

**HARVARD CONSERVATION COMMISSION  
MINUTES OF MEETING  
SEPTEMBER 16, 2010  
APPROVED: February 14, 2011**

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, Janet Waldron and Lewis Beilman (Associate Member)

**Others Present:** Liz Allard (LUB Admin), Mamie Wytrwal, Dave Caponera and Stan Dillis (Ducharme & Dillis)

**Update on Wetland Violation – 8 Westcott Road**

Liz Allard conducted a site visit along with Maryann DiPinto from the Department of Environmental Protection on Tuesday September 14<sup>th</sup>. At that time Ms. DiPinto explained to the homeowner that the activity he has been conducting requires a permit from the local Conservation Commission. Ms. DiPinto and Ms. Allard agreed that the work to restore the area, which will allow water to get to the existing stream on the abutting property, could be permitted under a Notice of Intent. The property owners have since been to the office to obtain the required paper work.

**Approval of Minutes**

Wendy Sisson made a motion to approve the minutes of September 2, 2010 as amended. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

**Transformations/ZBA Request for Consultant Endorsement & Correction to the Comprehensive Permit**

Liz Allard explained Jeff Richards of Transformations, Inc., has requested that the Commission, if required, utilize the same consultant (Nitsch) as the Zoning Board of Appeals (ZBA) during the up coming Notice of Intent (NOI) application Transformations, Inc. intends to filing with the Commission. The members agreed that when and if a consultant is needed for the NOI they will take the request into consideration, but as for now they did not want to be committed to one consultant.

Additionally, the ZBA will be meeting with Transformations on September 22<sup>nd</sup> at which time they will be discussing the possibility of change language within the Comprehensive Permit to reflect the correct request for relief from the local wetland bylaw. With that in mind, ZBA Chairman Chris Tracey requested that the Commission review the documentation and give their opinion prior to the ZBA moving forward with the correction. The members reviewed the plan and documentation and agreed that the addition of the wording is fine, although they do not like the meaning behind it.

**Request for a Certificate of Compliance – 64 Littleton Road, DEP#177-279**

Liz Allard explained to the members that she has received a Request for a Certificate of Compliance from Belinda Friedrich on a Notice of Intent issued in 1996 for the replacement of an existing septic system. Ms. Allard has reviewed the site and found it to be in compliance. Wendy Sisson made a motion to issue a Certificate of Compliance for DEP#177-279. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

**Review and Discuss Tree Cutting Policy**

Wendy Sisson stated that it was her intent to create a guide and explanation as to why the Commission cares about trees regardless of their condition. Paul Willard would like to see a shorter version of this policy. Ms. Sisson will re-draft the document for further review at the October 7<sup>th</sup> meeting.

**Continuation of a Notice of Intent Hearing – Town of Harvard, Old Boston Road, Fairbank Street and Still River Road, DEP#177-582, Harvard#0810-02.** Opened at 7:30pm

**Notice of Intent Hearing – Mamie Wytrwal, 38 Lovers Lane, Harvard#0910-01.** Opened at 7:45pm

**Draft letter to the Bare Hill Pond Watershed Management Committee**

Wendy Sisson reviewed the letter she had drafted to the Bare Hill Pond Watershed Management Committee (See Attachment A). Members had minor adjustments, which Ms. Sisson will make. Charlie Gorss proposed that that we should be looking for a consulting Limnologist and not just any Biologist. The letter will be presented to the Committee at their next meeting by the Commission's liaison, Jaye Waldron.

**Review and Discuss Fee Schedule**

Liz Allard distributed revised Form F of the Harvard Wetland Protection Bylaw Rules for the members review. Ms. Allard explained that changes made to the "Other Fees" were in association with time she would need to spend to complete the request being made as these fees were previously calculated without that of an Agent. Other changes made to the form were those discussed at the previous meeting. Members present agreed with the document as revised. A public hearing will take place on October 7, 2010. Ms. Allard will inform the members not present that they should forward any additional comments they may have onto her prior to the meeting on the 7<sup>th</sup>.

**Adjournment**

Charlie Gorss made a motion to adjourn the meeting at 9:03pm. 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 Notice of Intent Hearing Meeting Minutes**  
**Town of Harvard, Old Boston Turnpike, Fairbank Street & Still River Road**  
**DEP#177-582, Harvard#0810-02**  
**September 16, 2010**

The public hearing was opened at 7:30pm 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 and Lewis Beilman (Associate Member)

**Others Present:** Liz Allard (LUB Admin)

This hearing was continued from September 2, 2010 on a Notice of Intent filed on behalf of the Town of Harvard for the construction of sewer force mains to expand the existing sewer service and connect to an existing wastewater facility in Harvard with portions of the construction within the 100' wetland buffer zone along Old Boston Turnpike, Fairbank Street and Still River Road, Harvard.

