

Brad Chase



TOWN OF

HARWICH

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Harwich, MA 02645

CONSERVATION COMMISSION
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HARWICH CONSERVATION COMMISSION – MINUTES

WEDNESDAY, SEPTEMBER 5, 2018

6:30 P.M.

DONN B. GRIFFIN ROOM, HARWICH TOWN HALL

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

Call to Order

By Brad Chase.

HEARINGS

Notices of Intent

Jeffrey King, 30 Lothrop Ave, Map 11 Parcel M6. The construction of a wooden deck at the back of the house and minor alterations to eliminate water from entering the basement entry (continued hearing). **Motion to continue to September 19, 2018 by Carolyn O’Leary and seconded by Stan Pastuszak. Motion approved unanimously.**

Public Hearing

The Harwich Conservation Commission will conduct a public hearing to solicit comment on proposed amendments to the Harwich Wetlands Protection Regulations.

Usowski gave a presentation regarding the changes to the Harwich Wetlands Protection Regulations. The purpose of the Regulations are to provide more specificity to the Harwich Wetlands Protection Bylaw and to provide more protection than the State regulations. Dock and pier can be used interchangeably and were further defined. There is a new definition for shellfish mitigation. All new docks shall go to the Waterways Committee before coming to the Conservation Commission. Mitigation ratios are 4:1 for disturbance of a resource area, 3:1 for disturbance in the 0’-50’ buffer zone and 2:1 for disturbance in the 50’-100’ buffer zone. There

are no new structures within 60' of a resource area to provide a buffer between development and the 50' no disturb zone. No sod or turf lawns are allowed in the 100' buffer zone. When a new project is presented, the Commission may require removal of lawn as mitigation. No permanent irrigation is allowed in the 50' buffer zone.

There will be a two week period to allow for public comment and changes will go into effect October 1, 2018.

Orders of Conditions

Mark Kelleher, Nantucket Sound. Commercially culture endemic Sugar Kelp at two sites in the waters of Nantucket Sound. The comments from DMF will be incorporated into the Order of Conditions. The Commission would like to receive a copy of the annual report that DMF is requesting. **Motion to approve the Order of Conditions, with revisions, by Ernie Crabtree and seconded by Carolyn O'Leary. Motion approved unanimously.**

Certificates of Compliance

Vincent and Maureen Petroni, 106 Grey Neck Road, Map 11 Parcel X4. Demolition and rebuild of dwelling. The swale was revegetated and an as-built was submitted. A COC is recommended with the condition that if plants die they be replaced.

Town of Harwich, 715 Route 28, Map 15 Parcel T3. Dredging of fuel dock area. A COC is recommended.

Bruce and Karen Stroeever, 65 Sequattom Road, Map 101 Parcel V3-1. Bulkhead and site work. A COC is recommended.

Derek and Scott Woelfel, 432 Route 28, Map 13 Parcel E4. Staircases and landscaping. Not all gutters go into drywells, but there is no evidence of runoff as the site is completely flat. Need to add conditions to allow for treatment of phragmites. A COC is recommended.

Andrew and Michelle Olson, 20 Sequattom Road, Map 101 Parcel R2. Seasonal dock. Plantings look good and dock is stored upland. A COC is recommended.

Barbara DeSimone, 132 Long Pond Drive, Map 102 Parcel A1-1. Reconstruct stairway and platform. A COC is recommended.

Salvatore Lupoli, 11 Shore Road, Map 2 Parcel B1-14. Repair bulkhead and stone walls. A COC is recommended.

David Silver, 8 Lonesomes Way, Map 49 Parcel P1. Addition to existing house. A COC is recommended.

Motion by Ernie Crabtree to approve the Certificates of Compliance for 106 Grey Neck Rd, 715 Route 28, 65 Sequattom Rd, 432 Route 28, 20 Sequattom Rd, 132 Long Pond Dr, 11 Shore Rd, and 8 Lonesomes Way; seconded by James Donovan. Motion approved unanimously.

Discussion and Possible Vote

Oyster Reef in Herring River-Will likely do permitting in house with Natural Resources and Commission member input. To avoid conflicts of interest, any Commission members that are deeply involved will have to recuse themselves during the hearing. A draft has been reviewed by DMF, Barnstable County, Harbor Master and Natural Resources. NOI and DMF permits are the first step.

Review draft of Conservation Commission Cheat Sheet-The Commission finds this very helpful. Commissioners are allowed to go to the site by themselves as long as an application has been submitted. It was suggested that there be a motion to close a hearing when a motion for the Order of Conditions is done.

HCT Maintenance of Eversource right-of-ways-This does not fall under Wetlands Protection. This would be in the form of a Letter of Support for the Harwich Conservation Trust to do vegetation management instead of Eversource. **Motion by Brad Chase to draft a letter of support and seconded by Stan Pastuszak. Motion approved unanimously.**

Bog Management-APCC will come out to look at the bogs and Usowski will reach out to other agencies and consultants. The bogs are still be flooded in order to retain the option of being able to lease it for farming, but long term management of the bogs needs to be determined.

Minutes

Motion to approve the August 15, 2018 meeting minutes by James Donovan and seconded by Stan Pastuszak. Motion approved unanimously.

Motion to adjourn by Ernie Crabtree and seconded by Stan Pastuszak. Motion approved unanimously.

In attendance at meeting:

Larry Ballantine

Minutes Transcribed by Nicole Smith, Assistant Conservation Agent.

