

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
SEPTEMBER 3, 2009
APPROVED: October 1, 2009**

Vice Chair Wendy Sisson called the meeting to order at 7:02pm in the Town Hall Meeting Room

Members Present: Wendy Sisson, Don Ritchie, Charlie Gorss, Jim Breslauer and Jaye Waldron

Others Present: Liz Allard (LUB Admin), Barbara Hadad, Louis Hadad, Tim Firment (Fruitland's), John & Mary Ann Boynton and Dave Cully (Lancaster Septic)

Minutes

Charlie Gorss made a motion to accept the minutes of August 20, 2009 as amended. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Potential Storm Water Management Bylaw

Liz Allard recommended the Commission draft a Stormwater Management Bylaw for approval at the 2010 Annual Town Meeting. Members agreed to the suggestion. Mrs. Allard will draft a Bylaw for Jim Breslauer to review.

Input for Community Preservation Committees (CPC) Goals and Needs Assessment

Don Ritchie reviewed the document sent by Steve Rowse, Chairman of the CPC in regards to their goals and needs. Mr. Ritchie stated the Assessment references the 2003 Open Space and Recreation Plan, which should be changed to reference the 2008 Plan. Members would like to see the stewardship and management of Town Conservation Land added as well. A letter to this regard will be sent to the CPC for the October 22nd meeting.

Fruitland's Request for Sponsorship of a Community Preservation Application

Jim Breslauer filed an ethics disclosure with the Board of Selectmen today as he has a family membership to Fruitland's. Charlie Gorss feels that as a voting member of the Community Preservation Committee (CPC) he should not vote on this matter.

Mr. Breslauer asked what if anything has Fruitland's done in response to the items within the 1999 Ecological Inventory and Conservation Management Plan. Tim Firment explained Fruitland's had taken the tree farm and made it into an open meadow. Mr. Firment elaborated on what it is Fruitland's would like to do should a new Plan be developed. Mr. Breslauer asked if the field that Fruitland's cleared was interior or edge forested land. Mr. Firment stated edge. Mr. Breslauer asked if Fruitland's developed a plan to control invasive plant species. Mr. Firment stated Fruitland's is working on that with Harvard Forest. Mr. Breslauer asked why it has taken 10 years to get started with the recommendations in the Plan. Mr. Firment explained that the last 10 years have been tumultuous for Fruitland's in several ways. Mr. Breslauer asked what the time frame is

for getting a plan in place and implementing it. Mr. Firment stated it would be at least a year for a new Plan and then the development of a Master Plan would set forth the implementation of the recommendations made within the new Plan. Does Fruitland's have budgeting in place if this funding does not come through? Mr. Firment stated yes through grants, as well as other sources would be examined. Mr. Breslauer asked if this Plan will take a year and Fruitland's has other sources to get the funds for developing the Plan then why do they need CPC funding this year. Mr. Firment explained the funds would be used for the study only, as CPC funds can not be used for maintenance.

Wendy Sisson's basic concern is that yes Fruitland's is hugely important to the Town, as with its 200 acres of open space and scenic view, but the land has no protection. Certainly doing an ecological inventory is valuable, but it is hard for the Town of Harvard to get grant money and the Commission needs funds to manage Town lands. The Commission should endeavor to get CPC funds for managing Town land rather than sponsor the allocation of CPC funds for private land.

Mr. Breslauer read the information previously submitted and it is clear that the study can be done with CPC funds, but the recommendations of the study cannot be implemented with CPC funds. Mr. Firment thinks the Commission has to look at what is good for the Town and not just what is good for an individual group. Ms. Sisson still feels there is other grant money available for Fruitland's.

Jim Breslauer made a motion to reopen and support the sponsorship of Fruitland's. There was no second to Mr. Breslauer's motion. Other members wanted time to review information recently submitted before making a final decision. The Commission agreed to re-discuss at the September 15th meeting.

Sign Conservation Restriction for the Harvard Conservation Trust (HCT) – Dolan/Mason Land Woodchuck Hill Road

Victor Normand was present from the HCT to present the Commission with a Conservation Restriction to be held by the Commission on 7.25 acres of land on Woodchuck Hill Road. The intention is keep open meadow open and there is an existing trail easement across the land.

Jim Breslauer made a motion to accept the grant restrictions and sign and the Conservation Restriction for the Harvard Conservation Trust on the Dolan/ Mason Land on Woodchuck Hill Road. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

Continuation of a Request for Determination of Applicability Hearing – Barbara Hadad, 9 Haskell Lane, Harvard#0309-01. Opened at 7:53

Request for Determination of Applicability Hearing – John Boynton, 12 Peninsula Road, Harvard#0809-04. Opened at 8:00pm

Adjournment

Don Ritchie made a motion to adjourn the meeting at 8:40pm. Jaye Waldron 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 Request for Determination of Applicability
Hearing Meeting Minutes
Barbara Hadad, 9 Haskell Lane, Harvard#0309-01
September 3, 2009

The public hearing was opened at 7:53pm by Vice Chair Wendy Sisson under the Massachusetts Wetland Protection Act, Ch. 131 §40 and the Harvard Wetland Bylaw, Code of the Town of Harvard, Chapter 119 in the Town Hall Meeting Room

Members Present: Wendy Sisson, Charlie Gorss, Don Ritchie, Jaye Waldron and Jim Breslauer

Others Present: Liz Allard (LUB Admin), Barbara Hadad and Louis Hadad

This hearing was continued from April 16, 2009 for the flat cut of downed tree stumps, cut, stack and remove downed trees and branches, plant one tree for each downed tree and remove cut trees/branches for use as fire wood within the 100' wetland buffer zone at 9 Haskell Lane, Harvard.

Barbara Hadad explained that a large amount of wood has been removed from the area, but some still needs to be removed. Stumps have not been ground. Area has naturally re-vegetated and trees have not been planted. Some stumps have sprouted new growth. Mrs. Hadad plans to plant a Colorado blue spruce outside the buffer zone. Liz Allard explained that she visited the site today and the site has grown in nicely. The Commission agreed that poison ivy issues outside the buffer zone can be taken care of, but within the buffer zone it can not be disturbed. When a location for the spruce is determine the Hadad's have been asked to contact the office so that it can be approved by the Agent.

Don Ritchie made a motion to close the hearing and issue a Negative #3 Determination to include the maintenance of the mowing six feet from the edge of Haskell Lane. Charlie Gorss 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
John Boynton, 12 Peninsula Road Harvard#0809-04
September 3, 2009

The public hearing was opened at 8:00pm by Vice Chair Wendy Sisson under the Massachusetts Wetland Protection Act, Ch. 131 §40 the Harvard Wetland Bylaw, Code of the Town of Harvard, Chapter 119 in the Town Hall Meeting Room

Members Present: Wendy Sisson, Charlie Gorss, Don Ritchie, Jaye Waldron and Jim Breslauer

Others Present: Liz Allard (LUB Admin), John & Mary Ann Boynton and Dave Cully (Lancaster Septic)

This hearing is for a Request for Determination of Applicability filed on behalf of John Boynton for the replacement of an existing septic pipe within 200' of Bare Hill Pond at 12 Peninsula Road, Harvard.

Liz Allard explained to the members that the project consists of the replacement of a plugged septic line within 200' of the Bare Hill Pond. Dave Cully stated all work should be completed in one day. Members would like the work done on a dry day.

Jim Breslauer made a motion to close the hearing and issue a Negative #3 Determination with no additional special conditions. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent