

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
January 21, 2010
APPROVED: February 4, 2010**

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, Jaye Waldron, Jim Breslauer and Patrick Doherty

Others Present: Liz Allard (LUB Admin), Kevin Lizotte, Timothy Turnbull, Dan Wolfe (Ross Associates), Bill Johnson (Bare Hill Pond Watershed Committee) and Jeff Ritter (Bare Hill Pond Watershed Committee)

Review Order of Conditions with New Owner – Lizotte, 46 Prospect Hill Road, DEP#177-533

Kevin Lizotte was present with a revised plan showing the house further away from the wetland as required by the Order of Conditions. Members compared the two plans. The revised plan shows the house at 89' from the edge of the wetland. Wendy Sisson expressed concern with ice melt products on the driveway that could potentially enter the wetland. Paul Willard explained that the area is relatively flat and that should not be a concern. The members thanked Mr. Lizotte for attending the meeting and welcomed him to Town.

Dock Installation on Peninsula Road – Timothy Turnbull

Timothy Turnbull was present and stated he has removed the dock since receiving the letter from the Commission. Mr. Turnbull has done so as he is not interested in going through the filing process with the State under Chapter 91.

Mr. Turnbull asked for permission to take down a tree that was damaged during the ice storm and is now dead. Jim Breslauer asked how close the tree is to the overhead wires. Mr. Turnbull stated 60-70 feet. Wendy Sisson thanked him for asking, but made it clear that a dead tree has value to wildlife; however this tree is a safety issue. The members do not want the stump of the tree to be ground; otherwise the tree may be removed as requested.

Bromfield Science Fair – February 5, 2010

Wendy Sisson volunteered to judge the Bromfield Science Fair, but will need at least one other person. Patrick Doherty stated he would be able to judge the Fair as well. Charlie Gorss will be back up if either are unable to attend. Liz Allard will follow up with Don Ritchie to see if he is willing to present the awards. Ms. Sisson will purchase awards to be presented from the Commission, in which she will be later reimbursed for.

Snowmobile Trails

Wendy Sisson stated steep areas around the pond which have a small amount of snow cover may be being over used by snowmobiles. Also, portions of the stone wall on the Clapp land and tree stumps have been removed by the snowmobile club. Ms. Sisson stated approximately five feet of the stone wall was removed. Ms. Sisson suggests that the copies of the snowmobile trail map be given to the member so that they may review the trails for recommendations of improvement. Ms. Sission suggested that, like horse use on the trails, maybe when conditions are bad snowmobiles should not be using the trails. Patrick Doherty stated the trails in the Holy Hill area were bare prior to the recent snow. Members will further discuss this matter at the second meeting in February, giving them the opportunity to review the trails.

Safety on Bare Hill Pond

Wendy Sisson questioned Bill Johnson, a member of the Bare Hill Pond Watershed Management Committee, about the bubblers running by his dock and is this an unsafe situation. Mr. Johnson stated many individuals with permanent structures do this to protect the integrity of the structure. Ms. Sisson asked if this may be creating an unsafe situation for individuals using the pond in the winter months. Mr. Johnson stated that a person is able to see where the ice ends and the water starts. Mr. Johnson and members of the Commission felt that this is not an uncommon practice and it not creating an unsafe situation.

Notice of Intent Hearing – Sanjay & Chrysa Gulati, 92 Tahanto Trail, Harvard#0110-01. Opened at 7:32pm

Continuation of a Request for Determination of Applicability Hearing – Bare Hill Pond Watershed Management Committee, Town Beach, Harvard#1209-01. Opened at 8:00pm

Reuben Reed Land & Parking

Paul Willard stated he has reviewed the deed of the Reuben Reed land next to the businesses on Massachusetts Avenue just off the center of Town. Mr. Willard stated the gift is clear that there is to be no parking on this parcel and what is going on now is illegal and will need to be addressed. Members questioned why this subject had come up. Mr. Willard explained that there is a Municipal Building Task Force working on a solution for the Town buildings in and around the center and if the old library is to be used for Town Hall they will need additional parking. It has been mentioned that this area could be used for that purpose. Mr. Willard is planning on attending the Municipal Buildings Workshop on January 30th and he will inform the task force of what he has learned about the use of the Reuben Reed land.

Minutes

Jim Breslauer made a motion to accept the minutes of January 7, 2010 as amended. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Planning Board Proposed Protective Bylaw Amendments

Liz Allard explained the proposed Protective Bylaw amendments being brought forward by the Planning Board (PB) for the 2010 Annual Town Meeting. The PB is seeking support from all of the Land Use Boards on the proposed amendments. Mrs. Allard explained briefly the amendments the PB is proposing. The members agreed that a letter of support of these amendments should be sent to the PB. Mrs. Allard will send a letter to the PB expressing the Commission's support.

