

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
March 20, 2008
Approved: May 1, 2008**

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

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

Others Present: Liz Allard (LUB Admin), Scott Nutting, Josh Gould, Phil Knoettner, Al Combs, Candy Frazer, William Clougherty, Bev Rodrigues, Marie Finnegan, Larry Finnegan and Bob Douglas.

Accept Policy – Horse Riding on Conservation Trails

Wendy Sission explained to those in attendance that the Commission has never had a policy of use on the trails. With increased use the Commission felt problems associated with those uses should be addressed. Ms. Sisson stated the Commission is starting with this proposal and will mold it as is warranted by experience over time. Al Combs, a member of the Agricultural Commission, stated the Commission has to do what they have to do. Mr. Combs questioned the line in the policy that states “One month of restraint can protect trails for eleven months of use”, Mr. Combs wanted to know what month or should people just use common sense. Jim Breslauer stated common sense is not in the law, but there is a “reasonable man” standard which could be applied. Mr. Combs also has a problem with stating there is no place for a riding ring. Candy Frazer, a member of the Agricultural Commission, thinks the policy is good. She is not sure about the language at the bottom because she has not spoken with Leslie Shepard. Mrs. Frazer stated she would get the policy out by walking into barns and talking to owners.

Wendy Sission made a motion to accept the policy as amended. Jim Breslauer seconded the motion. The vote was unanimously in favor of the motion.

Gift of Property

Larry Finnegan was present to discuss with the Commission a gift of land to be presented at the Annual Town Meeting. The land is approximately forty (40) acres on Old Littleton Road (Map 18 Parcels 14, 69 & 70) and is being donated by James Dunlap.

Charlie Gorss made a motion to accept approximately 40 acres of land on Old Littleton Road as a gift to the Conservation Commission from James Dunlap. Wendy Sisson seconded the motion. The vote was unanimously in favor of the motion.

Requests for Determination of Applicability Hearing – Mass Highway, Routes 2 & I-495, Harvard#0308-1&2. Opened at 7:36pm

Powell - Reed - Abbot Land

Al Combs discussed with the Commission the potential of some trail maintenance on the Powell-Reed-Abbot land. A plan was presented to the Commission and Mr. Combs described that work to be done. Mr. Combs will speak with Franklin Carlson about moving the boulders that need to be moved. The Commission was agreeable to the requested work.

Amendments to Chapter 147 Wetland Protection Bylaw Rules Hearing. Opened at 7:50pm

Potential Associate Member

Josh Gould was present to get a sense of what it is that the Commission does. Mr. Gould was encouraged to attend several meetings before deciding to become an associate member.

Comments on Board of Selectmen Local Initiative Program (LIP) Criteria

Members reviewed the LIP criteria as amended by the Planning Board at their meeting on Monday night. There were some editorial corrections made to the document. George Watkins made a motion to accept the LIP criteria as amended as well as the letter to the Board of Selectmen. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

Fox Realty Trust Application for Special Permit with the Planning Board

A letter to the Planning Board (PB) in regards to a Special Permit application before them for Fox Realty Trust at the corner of Stow Road and Codman Hill Road was reviewed by the Commission. Town Counsel Mark Lanza has stated that members of the Commission should attend the PB hearing. The letter was acceptable to the Commission.

Right of First Refusal – Callahan, Bolton Road (Map 31 Parcel 13)

The Commission has determined that the transfer of a portion of this parcel is to be a part of a buffer should the large lot that the Callahan's own ever be developed. The Commission has no interest in the parcel. Don Ritchie made a motion to waive the Commission's Right of First Refusal of a portion of the Parcel on Bolton Road (Map 31 Parcel 13). George Watkins seconded the motion. The vote was unanimously in favor of the motion.

Open Space & Recreation Plan Update & Appointment

Liz Allard updated the Commission on the progress of the Open Space and Recreation Plan Update Committee. Mrs. Allard also requested that she be appointed to the Committee to represent the Commission. Wendy Sisson made a motion to appoint Liz Allard to the Open Space and Recreation Plan Update Committee. Jim Breslauer seconded the motion. The vote was unanimously in favor of the motion.

Executive Session

Wendy Sisson made a motion to go into executive session to consider the purchase of real property only to adjourn the meeting. Jim Breslauer seconded the motion. Chairman Paul Willard took a roll call. The vote was unanimously in favor 6-0.

Adjournment

George Watkins made a motion to adjourn the meeting at 9:03pm after the executive session. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Conservation Agent

Harvard Conservation Commission
Requests for Determination of Applicability Hearing Meeting Minutes
Mass Highway, Routes 2 and I-495, Harvard#0308-1&2
March 20, 2008

The public hearing was opened at 7:36pm by Chairman Paul Willard under the Wetland Protection Act, MGL Chapter 131 §30 and the Code of the Town of Harvard, Chapter 119 the Wetland Protection Bylaw in the Town Hall meeting room

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

Others Present: Liz Allard (LUB Admin), Scott Nutting, Josh Gould, Al Combs, Candy Frazer, William Clougherty (Mass Highway) and Bob Douglas.

This hearing is for two Requests for Determination of Applicability filed on behalf of Mass Highway for the resurfacing and related construction activity within the 100' wetland buffer zone along Route 2 & I-495, Harvard.

William Clougherty explained he is hoping to do the resurfacing of Route 2 & 495 in the late summer. Erosion controls will be silt fence and hay bales. Don Ritchie asked if just hay bales could be used since the silt fences never seem to be removed. Mr. Clougherty stated that some of the Towns are asking not to use hay bales because of the invasive species they can carry along with them; however as part of the contracts for the work the contractors do not receive final payment until all of the erosion controls are removed. Paul Willard would think silt fence would be sufficient. It was asked that the applicant inform the office when the silt fence is being installed.

Jim Breslauer made a motion to close the hearing and issue two Negative Determinations#3 with the conditions that only silt fence shall be used and the silt fences shall be removed within thirty (30) days after completion of work. Charlie Gorss seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Boards Administrator/
Conservation Agent

**Harvard Conservation Commission
Amendments to Code of the Town of Harvard
Chapter 147 Wetland Protection Bylaw Rules Hearing
March 20, 2008**

The public hearing was opened at 7:50pm 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 in the Town Hall meeting room

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

Others Present: Liz Allard (LUB Admin), Scott Nutting and Josh Gould

This hearing is for the approval of amendments made to Chapter 147 Wetland Protection Bylaw Rules.

The Commission has spent the last several hearings reviewing and editing amendments to Chapter 147 in regards to the regulations of the Harvard Wetland Bylaw. With no additional comments, Don Ritchie made a motion to accept Chapter 147 Wetland Protection Bylaw Rules as amended. Charlie Gorss seconded the motion. The vote was unanimously in favor of the motion with the exception of George Watkins who abstained from voting.

Respectfully submitted,

Liz Allard
Land Use Boards Administrator/
Conservation Agent