

**HARVARD CONSERVATION COMMISSION  
MINUTES OF MEETING  
February 4, 2010  
APPROVED: February 18, 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 Don Ritchie, Jim Breslauer and Patrick Doherty (Jim Breslauer left the meeting at 8:10pm and Patrick Doherty left the meeting at 9:00pm)

**Others Present:** Liz Allard (LUB Admin), Tom Cotton (Bare Hill Rowing Association) and Jeff Ritter (Bare Hill Pond Watershed Management Committee)

**Installation of Staff Gauge on Bare Hill Pond Proposal**

Jeff Ritter was present to discuss with the Commission the proposal for installing a staff gauge within Bare Hill Pond in order for better knowledge of the water level during the draw downs. Rich Nota, Highway Director, will install a galvanized pole along the path of travel of the existing pipe. At high water, the pole will sit 2 – 3 feet above the crest of the water. The pole will have marking attached to the pole with half foot increments and will be easily readable. The marker will be read daily and put on the Town web site each week.

Charlie Gorss made a motion to allow the Bare Hill Pond Watershed Management Committee to install a staff gauge within Bare Hill Pond for the purpose of recording the depths of the pond all year round. Jim Breslauer seconded the motion. The vote was unanimously in favor of the motion.

**Request from the Bare Hill Rowing Association – Rock Removal on Bare Hill Pond**

Tom Cotton was present to discuss with the Commission the possibility of using a jack hammer to help remove large boulders that cause damage to boats during rowing season on Bare Hill Pond. Mr. Cotton explained that a flat bottom boat would be used to transport a generator out to the sites. Should the ice break the generator will be contained to the boat. This would be an electric generator with electric jack hammer. Patrick Doherty asked how thick the ice is. Mr. Cotton stated 10". Mr. Cotton stated if he could get the rocks to the existing ice level he would be happy.

Paul Willard asked Jeff Ritter, a member of the Bare Hill Pond Watershed Management Committee (BHPWMC) who was present, what is the draw down going to be this fall and does the gravity draw down (40") constitute an actual draw down. Mr. Ritter stated the draw down planned for the fall is tentatively scheduled for six feet, if not six and a half feet to get the bio-mat out at the Town Beach. Mr. Ritter further explained that the dredging project at the Town Beach should only take one more season to reach the goal of the BHPWMC.

With no further questions for Mr. Cotton, Wendy Sisson made a motion to allow the Bare Hill Rowing Association to bring the above mentioned equipment on to Bare Hill Pond for the purpose of reducing the size of existing boulders that interfere with rowing activities on Bare Hill Pond. Charlie Gorss seconded the motion. The vote was unanimously in favor of the motion.

Mr. Doherty feels this issue is going to be a year after year problem that may not be resolved in this manner and we may need to develop another plan. Wendy Sisson thinks there should be a sign by the boat launch indicating the depth of the pond due to the draw down. Ms. Sisson also asked if there was a map that showed where the problem areas are posted at the Town Beach or boat launch. Mr. Ritter stated there is an old version of such a map, but it is not posted. The Commission agreed that the map and information about the draw down should be posted at the Town Beach.

### **Memorandum of Understanding - Ayer Road Meadow**

Liz Allard explained to the members that she had received a letter from L.D. Russo, Inc., stating that the Department of Environmental Protection (DEP) requested additional language be added to the letter sent by the Commission on January 15, 2009 in regards to the Public Water Supply and Non-facility Credit Land, as well as the document to be notarized. Mrs. Allard reviewed the two letters and noticed that the date on the plan referenced on the January 15<sup>th</sup> letter had changed to a later date in 2009. Mrs. Allard requested the revised plan from Lou Russo. The revised plan shows an additional 0.9± acres of Conservation Land added to the non-facility credit land, for a total of 10.4± acres (the revised plan states 10.5± acres). There has been no explanation as to why the additional land will be required.

The Commission members had a number of concerns with the whole process to date. In regards to the Nitrogen Credit Land the Commission approved last January there still has been no progress on the required Conservation Restriction. Wendy Sisson stated the Commission was acceptable to allow a large septic system within a close proximity to Bower's Brook for exchange of affordable housing for the Town. The Commission would like some better assurance that the affordable housing will be constructed.

Wendy Sisson authorize Paul Willard to sign the revised MOU when there is some tangible progress on the requirement of the Conservation Restriction as stated in the letter sent to Lou Russo on Oct. 20, 2009, as well as confirmation from Town Counsel Mark Lanza that the MOU does not need to be approved by Town meeting vote. Jim Breslauer seconded the motion. The vote was unanimously in favor of the motion.

### **Approval of Minutes**

Charlie Gorss made a motion to approve the minutes of January 21, 2010 as amended. Wendy Sisson seconded the motion. The vote was unanimously in favor of the motion.

### **Open Space & Recreation Plan Committee**

Liz Allard informed the members that she is ready to send the final version of the Open Space & Recreation Plan to the State for approval. With the Plans approval the

Commission will need to establish a Committee that will implement the Plan. Mrs. Allard suggested that those responsible to achieve specific goals, as set out with the seven year action plan, should be asked to be a part of this committee.

**Certificate of Compliance – Nizus, 26 Madigan Lane, DEP#177-554**

Liz Allard informed the Commission that she reviewed the site at 26 Madigan Lane for compliance with the Order of Conditions and that all work has been completed and the area is stable. Wendy Sisson made a motion to issue a Certificate of Compliance for Steve Nizus at 26 Madigan Lane. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

**Adjournment**

Don Ritchie made a motion to adjourn the meeting at 8:33pm. Wendy Sisson seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard  
Land Use Administrator/  
Conservation Agent