Dean's Hill Conservation Restriction

Town Counsel, Mark Lanza, has reviewed and returned the Conservation Restriction for Dean's Hill with recommended changes. Jim Breslauer will review Chapter 44B §12(a) to determine if it relates to the Community Preservation Act as stated in the restriction. Wendy Sisson had minor adjustments to the document which Liz Allard will incorporate and re-send to Attorney Lanza for final review.

Adjournment

Jim Breslauer made a motion to adjourn the meeting at 9:10pm. 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
Notice of Intent Hearing Meeting Minutes
Sanjay & Chrysa Gulati, 92 Tahanto Trail, Harvard#0101-01
January 21, 2010**

The public hearing was opened at 7:32pm by Chairman Paul Willard 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: Paul Willard, Wendy Sisson, Charlie Gorss, Jaye Waldron, Jim Breslauer and Patrick Doherty

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

This hearing is for a Notice of Intent filed on behalf of Sanjay & Chrysa Gulati for the removal of an existing structure and the construction of a single-family dwelling in the approximate same location within 200' of Bare Hill Pond at 92 Tahanto Trail, Harvard.

Dan Wolfe explained the site consists of an existing cottage that will be taken down and a new structure almost within the same foot print of the existing structure will be constructed. The new structure will be moved further back from Bare Hill Pond, but will consist of an 8' overhang added to the front. The location of the new structure will be just outside the 100' wetland buffer zone of Bare Hill Pond. All septic components will be outside the buffer zone. The existing garage will remain.

Jim Breslauer asked if there is any reason not to move the structure back outside of the 200' buffer zone. Mr. Wolfe indicated that ledge was a factor. Mr. Wolfe stated the Bare Hill Pond Watershed Management Committee would like to see plantings to absorb some of the nutrients; plants have been added to the revised plan Mr. Wolfe submitted earlier this week. Mr. Wolfe indicated that the new owners have done some clean up of the area of debris that had been there for some time including an old satellite dish. Wendy Sisson expressed concerns with the wetlands on the adjoining parcel. Ms. Sisson questioned if that wetland could change the location of the wetland line on the submitted plan and would this change the distances of the structure from the off-site wetland. Mr. Wolfe suggested that a note be added in the Order that off site wetlands may be impacted by any activity on the north side of the site. Ms. Sisson stated the 50' buffer zone is to be maintained as a no disturbed zone. Jaye Waldron asked if the owners would be doing anything to the driveway. Mr. Wolfe stated no, that the owner like it just the way it is. The erosion control barrier shown on the plan details a filter sock as apposed to the traditional hay bales.

With no further questions Wendy Sisson made a motion to close the hearing and issue an Order of Conditions to include the condition that there is to be a 50' no disturb area from the edge of the pond. 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
Continuation of a Request for Determination of Applicability
Hearing Meeting Minutes
Bare Hill Pond Watershed Management Committee, Town Beach, Harvard#1209-01
January 21, 2010

The public hearing was opened at 8:00pm by Chairman Paul Willard 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: Paul Willard, Wendy Sisson, Charlie Gorss, Jaye Waldron, Jim Breslauer and Patrick Doherty

Others Present: Liz Allard (LUB Admin), Bill Johnson (Bare Hill Pond Watershed Management Committee) and Jeff Ritter (Bare Hill Pond Watershed Committee)

This hearing was continued from January 7, 2010 for a Request for Determination of Applicability filed on behalf of the Bare Hill Pond Watershed Committee for the installation of a boat ramp within the resource area of Bare Hill Pond.

Bill Johnson apologized for the lack of attendance of a Committee member at the previous hearing. Mr. Johnson explained that the ramp would be constructed of a series of concrete slabs in an area graded down into the water. Charlie Gorss asked how they would be installed. Mr. Johnson stated a gravel base would be installed and the slabs for the ramp would be placed over the gravel base. Jeff Ritter noted that the Highway Director, Rich Nota, will add spring-like flags to indicate the end of the ramp to help guide the drivers when backing up.

Wendy Sisson asked about a visible marker that would indicate the pond's depth during the draw down, which would be visible from the Town beach. Mr. Johnson stated the Committee has discussed this only briefly and was thinking about a location between Barba's Point and the Town beach. Mr. Johnson stated the Committee would be returning to the Commission with a specific proposal in the near future. Ms. Sisson wants to make the point that the marker does not need to be easily readable from every vantage point on the pond, but so that the Commission can see it easily. Mr. Johnson asked if it could be viewed from the pump house, since that area is a no boat area and would work well. Paul Willard wants lettering that you can read with 10 power binoculars. This topic will be further discussed once a proposal is brought before the Commission by the Bare Hill Pond Watershed Committee.

Jim Breslauer made a motion to close the hearing and issue a negative #2 Determination. Charlie Gorss seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted, Liz Allard Land Use Administrator/Conservation Agent