The hearing was continued at the Commissions request to allow for time to review and receive additional documents from the previous hearing on September 2<sup>nd</sup>. Liz Allard reviewed the documents received in regards to the construction guidelines. All concerns of Ms. Allard were minor language adjustments with the exception of 3.09 Dust Control, which stated the use of calcium chloride for more effective dust control. The Commission agreed that the Order of Conditions shall not allow the use of calcium chloride for dust control measures.

With no further comments Wendy Sisson made a motion to close the hearing and issue an Order of Conditions that includes the above mentioned Special Condition. 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  
Mamie Wyrwal, 38 Lovers Lane, Harvard#0910-01  
September 16, 2010**

The public hearing was opened at 7:45pm 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 and Lewis Beilman (Associate Member)

**Others Present:** Liz Allard (LUB Admin), Mamie Wyrwal, Dave Caponera and Stan Dillis (Ducharme & Dillis)

This hearing is for a Notice of Intent filed on behalf of Mamie Wyrwal for the renovations to an existing house and deck within the 100' wetland buffer zone at 38 Lovers Lane, Harvard.

Stan Dillis explained the existing house has an existing deck that will be re-built to reconfigure the stairs, as well as the removal of two small portions of the house. The site contains a wetland and pond. A site walk was conducted on September 13, 2010. All work will be done by hand due to the location of the septic system and the existing landscaping. The Commission agreed that hay bales would not be required for erosion controls; however silt socks would be suitable if the landscape so requires. All construction material will be stored along the driveway. Wendy Sisson asked about the wetland line around the pond. Mr. Dillis stated the wetland line does in fact wrap around the pond on the plan.

With no DEP file number yet received Wendy Sisson made a motion to continue the hearing until October 7, 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

*ATTACHMENT A*

To: BHPWMC

From: Conservation Commission

Date: 9/20/10

DRAFT: to be formatted like a letter, not a memo

Congratulations! The stormwater collection and treatment sites already completed are looking good -- though we understand some are still works in progress. What a relief and giant step forward to have this long neglected road runoff getting diverted and managed rather than rushing headlong into the pond! Thank you, Pond Committee! Also, what exciting news about the continuing life of your 319 grant, potential additional sites, and EPA's interest in making Bare Hill Pond a poster child for the state!

The improvement in the pond's phosphorus levels and water quality in general are also very encouraging. To deepen our understanding of this, we wonder if EPA could be convinced to broaden the scope of their comprehensive analysis of the pond's water quality to include the nature and quality of inputs like Bower's Brook, smaller streams, and the more salient sources of spring and summer runoff into the pond. It would be great to develop a picture of a year's cycle by monitoring the quality of water coming into the pond spring, summer and fall, and putting that together with data on water quality in the pond proper, and measurements of flow-through under various conditions.

The Commission is also eager at this point to review the protocols we are using to collect the data assessing the environmental impacts of the drawdowns. The first filing with ENSR support was in 2002, so amazingly, it's been over ten years since we set up the monitoring methodology. We'd like the help of a consulting biologist with expertise in this area to help review the protocols we set up, the adjustments that have been made based on field experience, plus the results captured thus far and suggest what can be inferred about observed changes and possible improvements for future monitoring. The

Commission would like to proceed with this review jointly with the BHPWMC and we welcome your thoughts and suggestions as we develop a plan to carry out this objective.

Sincerely,

Paul Willard, Chair  
Harvard Conservation Commission

## **DOCUMENTS & OTHER EXHIBITS**

### **Transformations/ZBA Request for Consultant Endorsement & Correction to the Comprehensive Permit**

- Letter addressed to the Harvard Zoning Board of Appeals, dated August 30, 2010
- Portion letter to the Harvard Zoning Board of Appeals from Transformations, Inc., dated June 25, 2008, updated August 11, 2008
- Copy of page 17 of the Comprehensive Permit issued to Transformations Inc. by the Harvard Zoning Board of Appeals

### **Request for a Certificate of Compliance – 64 Littleton Road, DEP#177-279**

- WPA Form 8A, DEP#177-279

### **Continuation of a Notice of Intent Hearing – Town of Harvard, Old Boston Road, Fairbank Street and Still River Road, DEP#177-582, Harvard#0810-02**

- Construction Guidelines, dated 07/17/2009

### **Notice of Intent Hearing – Mamie Wyrwal, 38 Lovers Lane, Harvard#0910-01**

- WPA Form 3 Notice of Intent, dated August 23, 2010
- Notice of Intent Plan, 38 Lovers Lane Harvard, Massachusetts, dated 8/23/2010

### **Review and Discuss Fee Schedule**

- Form F of the Harvard Wetland Protection Bylaw Rules, dated 2/5/2009

All documents and other exhibits listed above may be viewed in the Land Use Office, Harvard Town Hall, 13 Ayer Road, Harvard, MA 01451