

HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
July 23, 2009
APPROVED: August 20, 2009

Chairman Paul Willard called the meeting to order at 7:01pm in the Main Meeting Room of the old Library

Members Present: Paul Willard, Wendy Sisson, Charlie Gorss, Don Ritchie, Jim Breslauer, Jaye Waldron and Josh Gould

Others Present: Liz Allard (LUB Admin), Mark Hastings, Shelly Cobieigh (R. Wilson Assoc.) and Ann Taylor (Community Garden)

Thurston Cove

Mark Hastings was present to formally request the Commission take a vote on public vehicle access at Thurston's Cove. Jaye Waldron stated she has reviewed the sign and it states no vehicular access. Paul Willard stated the Commission can vote one way or the other, but the police may not be able to support that by law. A vote was taken in March of this year that does not allow access to vehicles beyond the gate. The Commission is not certain if the sign has any legal bearing. Mr. Willard stated the Police Chief agrees. A review of the files showed that Bill Thurston suggested previously having parking area on Warren Avenue. Wendy Sisson asked if the Commission could indicate with signs where parking could be at the top of the driveway without impeding it. Mr. Hasting agreed to this suggestion. Ms. Sisson thinks this is a subject in which we need others, such as the Board of Selectmen, opinion.

Mr. Hastings asked if an editorial letter be put in the local papers. Ms. Sisson said the Commission could do that. Mr. Hastings was asked if there is a problem with moving the rocks out closer to the road. Mr. Hastings explained that they were put in a location that allows an emergency vehicle access if needed. Josh Gould asked why the police are not willing to enforce. The answer is there is no ticket they can write for because it is Conservation Land. The Commission agreed to add signs at the lower area similar to the one at the roadway.

Community Garden Update

Ann Taylor from the Community Garden was present to request a shed for tools, in which an eagle scout is willing to construct for them. The structure would be similar in size of kiosks. Paul Willard asked how big the structure would be. Ms. Taylor stated about the size of a door. The Commission asked that once a design is agreed upon to bring a plan to the Commission for approval.

Notice of Intent Hearing – Bruce Perry, 133 Clinton Shore Drive, DEP#177-563, Harvard#0709-01. Opened at 7:34pm

Request for a Certificate of Compliance - Alan Zhong, 210 Littleton County Road, DEP#177-524

After the site walk on July 21st the members had suggested that a letter to be sent outlining the items that have not been completed along with a request for explanation as to why some structures were not located in the proper locations. A letter was drafted and circulated. Members made suggested revisions. Josh Gould made a motion to send the letter to the applicant's representative denying the Request for a Certificate of Compliance until issues outlined in the letter are resolved. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Request to Amend Order of Conditions - 339 Stow Road, DEP#177-522

A site walk was conducted on July 21st at the request of Hillary Kavanagh to determine if additional mowing could be allowed on her property beyond that that is allowed in the existing conditions. Mrs. Kavanagh would also like to be able to move the granite markers back to the fifty foot line as people keep knocking them over since they are right on the edge of the driveway. The members agreed that the Kavanagh's should bring us a plan that can be discussed informally and then have a hearing for an amendment. Don Ritchie thinks the Order should be left alone.

50' Buffer Zone Violation - 335 Stow Road

While conducting the site visit at 339 Stow Road the members noticed extensive amount of mowing right up to the edge of the pond on the abutting property at 335 Stow Road. Jim Breslauer wants the homeowner stop mowing within 50' of the pond. Paul Willard contends that there should be no disturbance within 50' and mowing is disturbance. Wendy Sisson does not recommend an Enforcement Order, but does not think what they have done is bad for wildlife unless the mowing is being done when it is wet. Josh Gould thinks that since the 50' setback is a part of the regulations it should not have to be noted within the Order of Conditions. Don Ritchie suggested sending a letter asking that the 50' no disturb zone be observed. Liz Allard will draft a letter to be reviewed and approved at the next meeting.

Holy Hill Cutting

Bob Moran had volunteered to cut the field last year, but it seems as if he did not. Wendy Sisson is in favor of keeping fields open that are already open. Paul Willard will call Mr. Moran over the weekend to determine if he still interested in doing this work.

Trail Ridge - Expired Order of Conditions, DEP#177-457

Liz Allard explained to the members that the Order of Conditions for Trail Ridge on Littleton County Road, expired over a year ago and that she has been attempting to get them to file a Certificate of Compliance for the work that has been completed and a new Notice of Intent for the work that still needs to be done. The members agreed that an Enforcement Order should be issued.

Available Lot on Woodside Road

Liz Allard has been contacted by Susan Link in regards to a parcel of Woodside Road that her family is willing to donate to the Commission if the Commission is interested.

The Commission agreed that they were interested. Mrs. Allard will contact Mrs. Link and inform her she will need to have her attorney draft the paper work for Town Counsel to review.

Zoning Board of Appeals Request for Comments – Shappy 14 Whitney Farm Road

The Commission has received a request for comments from the ZBA in regards to a Special Permit application for an addition to a pre-existing non-conforming structure at 14 Whitney farm Lane. The Commission had no comments

Adjournment

Don Ritchie made a motion to adjourn the meeting at 8:26pm. Wendy Sisson seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

Harvard Conservation Commission
Notice of Intent Hearing Meeting Minutes
Bruce Perry 133 Clinton Shore Drive, DEP#177-563, Harvard#0709-01
July 23, 2009

The public hearing was opened at 7:43pm by Chairman Paul Willard under the Massachusetts Wetland Protection Act, Ch. 131 §40 and the Code of the Town of Harvard, Chapter 119 the Wetland Protection Bylaw in the Main Meeting Room of the old library

Members Present: Paul Willard, Wendy Sisson, Charlie Gorss, Don Ritchie, Jim Breslauer, Jaye Waldron and Josh Gould

Others Present: Liz Allard (LUB Admin) and Shelly Cobieigh (R. Wilson Assoc.)

This hearing is for a Notice of Intent filed on behalf of Bruce Perry for the upgrade of an existing sewage disposal system with components within 200' of Bare Hill Pond at 133 Clinton Shore Drive, Harvard.

Shelly Cobieigh stated that this plan is the same septic plan as previously approved by the Commission, but has since expired. Don Ritchie asked how they are going to get the machine in there and the soil out. Ms. Cobieigh stated they are proposing using a bobcat to build a small ramp of dirt and come in and out from there. Mr. Ritchie asked that the trees that will be taken out be marked prior to their removal. Hay bale detail needs to be reversed on the plan. No tree stumps are to be removed unless for excavation purposes only. The force main will be located as far away from the pond as possible. Note 2 should be changed to 200'. Revised plans shall be stamped by a certified engineer. Revisions were made to the hay bale line. Wendy Sisson asked if this is a project in which we want someone on sight to see what trees will be removed. The members agreed. A condition will be included that requires that the office will be contacted when the site work is to be done.

Don Ritchie motion to close the hearing and write an Order of Conditions to include the special conditions that no tree stumps are to be removed except for excavation purposes and the office will be contacted when the site work is to be done. Charlie Gorss seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent