

**HARVARD CONSERVATION COMMISSION  
MINUTES OF MEETING  
May 6, 2010  
APPROVED: May 20, 2010**

Vice Chair Wendy Sisson called the meeting to order at 7:04pm in the Town Hall Meeting Room

**Members Present:** Wendy Sisson, Charlie Gorss, Don Ritchie, Jaye Waldron, Jim Breslauer, Patrick Doherty and Lewis Beilman (Associate Member)

**Others Present:** Liz Allard (LUB Admin), Diana Walden (BSC Group) and Herb Bertoni (Lightower Fiber Network)

**Request for Turtle Crossing Signs on Still River Road**

Liz Allard explained to the members that Janice Kennedy contacted her in regards to the placement of "Turtle Crossing" signs on Still River Road. Mrs. Allard stated she has informed Mrs. Kennedy that the Commission may be willing to pay for the materials if she could find some students to make the signs. Mrs. Kennedy has stated that her local Girl Scout troop would be willing to make the signs. Don Ritchie made a motion to approve the disbursement of funds for the purpose of making turtle crossing signs by local Girl Scouts. Wendy Sisson seconded the motion. The vote was unanimously in favor of the motion.

**Bare Hill Pond Watershed Management Committee Update**

Jaye Waldron attended the April 28<sup>th</sup> meeting of the Bare Hill Pond Watershed Management Committee as the Commission's liaison. Ms. Waldron stated the Committee has several openings if the Commission is aware of anyone interested in participating. The Committee also discussed the potential of building a walkway along Barba's Point or a bridge from Barba's Point to the Town Beach. Wendy Sisson stated the problem with the bridge is it could interfere with boat traffic. The Commission agreed that a bridge closer to the school would be better suited. Ms. Sisson stated the trail to Baba's Point is currently on Harvard Conservation Trust land and when and if the Trust land is developed the Commission will need a walkway across the wetlands to Barba's Point. The Commission wanted to be clear that they are not in the position to fund this project entirely should it ever come about. It was Ms. Waldron's understanding that the Committee was looking to have this connection made from the Town Beach area and not the school.

The Committee also discussed the removal of the old matting within the swimming area of the beach, which will need to be removed over the next draw down season. This would require pumping out of the swimming area.

The Committee is looking into getting the local science classes involved with more of the sampling and wildlife inventory on Bare Hill Pond. The Committee has asked that the

Commission co-sponsor the weed pull this year. The Commission members were agreeable to that request.

And finally, the two frog counts that have been conducted this year have had a surprisingly large number as compared to previous years.

### **Community Preservation Committee Liaison**

Charlie Gorss stated he is willing to remain on the Community Preservation Committee as the Commission's liaison. Jim Breslauer made a motion to appoint Charlie Gorss as the Commission's liaison to the Community Preservation Committee. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

### **Review Draft Language for Nitrogen Credit Land – Ayer Road Meadow**

Jim Breslauer had previously circulated the revised version of the easement for the members' review before it is given to the Russo's. Wendy Sisson asked if there is any language about monitoring the land for protection from an increase in the nitrogen levels. Mr. Breslauer stated there is recourse if this does come up in the future. Patrick Doherty is concerned that this project is not self sufficient. Don Ritchie explained the system design should be able to handle that. Mr. Ritchie would like to see language added to the easement that requires yearly monitoring of the field. The members asked Liz Allard to follow up with the Town Sanitarian, Ira Grossman, as to what he would recommend for parameters of the monitoring wells. Ms. Sisson asked if language is necessary about who is responsible for the enforcement of the monitoring. Language will be added that if a court proceeding is required then the monies could be recouped if the Commission prevails. The limited size of the vehicles allowed will need to be amended. The members had several questions about the nitrogen credit land and requested that Mr. Grossman attend the May 20<sup>th</sup> meeting for further clarification.

### **Request for Determination of Applicability – Lighttower Fiber Network, Sherry Road, Harvard#0410-02. Opened at 7:34pm**

### **Keystone Training at Harvard Forest**

Wendy Sisson thanked the Commission for agreeing to allow her to attend the Massachusetts Keystone Project at the Harvard Forest. The three-day training session was very informative in the different approaches to forestry. Ms. Sisson learned there is a lot of advice out there for forestry plans. It is however, Ms. Sisson's opinion that the lands under the Commission's management are too small for a forestry plan that would aid in supporting habitat. Ms. Sisson is interested in getting the Land Stewardship Committee up and running again with a goal of maintaining the open fields that already exist.

Ms. Sisson along with Liz Allard is working on getting Ms. Allard the proper training and material needed to be able to create topographical and other types of maps in the office rather than outsourcing, which can be very expensive.

**Adjournment**

Don Ritchie made a motion to adjourn the meeting at 8:50 pm. Jim Breslauer 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 Meeting Minutes  
Lightower Fiber Network, Sherry Road, Harvard#0410-02  
May 6, 2010**

The public hearing was opened at 7:34pm 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, Jim Breslauer, Patrick Doherty and Lewis Beilman (Associate Member)

**Others Present:** Liz Allard (LUB Admin), Diana Walden (BSC Group) and Herb Bertoni (Lightower Fiber Network)

This hearing is for a Request of Determination of Applicability filed on behalf of Lightower Fiber Network for the installation of approximately 650± linear feet of underground communication conduit within the 100' wetland buffer zone and 200' riverfront area on Sherry Road, Harvard.

A site walk was conducted on Monday May 3<sup>rd</sup> with members of the Commission. Diana Walden explained the project to the members. The activity will take place 170' from the perennial stream and on the opposite side of the street from a small outbreak of a delineated wetland. Charlie Gorss asked about putting in poles rather than underground conduit. Herb Bertoni, of Lightower Fiber Network, explained that they had considered it, but the residents of the area would not be agreeable to that. The reasoning for the line is to connect Cisco from Harvard to Boxborough. Mr. Bertoni added that poles become a liability. Mr. Bertoni explained the work would include the use of a small excavator to install the conduit and the trench would be closed at the end of the work day. The plan shows the preferred silt sock rather than hay bales. Don Ritchie stated there is to be no washing of cement trucks on the site. Ms. Walden stated that she has not heard back from the Natural Heritage Endangered Species Program (NHESP), as this project lies within a priority habitat of rare species and estimated habitat of rare wildlife. Ms. Walden explained that they had filed with NHESP as required, but feel the project is exempt under 321 CMR 10.14(6), which allows such activity for the "installation, repair, replacement and maintenance of utility lines (gas, water, sewer, phone, electrical) for which all associated work is within ten feet from the edge of existing paved roads". The Commission has the opinion that the exemption would not be allowed as this is not a public utility and is for a private company. Jim Breslauer asked if the applicant would have an issue with continuing the hearing until the Commission heard from NHESP. Both Ms. Walden and Mr. Bertoni agreed to allow a continuance.

Jim Breslauer made a motion to continue the hearing to May 20, 2010 at 7:30pm. Charlie Gorss seconded the motion. The vote was unanimously in favor of the motion. Respectfully Submitted, Liz Allard, Land Use Administrator/Conservation Agent