

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
March 19, 2009
APPROVED: June 18, 2009**

Chairman Paul Willard called the meeting to order at 7:01pm in the Town Hall Meeting Room

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

Others Present: Liz Allard (LUB Admin), Dan Wolfe (Ross Assoc.), Robert Adam and Karyn & Thomas McFarland

Potential Wetland Violation – McFarland, 13 Haskell Lane

On a recent site visit of 9 Haskell Lane members observed clearing of the understory at 13 Haskell Lane. The owners were requested to attend this evenings meeting to discuss the situation and a resolution. Karyn McFarland stated that a lot of tree branches have been tended too after the December ice storm. Paul Willard stated the idea is to allow a natural vegetation to grow up along the existing stream and its associated buffer zone. Wendy Sisson stated the other issue on the site is the horses. Ms. McFarland stated she has a dumpster for manure and the stalls and turn out are cleaned twice a day. Ms. Sisson stated she had not seen any bushy edge around the pond and that could help with filtration. Mrs. McFarland stated there are blueberry bushes along the edge of the pond. Mr. Willard stated anything that would slow down the water and take up the nutrients would be recommended around the pond and stream. George Watkins asked if the dumpster was covered. Mrs. McFarland stated no, but it does not leak. Ms. Sisson stated planting along the stream and pond should be done by hand. Liz Allard will send the McFarlands a list of non-invasive plants. Mr. Watkins is inclined to let the areas come back naturally. Thomas McFarland stated a tree that fell over will be removed. Mr. Willard recommended creating a vegetative management plan if the McFarlands would like to maintain the area in the future.

Holy Hill Tree Removal

George Watkins asked if the Commission would allow him to clear and remove tree that has come down on the Holy Hill land for his own use. Wendy Sisson made a motion allowing George Watkins to remove a downed tree on Holy Hill at his own risk. Jim Breslauer seconded the motion. The vote was unanimously in favor of the motion.

Potential Encroachment on Conservation Land – Holy Hill Shaker Meadows

Liz Allard informed the members that she had received a report of encroachment onto a portion of the Holy Hill land by the homeowners at 91 Ann Lees Road. Members will review and discuss at the meeting.

Continuation of a Notice of Intent – Robert Adam, 204 West Bare Hill Road, DEP#177-560, Harvard#0109-02. Opened at 7:30pm

Minutes

Don Ritchie made a motion to accept the minutes of March 5, 2009 as amended. Wendy Sisson seconded the motion. The vote was unanimously in favor of the motion.

ZBA Request for Comments

The Commission has received two requests for comments from the ZBA. The first is a renewal of a Special Permit at 32 Turner Lane. As this is just a renewal of the existing Special Permit, the Commission had no comments. The second is for additions to an existing structure at 49 Littleton Road. Both additions will be within the buffer zone and would require a filing with the Commission. Comments to that regard will be sent to the ZBA and the applicant.

Discussion of Nitrogen Credit Land Restriction – Ayer Road Meadow

Liz Allard explained what she had discovered when she reviewed 310 CMR 15.216 in regards to nitrogen credit land. 310 CMR 15.216 clearly states “Both the facility land and the credit land must be restricted in perpetuity through either an appropriate conservation restriction or a nitrogen loading restriction and easement.” Members agreed a letter should be sent to Wheeler Realty Trust and GPR, Inc., for clarification on the matter.

Dean’s Hill Conservation Restriction

Wendy Sisson provided portions of the drafted conservation restriction (CR) for Dean’s Hill as it pertains to the allowed uses on the property. Paul Willard asked why the Commission is allowing snowmobiles at all?. Charlie Gorss stated the matter has not been discussed at a Land Stewardship Subcommittee (LSS) meeting as of yet. Ms. Sisson suggested looking for advice from other towns that allow snow mobiles on Conservation land. Jim Breslauer suggested annual approval for snow mobiles. Ms. Sisson does not like the CR permitting snowmobiles forever and is not certain if this language is adequate. Josh Gould stated that the designated suitable trails would give the Commission the opportunity to revoke use at any time of year, even with yearly written approval. Ms. Sisson will inform the LSS of the suggested changes.

Enforcement Order - 16 Warren Avenue

Liz Allard informed the members that 16 Warren Avenue has cleared out trees within the buffer zone without a valid Order of Conditions. The members agreed an enforcement order should be sent to the property owners requesting all activity cease until they are able to meet with the Commission.

Adjournment

George Watkins made a motion to adjourn the meeting at 9:08pm. Don Ritchie 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
204 West Bare Hill Road, DEP#177-560, Harvard#0109-02
March 19, 2009**

The public hearing was opened at 7:30pm by Chairman Paul Willard under the Massachusetts Wetland Protection Act, Ch. 131 §40 in the Town Hall Meeting Room

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

Others Present: Liz Allard (LUB Admin), Dan Wolfe (Ross Assoc.) and Robert Adam

This hearing was continued from March 5, 2009 for a Notice of Intent filed by Robert Adam for the renovation of an existing single family residence to include drainage, grading and the installation of a new gravel driveway within the 100' wetland buffer zone at 204 West Bare Hill Road, Harvard.

Dan Wolfe presented the revised plan as recommended at the last meeting and the site walk on March 12th. Electrical hookup may be better served being connected to the south west side of the house. Mr. Wolfe explained if electricity does have to come from the pole further down the road the Order of Conditions would need to be amended. Jaye Waldron wanted to know if the north-west corner would be repaired to improve the erosion that is going on. Mr. Wolfe stated that area will require a lot of work as Mr. Adam is not sure the condition of the foundation. Jim Breslauer asked where the roof runoff on the north-west corner of the house will go. Mr. Wolfe explained the plan for that portion of the house. It was requested that additional riprap be placed on that corner of the house and shown on the plan.

Wendy Sisson made a motion to issue an Order of Conditions to include the condition that if an alternative electrical hookup is required than the applicant shall be required to amend the Order of Conditions. Jim Breslauer seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent