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**HARWICH CONSERVATION COMMISSION - MEETING MINUTES**

**TOWN HALL – GRIFFIN ROOM**

**Wednesday, October 15, 2025 – 6:00 PM**

**Commissioners and Staff Present**

Chairman John Ketchum, Mark Coleman, Vivienne Mulhall-Maguire, Sophia Pilling, Susan Cyr, and Conservation Administrator Amy Usowski

**Absent:** Wayne Coulson

Chairman John Ketchum called the meeting to order at 6:00 PM and the Pledge of Allegiance was recited.

Chairman Ketchum introduced and welcomed new Conservation Commissioner Susan Cyr.

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

**Town of Harwich, Anthony Schiavi, Interim Town Administrator, 15 Wales Road, Map 73, Parcel F1-78, SE32-2616.** Construction of the Town of Harwich Phase 3A Sewer Extension Project consisting of a pumping station, a sanitary sewer system and stormwater management. (Continued from October 1, 2025)

Ms. Usowski stated that they now have the DEP number. She summarized the concerns voiced at the last meeting and relayed the answers to those concerns/questions.

Chairman Ketchum asked for public comment. There was no public comment.

**MOTION**

Chairman Coleman moved to close the public hearing for the NOI.

Ms. Mulhall-Maguire seconded.

Vote: 4-0-1. Ms. Cyr abstained.

Motion carried; Closing of the public hearing approved.

Ms. Usowski read through the Order of Conditions.

**MOTION**

Mr. Coleman moved to approve the Order of Conditions.

Ms. Pilling seconded.

Vote: 4-0-1. Ms. Cyr abstained.

Motion carried; Order of Conditions approved.

**Louis and Dawn Finocchiaro, 25 Monomoy Road, Map: 5, Parcel: K1-A8.** Construction of an inground pool with retaining wall and fill, patio, cabana with a bathroom, rinse station and storage unit. A portion of the work will occur within the land subject to coastal storm flowage.

Ms. Lynn Hamlyn, Owner-Hamlyn Consulting, was present to discuss the project. Ms. Hamlyn stated that the part of the project that is within the Conservation Commission's jurisdiction is a section of the retaining wall and the associated fill. She stated that the property was assessed for the presence of a coastal bank and explained the reason it is not deemed a coastal bank. She stated that the wetland interests are limited to storm damage prevention and flood control.

Ms. Hamlyn summarized the project plan and the scope of work. She explained that construction will require the removal of two oak trees, and no wildlife is associated with the flood zone. She stated that the house is just at the upper limit of the flood zone and in a dense residential neighborhood.

Ms. Usowski confirmed that a very small portion of this project is within the Conservation Commission's jurisdiction and that per the State Wetland Protection Act, local regulations, and the policy for coastal banks, the property does not meet the criteria for being a coastal bank. She asked that the owner consider keeping the 16" diameter oak tree.

Ms. Usowski noted that some towns have started to adopt more stringent flood plain regulations. She informed the Commission that the Cape Cod Cooperative Extension has designed a model bylaw to address flood zones which will be up for discussion within the next year. She stated that at the moment, all the regulations for land subject to coastal storm flowage default to State regulations and this project meets those state regulations.

Chairman Ketchum asked for comments from the Commission.

Mr. Coleman stated that it checks all the boxes.

Ms. Cyr voiced concern about the second of the two oak trees. Ms. Hamlyn said that the second tree could remain.

Chairman Ketchum asked for public comment.

Attorney Jonathan Polloni, Associate- Senie & Associates, P.C. stated that he represents Liz Cacciatore, abutter to 25 Monomoy Road. He asked that the limit of work be shown on the plan because of the closeness of Ms. Cacciatore's property. Ms. Hamlyn stated that she will submit the revised plan with the limit of work noted.

Since the DEP number was not yet available, the case will be continued to the November 5, 2025 meeting.

#### **MOTION**

Mr. Coleman moved to approve the continuance of the case to November 5, 2025.

Ms. Mulhall-Maguire seconded.

Vote: 5-0.

Motion carried; Continuance to November 5, 2025 meeting approved.

**Katherine S. Green, Trustee, 2257 Route 28 Head of the Bay, Map: 119, Parcel: N2.** Repair of an eroded portion of stone revetment along the shore of Pleasant Bay and reconstruct existing wood deck in-kind.

Mr. Raúl Lizardi-Rivera, Director of Engineering-Cape & Islands Engineering, representing homeowner Katherine Green, was present to discuss the project.

Mr. Lizardi-Rivera stated that a portion of the coastal bank started eroding earlier last year, and until a more permanent solution could be had, coir log jute matting was laid down by a contractor. He noted that 100 feet of the project is deemed land under the ocean (Pleasant Bay) and land containing shellfish. The entire project is within land subject to coastal storm flowage.

Mr. Lizardi-Rivera spoke about work needed to be able access the project site, the increased amount of hardscape, the required mitigation plantings, the deck to be reconstructed, and the limit of work. He explained that they will add one row of stone to reach the same elevation of the abutting property.

Ms. Usowski stated that it is clear the area is eroding, primarily when there is a storm surge. She stated that increasing the elevation to match the neighboring revetment, given that it is an existing licensed wall, serves to protect the interests of the coastal bank. She stated that the project is a benefit, but voiced concern about the possibility of additional erosion underneath the stairs, and recommended tapering it. She stated that the plant specs are appropriate but suggested that they stay away from the America Beach Grass and instead implement Seaside Goldenrod. Ms. Usowski stated there is minimal lawn area and the lot is very naturally vegetated.

Mr. Lizardi-Rivera stated he agrees with the recommendations suggested.

Ms. Usowski noted that since the DEP number has not been issued yet, the case will need to be continued to the November 5, 2025 meeting. She stated that the Commission needs the revised plan for this next meeting.

