

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
December 6, 2007**

Chairman Paul Willard called the meeting to order at 7:03pm in the Town Hall Meeting Room

Members Present: Paul Willard, Charlie Gorss, Jim Breslauer, Don Ritchie and George Watkins

Others Present: Liz Allard (LUB Admin), Bruce Leicher (BHPWMC), Jim Lee (Park & Rec), Sean Hale (Ross Assoc.), Yvonne Rogers, Robert Greene and Don McIver (Littleton Conservation Trust)

Environmental Bond Support

The Massachusetts Association of Conservation Commissioners sent a letter of support for the Commission to sign and send off to the Coalition for the Environmental Bond. The Environmental Bond is used to finance the acquisition of conservation land, hazardous waste clean-ups, water quality management and protection, wetland restoration, dam removal and other environmental projects that the Commonwealth can not afford to sustain on a “pay as you go” basis. Chairman Paul Willard signed the letter on behalf of the Commission.

Certificates of Compliance - 46 Westcott Road, DEP#177-272

Paul Willard informed the members that he had inspected 46 Westcott Road for a Certificate of Compliance, DEP#177-272. Mr. Willard explained this is a septic system repair from 1996 and the site is in compliance. Jim Breslauer made a motion to issue a Certificate of Compliance. Charlie Gorss seconded the motion. The vote was unanimously in favor of the motion.

Review Order of Conditions – 24 Hillcrest Drive, DEP#177-539

The new owners, Yvonne Rogers and Robert Greene, were present as a requirement of the Order of Conditions. The septic has been installed and the grading has been done. The seeding has not been done. The Board of Health is just waiting for the as built from the engineer and then they can issue their Certificate of Compliance. Some of the debris requested to be removed in the Order has been removed. Paul Willard explained about not wanting silt or debris to over top the silt fence. Once grass has been planted and has grown in the new owners will make a request for a Certificate of Compliance.

Potential Donation of Land – Woodside Road (Map 30 Parcel 33)

David Link has contacted the Commission in regards to donating a parcel of land he owns on Woodside Road. The lot has been classified as un-buildable. The Commission suggested Mr. Link get legal representation to make the determination if he can consider the land transfer as a charitable gift with a tax deduction. Paul Willard asked if the Commission is willing to pick up the legal cost of transferring the parcel to the

Commission once the tax matters are settled. The Commission agreed that would be acceptable.

Continuation of a Notice of Intent Hearing – Concord Oil Company, Depot Road, DEP#177-547, Harvard#1107-1. Opened at 7:25pm

Notice of Intent Hearing – Phil & Beth Wilson, 327 Still River Road, DEP#177-545, Harvard#1107-2. Opened at 7:30pm

Notice of Intent Hearing – Bare Hill Pond Watershed Management Committee, Bare Hill Pond, DEP#177-546, Harvard#1107-3. Opened at 8:00pm

Littleton Conservation Trust – Edith Boyd Smith Conservation Restriction (Map 14 Parcel 56)

Don MacIver was present to present to the Commission the Conservation Restriction for Edith Boyd Smith. The land is in both Harvard and Littleton. The Board of Selectmen signed the Restriction earlier in the week. The Restriction currently does not contain public access on the property in Harvard. George Watkins made a motion to sign the Conservation Restriction as presented. Charlie Gorss seconded the motion. The vote was unanimously in favor of the motion.

Annual Report

The Commission requested that the Administrator prepare this year's annual report. The Commission would like reports on any denials or enforcement orders issued in the past year along with the current job description change approved by the Personnel Board. The report will also mention the need for an associate member.

Adjournment

Don Ritchie made a motion to adjourn the meeting at 8:46pm. George Watkins seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Administrator/Conservation Agent

Harvard Conservation Commission
Continuation of a Notice of Intent Hearing Meeting Minutes
Concord Oil Company, Depot Road, DEP#177-547, Harvard#1107-1
December 6, 2007

The public hearing was opened at 7:25pm by Chairman Paul Willard under the Wetland Protection Act, MGL Chapter 131 §40 and the Code of the Town of Harvard, Chapter 119 the Wetland Protection Bylaw

Members Present: Paul Willard, Charlie Gorss, Jim Breslauer, George Watkins and Don Ritchie

Others Present: Liz Allard (LUB Admin)

This hearing was continued from November 15, 2007 on a for a Notice of Intent filed on behalf of Concord Oil Company for the excavation of oil-impacted soil and to install ground water monitoring wells within the wetland and buffer zone at the end of Depot Road, Harvard.

The hearing was continued due to the lack of a DEP file number at the last hearing. The number has since been received. George Watkins made a motion to close the hearing and issue an Order of conditions that includes the following special conditions:

1) Silt fence and hay bales shall be installed in the Harvard method; 2) Concrete piers shall be removed and 3) Stock piled material shall be allowed to be stored for no longer than three (3) weeks. Charlie Gorss seconded the motion. The vote was unanimously in favor of the motion. Jim Breslauer refrained from the vote as he was not in attendance at the initial hearing.

