

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
May 15, 2008
Approved: August 7, 2008**

Chairman Paul Willard called the meeting to order at 7:08pm in the Town Hall Meeting Room

Members Present: Paul Willard, Jim Breslauer, Charlie Gorss, Don Ritchie, Wendy Sisson, George Watkins and Joshua Gould (Associate Member)

Others Present: Liz Allard (LUB Admin), Gary Shepard (Ross Assoc.), Valerie Hurley (Harvard Press), Jim Lee (Park & Rec), Carl Cartcath and Roxanne Mace

Conservation Restrictions

It was noted that several conservation restrictions still need to be completed and submitted to the State for approval. Wendy Sisson, George Watkins and Liz Allard will work on getting these applications completed.

Historical Commission Representative

Jim Breslauer stated that as of July he can no longer be the Commissions representative to the Historical Commission. Mr. Breslauer will submit an official resignation to the Historical Commission.

Election of Officers

George Watkins made a motion to continue for another year the existing officers, Paul Willard chairman, Wendy Sisson vice chair and Don Ritchie as the Treasurer. Jim Breslauer seconded the motion. The vote was unanimously in favor of the motion.

Request to reestablish waterway at 110 Tahanto Trail

Liz Allard informed the Commission that the contractor at 110 Tahanto Trail has requested that the water way be cleared to reestablish the access to the pond. The Commission determined that the vegetation being requested to be removed are wetland plants and not weeds and a Request for Determination of Applicability would need to be filed for this activity.

Open Space & Recreation Plan Maps

Liz Allard informed the Commission that she has received the proposal for the maps for the Open Space & Recreation Plan. The cost for Montachusett Regional Planning Commission to create the maps will be \$2,037.00. Wendy Sisson made a motion to allocate funds to pay for maps needed for the Open Space & Recreation Plan as well as for mapping for Conservation Restrictions. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

Certificate of Compliance – IAFT, LLC, 62 Old Mill Road, DEP#177-498

Liz Allard informed the members that a request for a Certificate of Compliance has been received for 62 Old Mill Road. A site review was conducted and all work has been completed in conjunction with the Order of Conditions. George Watkins made a motion to issue a Certificate of Compliance for 62 Old Mill Road, DEP#177-498. Charlie Gorss seconded the motion. The vote was unanimously in favor of the motion.

Continuation of a Notice of Intent Hearing – Richard & Roxanne Mace, 38 Peninsula Road, DEP#177-548, Harvard#1207-1. Opened at 7:30pm

Request for Determination of Applicability Hearing - Harvard Public Works, Depot, Stow and Bolton Road, Harvard#0508-01. Opened at 8:15pm

Request for Determination of Applicability Hearing – Boston & Maine Corporation, Harvard#0508-02. Opened at 8:33pm

Adjournment

Jim Breslauer made a motion to adjourn the hearing at 8:48pm. George Watkins seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

Harvard Conservation Commission
Continuation of a Notice of Intent Hearing Meeting Minutes
Richard & Roxanne Mace, 38 Peninsula Road, DEP#177-548, Harvard#1207-1
May 15, 2008

The public hearing was opened at by 7:30pm 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, Jim Breslauer, Charlie Gorss, Don Ritchie, Wendy Sisson, George Watkins and Joshua Gould (Associate Member)

Others Present: Liz Allard (LUB Admin), Gary Shepard, Roxanne Mace and Carl Cartcath

This hearing was continued from May 1, 2008 on a Notice of Intent filed on behalf of Richard & Roxanne Mace, for the proposed restoration/plantings in response to an Enforcement Order and associated grading and driveway construction within 200' of Bare Hill Pond at 38 Peninsula Road, Harvard.

A site walk was conducted a few weeks ago with Carl Cartcath the consultant for the Commission, Liz Allard and Gary Shepard of Ross Associates. Based on that site visit Mr. Shepard came up with a plan based on the consultant's recommendations. Mr. Cartcath reviewed the plan and made more comments, which are incorporated into the revised plan submitted this evening. Mr. Cartcath did not recommend letting the stumps re-vegetate. A shrub area at the waters edge will be allowed to re-establish. At the front of the house new trees have been added to the plan. The existing trees will grow larger and be allowed to spread out creating a larger canopy. Woodchips were recommended for the back area to aid in the growth process. Stumps will be ground. Perennials will be planted around the house.

Mr. Shepard stated that a wooden stairway down to the pond was requested at a previous meeting and a plan for those stairs has been submitted. The structure will be four feet wide and supported by sono tubes expanding out six feet and will be cantilevered to the existing dock. The stairway will aid in the reduction of erosion.

Don Ritchie asked why there are no evergreens at the back of the house. Mr. Cartcath stated smaller trees will establish better and grow quicker. If you put an evergreen next to a deciduous tree the deciduous will grow better. Mr. Cartcath objective was to establish the area as quick as possible. Mr. Cartcath stated putting large trees in the area would not do well. Trees were chosen that were native to the site and which the soil was already conditioned to. Mr. Ritchie would like to see white pines placed on the pond side of the house.