#### **MOTION**

Chairman Ketchum moved to approve the continuance of the case to November 5, 2025.

Mr. Coleman seconded.

Vote: 5-0.

Motion carried; Continuance to November 5, 2025 meeting approved.

#### **Request for a Certificate of Compliance**

**Marion Sokolowski, Trustee, Sokolowski Realty Trust, 364 Lower County Road, Map: 13, Parcel: V12, SE32-1458.** Addition and upgrade to the septic system.

**Marion Sokolowski, Trustee, Sokolowski Realty Trust, 364 Lower County Road, Map:13, Parcel: V12, SE32-415.** Construct a single-family dwelling, deck, driveway, subsurface sanitary disposal system, hook up to town water, and landscaping.

Ms. Usowski stated that everything is in compliance in terms of the septic and the building with the first project at 364 Lower County Road and that the second project at this same address is all set. She explained that at the site visit, they noticed a good deal of vegetative debris in the back of the property within the buffer to the wetland. To handle this, she suggested adding an enforcement order to the certificate of compliance requiring that the debris be cleared and the area seeded within 30 days of the issuance of the Certificate of Compliance. She stated that if the area is not cleared and seeded within the 30-day window, the issue will be taken further.

#### **MOTION**

Mr. Coleman moved to approve the granting of the two Certificates of Compliance for 364 Lower County Road and to issue an enforcement order to remove the vegetative debris within 30 days.

Ms. Pilling seconded.

Vote: 5-0.

Motion carried; Granting of the two Certificates of Compliance and the issuance of an enforcement order to remove the debris within 30 days approved.

**Sarah A. Turano-Flores, Trustee, Deacon's Folly Realty Trust, 21 Deacons Folly Road, Map: 46, Parcel: X6, SE32-2407.** Raze and replace dwelling.

Ms. Usowski stated that this project is not ready for a Certificate of Compliance. The house is acceptable, but the Order of Conditions called for a 90% survival rate of the mitigation plantings at the time of the request for the Certificate of Compliance, and they have not met that percentage. She stated that the homeowners are aware and have retained someone to redo the bare areas. Ms. Usowski had made plant suggestions that might work better. This project is being tabled until it is ready.

**William Gerald Chase and Joan Palermo Chase, 23 Walkerwoods Drive, Map: 94, Parcel: A5-5, SE32-1189.** Construction of a single-family dwelling and associated grading.

Ms. Usowski stated that the homeowners have taken exceptional care of this property and hope the new owners are as conscientious. She recommended that the Commission allow her to write a letter to go along with the Certificate of Compliance speaking to how well the previous owners kept the property and recommended the issuance of a Certificate of Compliance.

#### **MOTION**

Ms. Mulhall-Maguire moved to approve the granting of the Certificate of Compliance.

Mr. Coleman seconded.

Vote: 5-0.

Motion carried; Certificates of Compliance approved.

#### **Discussion and Possible Vote**

Letter of Support for CPC application for study of Hinckley Pond

Ms. Usowski explained that she has drafted the CPC letter of support to request funds to do a full assessment of Hinckley Pond and summarized the scope of work. She stated that as part of the CPC process, the CPC asks for letters of support from applicable entities. She stated that they received a proposal from School of Marine Science and Technology to do the work at a cost of \$138,000.

Ms. Pilling stated that she supports the effort, and it is a good use of funds. Ms. Usowski explained the scope of services and noted that recommendations will be given. She stated that she will also be pursuing any grants that might be available. The study would begin July of next year and run through the Spring of 2027, in order to sample the pond at different times of the year.

Mr. Coleman asked if there was mention of trying to find the source of the pond's issues. Ms. Usowski said that would be a large component of the study.

#### **MOTION**

Ms. Mulhall-Maguire moved to approve CPC Letter of Support.

Ms. Cyr seconded.

Vote: 5-0.

Motion carried; Letter of Support approved.

## **October 1, 2025 Minutes**

To be voted on at the November 5, 2025 meeting.

## **ANY OTHER BUSINESS WHICH MAY COME BEFORE THE COMMISSION**

Ms. Usowski stated that on Saturday, October 25<sup>th</sup> from 9:00 to Noon at the Community Center, the second annual Emergency Preparedness Fair, the Coastal Beach Sweep Cleanup, and a blood drive will take place. She also stated that personal care items are being collected for the Harwich Family Pantry.

Ms. Usowski stated that in February 2026 she will be taking a 4-day class with FEMA at their National Fire and Disaster to pass her Coastal Flood Plain Manager exam in order to become the Flood Plain Manager for the Town of Harwich.

Ms. Usowski stated that the Conservation Department's AmeriCorps member will be starting the last week of October.

Ms. Pilling asked about DPW road salting practices. Ms. Usowski stated that the road mix is a very heavy concentration of salt, and not great for the soils. She said that she will look into having a DPW employee come in to speak to the Conservation Commission about their salting practices.

Ms. Usowski stated that the erosion controls at Azalea Drive have held up. She stated that additional drainage is due to be installed and the work should not shut down the road. She said that the homeowners have agreed to pay to fix it and will replant the areas once done.

## **Adjournment**

### **MOTION**

Ms. Mulhall-Maguire moved to adjourn the meeting at 7:00pm.

Ms. Pilling seconded.

Vote: 5-0

Motion carried; Meeting adjourned.

### **Meeting Attendees**

Raúl Lizardi- Rivera

Dawn Finocchiaro

Louis Finocchiaro

Lynne Hamlyn

Elizabeth Cacchiatore

Frank Meris

Jonathan Polloni

Joseph Clayton

Brahim Belliman

*Respectfully submitted by Lisa Shaw*