Respectfully submitted,

Liz Allard
Administrator/Conservation Agent

**Harvard Conservation Commission
Notice of Intent Hearing Meeting Minutes
Phil & Beth Wilson, 327 Still River Road, DEP#177-545, Harvard#1107-2
December 6, 2007**

The public hearing was opened at 7:30pm by Chairman Paul Willard under the Wetland Protection Act, MGL Chapter 131 §40 and the Code of the Town of Harvard, Chapter 119 the Wetland Protection Bylaw

Members Present: Paul Willard, Charlie Gorss, Jim Breslauer, George Watkins and Don Ritchie

Others Present: Liz Allard (LUB Admin) and Sean Hale (Ross Assoc.)

This hearing is for a Notice of Intent filed on behalf of Phil & Beth Wilson for proposed site improvement and landscaping including removal of tennis court and relocation of gravel driveway, intermittent stream stabilization/restoration work within the buffer zone at 327 Still River Road, Harvard.

Sean Hale explained to the members the proposed plan is for general site improvements to the property and the issues with the Enforcement Order issued in 2003. The old tennis court will be completely removed, with the exception of one corner out of the buffer zone for a road side stand some time in the future. Jim Breslauer asked if the existing impervious surface will remain and no new impervious surface will be installed. Mr. Hale stated that was correct. The tennis court area will be re-vegetated, except in the location of the new gravel driveway. Grading will be done in a way as to slope away from being a direct run off to the stream to aid in removal of sediments before entering the stream. The plan calls for an English herb garden on the north side of the house. George Watkins believes that area is very shady, does the plan call for the removal of any trees in that area. Mr. Hale stated it does not. The existing power lines will be reconfigured to the house. There are some existing fruit trees on the southern portion of the parcel that will be removed and replaced with smaller varieties.

As for the previously issued Enforcement Order, hand tools will be used to re-stabilize the bank. High bush blue berries will be planted to help in stabilization of the bank. This land is within agricultural so everything short of the drive is allowed. Mr. Breslauer asked if there is going to be some type of berm on the edge of the drive to aid in snow removal and salt not getting into the buffer zone or the stream. Paul Willard thinks there is going to be a good amount of grass between the drive and stream, so a special condition requiring no salts or deicers are to be used on the driveway should be good enough. Plantings will be installed in the area where the woodchips were deposited.

Mr. Watkins made a motion to close the hearing and write an Order of Conditions to contain the following special conditions: 1) Stockpiling of tennis court debris shall be

covered and removed from site within three (3) weeks of its removal; 2) There shall be no removal of any trees for the installation of the proposed colonial herb garden; 3) The stabilization of the west bank of stream shall be done during the dry season and work is to be done by hand; 4) No salt or de-icers shall be used on the driveway (this is a permanent condition); 5) The existing gravel to be removed east of the new driveway shall be stock piled on the remaining tennis court or with the debris from the removal of the tennis court; 6) Each siltation barrier shall be installed prior to the work that is specific for that barrier and 7) The new grading of the lawn area east of the drive shall be done in manner to re-direct flow in a southernly direction. It was requested that the restoration component be completed first and then the other work may begin. Jim Breslauer seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Administrator/Conservation Agent

**Harvard Conservation Commission
Notice of Intent Hearing Meeting Minutes
Bare Hill Pond Watershed Committee, Town Beach, DEP#177-546, Harvard#1107-3
December 6, 2007**

The public hearing was opened at 8:00pm by Chairman Paul Willard under the Wetland Protection Act, MGL Chapter 131 §40 and the Code of the Town of Harvard, Chapter 119 the Wetland Protection Bylaw

Members Present: Paul Willard, Charlie Gorss, Jim Breslauer, George Watkins and Don Ritchie

Others Present: Liz Allard (LUB Admin), Bruce Leicher and Jim Lee

This hearing is for a Notice of Intent filed on behalf of the Bare Hill Pond Watershed Committee for a small-scale excavation experiment to develop best practices for subsequent large-scale excavation of phosphorus-contaminated sediment within Bare Hill Pond.

Bruce Leicher and Jim Lee were present to formally discuss the plan to do a small scale excavation project at the beach on Bare Hill Pond. The Committee has located a company that can supply them with booms to be placed in the water when the excavating is being done. Rich Nota, the DPW Director, will have spill pads for the equipment on hand when work is being preformed. Mr. Nota has informed Mr. Lee the DPW will be using a demo track mini excavator for the excavating of materials. Once the material excavated is dewatered it will be brought to the town dump or the gravel pit. Samples were taken this summer and determined to have no hazardous materials within the material. At most fifty (50) cubic yards of material will be excavated. The containment area will be a twelve by twelve (12 x 12) area at eight (8) feet in height. The containment area may need to be increased during the excavation. The plan is to determine how long the stockpile will need to be there. The Commission requested that the Agent is on site when the work is to be performed.

Charlie Gorss made a motion to close the hearing and issue an Order of Conditions with the following special conditions: 1) Booms shall be placed in water, except in the areas where excavation is on dry land and 2) Silt fence barrier shall be placed on the ground and up the sides continuing over the top of the hay bales, which shall completely surround the dredged material during the de-watering process. George Watkins seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Administrator/Conservation Agent