote. A freshwater float definition needs to be added and the saltwater definition needs to be revised.

Dock and Pier regulations

Brad would like to have a joint discussion with other groups involved. Chase gave several suggestions for revisions to the regulations: possible moratorium in sensitive areas, increase setback to 150’ to reduce impacts to shellfish habitat, salt marsh and coastal banks, increase the spacing of deck planks and improve wording for shellfish survey and off season storage. Water depth shall be increased to 3’ and is not to be achieved by improvement dredging. Crabtree is not in favor of dredging because the area will likely fill back in and the Commission cannot rely on the homeowner to maintain the correct depth. O’Leary believes that sometimes dredging can clean up an area to make it better for shellfish. Pastuszek and Crabtree are in favor of not allowing a dock in an area where any shellfish are found instead of discussing what specific density counts as significant. O’Leary disagrees and believes significant shellfish area needs to be defined. Chase will revise his recommendations and include pictures that show the impacts of

docks. The Commission will try to set up a boat tour with John Rendon to view docks. Donovan expressed concern of the amount of docks in Herring River making it difficult to navigate or fish. Mapped shellfish areas should be updated.

Final discussion before public meeting on Bog Management Options for the Herring River Bogs

Donovan would like to make sure the meadow area around the bog should remain meadow and get mowed once a year. Paths will be maintained and occasional mowing will be done as necessary to be determined by the Conservation Agent. Paths will be 4'-6' wide. There will be a public hearing on the different options on November 4, 2020. **Motion to accept that the written options be presented at a public hearing by Brad Chase and seconded by Carolyn O'Leary. Motion approved 6-1 by roll call vote with Mark Coleman opposed.**

Minutes

Motion to approve the August 19, 2020 minutes by Brad Chase and seconded by Carolyn O'Leary. Motion approved unanimously by roll call vote.

Motion to adjourn by Brad Chase and seconded by Ernie Crabtree. Motion approved unanimously by roll call vote.