Paul Willard stated that in terms of the plantings the Commission knows it is difficult to establish trees and that is why you did not specify larger size trees; however is there any way to guarantee that these trees will survive. Mr. Cartcath stated an irrigation system could be installed. The Commission agreed that a monitoring provision will need to be part of the Order of Conditions. Mr. Cartcath recommended that monitoring be done once a month for the first six months to be certain the trees are being watered.

Wendy Sisson does not see this as a restoration plan and thinks the instructions were not given to the consultant correctly. Ms. Sisson is not seeing feedback on this plan that accomplishes what the Commission wants. Mr. Shepard asked what she would like to see. Ms. Sisson stated a plan that replaces the functions of the area prior to the cutting, such as for the wildlife. The effect we are looking for is a vegetated buffer on Bare Hill Pond. Mr. Cartcath recommended adding 3 or 4 foot evergreens. Mr. Shepard explained why the plan is the way it is. Upon recommendation of the Commission's consultant less trees would promote more growth, where as more trees would produce less growth. Mr. Willard would prefer to see the species that were cut be replaced, but is okay with the sizes of the trees. Mr. Ritchie can not understand why 17 trees were cut and only 5 are replaced.

Ms. Sisson made a motion to continue the hearing to be able to get more details of stairway and discuss the details of restoration and clarifying what the Commission is after here. Don Ritchie seconded the motion.

Mr. Shepard objected to continuing the hearing. Jim Breslauer stated he has been pretty skeptical with this plan for a while, however the Commission chose Mr. Cathcart as their expert and this is what he recommended. Mr. Breslauer would prefer some evergreens for some year round blockage from the pond and would like to see a detail of the walkway before final approval.

Mr. Breslauer was not in favor of the motion on the floor. He stated that he did not believe we could continue the hearing without the proponent's consent because of the time requirements in the Act and bylaw. Mr. Breslauer stated the Commission should approve the plan with conditions to include two evergreens replace two trees on the pond side of the plan, additional detail of the stairway be submitted and a monitoring plan be established for once a month for the first six months and annual reports for the following five years.

A vote was taken on Ms. Sisson motion to continue the hearing. The vote was 2-4 with Paul Willard, Jim Breslauer, Charlie Gorss and George Watkins opposing the motion.

Jim Breslauer made a motion to close the hearing and write an Order of Conditions to include the above mentioned conditions. Charlie Gorss seconded the motion. The vote was 4-2 with Wendy Sisson and Don Ritchie opposing the motion.

Respectfully submitted,
Liz Allard Land Use Administrator/Conservation Agent

**Harvard Conservation Commission
Request for Determination of Applicability Hearing Meeting Minutes
Harvard Department of Public Works, Harvard#0508-01
May 15, 2008**

The public hearing was opened at by 8:15pm 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, Jim Breslauer, Charlie Gorss, Don Ritchie, Wendy Sisson, George Watkins and Joshua Gould (Associate Member)

Others Present: Liz Allard (LUB Admin), Rich Nota and Jim Lee

This hearing is for Request for Determination of Applicability filed on behalf of the Harvard Department of Public Works for the resurfacing the entire length of Depot Road with bituminous concrete and resurfacing the entire length of Stow and Bolton Road with liquid asphalt stone seal, as well as minor grading and drainage repairs within the 100' buffer zone in some areas.

Rich Nota explained that all drainage will be inspected prior resurfacing to determine if they are working properly. Maintenance may need to be done. Paul Willard asked that if any work needs to be done in or near the culverts that silt fence be installed.

Jim Lee asked if any work road work that is done can minimize the road width and maximize the shoulders to aid with the connecting trails. Mr. Nota stated the work he is proposing will not have any impact on what Mr. Lee is trying to do. The plan is for resurfacing what is there now.

Don Ritchie made a motion to close the hearing and issue a Negative #3 Determination. George Watkins seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

Harvard Conservation Commission
Request for Determination of Applicability Hearing Meeting Minutes
Boston & Maine Corporation, Harvard#0508-02
May 15, 2008

The public hearing was opened at by 8:33pm 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, Jim Breslauer, Charlie Gorss, Don Ritchie, Wendy Sisson, George Watkins and Joshua Gould (Associate Member)

Others Present: Liz Allard (LUB Admin)

This hearing was for a Request for Determination of Applicability filed on behalf of Boston & Maine Corporation for the verification of the wetland boundaries along the B&M Rights of Way in the Town of Harvard.

The members agreed that would like to conduct a site walk of the area before issuing a permit. George Watkins made a motion to continue the hearing until June 5, 2008 at 7:30pm. Wendy Sisson seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent