

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
APRIL 7, 2011
APPROVED: June 2, 2011**

Chairman Paul Willard called the meeting to order at 7:01pm in the Town Hall Meeting Room

Members Present: Paul Willard, Wendy Sisson, Charlie Gorss, Jim Breslauer, and Janet (Jaye) Waldron

Others Present: Liz Allard (LUB Admin), Earl McEvoy, Donald Green, Jim Croyle, Jeff Richards (Transformation, Inc.), Judy Gustafson, Steve Ventresca (Nitsch Eng.) and Warren Henderson

Enforcement Order – McEvoy, 115 Prospect Hill Road

Earl McEvoy, the owner of 115 Prospect Hill Road was present to discuss with the Commission the recently issued Enforcement Order for work done on his property. Liz Allard explained that on March 23rd she and Maryann DiPinto from the Department of Environmental Protection visited the site with Mr. McEvoy. The entire wetland on the Madigan Lane side of the property has been clear-cut. Mr. McEvoy was planning on using the area as a grazing area for sheep. Mr. McEvoy was unaware of the wetland regulations and uses he is allowed under agriculture. Ms. DiPinto has recommended the area in question be left alone for the time being; once the area dries out Mr. McEvoy should go back in and level the area out and then let it re-vegetate naturally. An additional area of disturbance has also taken place along an existing stream that is associated with the farm pond on the property. That area was also clear-cut of any existing vegetation last fall. Mr. McEvoy has agreed to re-plant the area with 20 high bush blueberries. Once the planting has been completed Ms. Allard will review the site to determine if any additional plantings should be done.

Wendy Sisson stated that she would worry about invasive plant species coming into a disturbed area such as the one on Mr. McEvoy's property. Additional plantings may need to be done in order to deter the invasive species from settling in. The members asked Ms. Allard to investigate the idea of planting to speed up re-vegetation and guard against the invasive species moving in. Paul Willard explained that with existing agricultural land, maintaining an existing use is allowable, but creating a new use would need to meet the requirements. Mr. Willard feels this activity was done in error and that Mr. McEvoy is trying to work with the Commission to move forward. Mr. McEvoy was told to allow the wetland area along Madigan Lane to dry out and once it has to contact the Commission for further instruction on how to proceed.

Update on Fruitland's Wildlife Habitat Incentives Program (WHIP) Grant

Mike Volmar, of Fruitland Museum, was present to update the Commission on the progress of the WHIP grant they had received. Phase 1 under the grant has been modified slightly and consists of an early succession habitat on 5.3 acres of land north of

the buildings on the property. In an adjacent area, steps will be taken to control invasive plant species. This area is not within the jurisdiction of the Commission, however the invasive control scheduled for 2012 –2013 will be. That area will require the cutting and treating of stumps. Invasive species located on the property include multiflora rose, barberry, buckthorn and bitter sweet. Mr. Volmar stated that Fruitlands would be conducting public training on the control of invasive species. Paul Willard asked if the early succession habitat area will be cleared. Mr. Volmar stated that it would be cut with 20% being left to grow back for five years. Mr. Volmar stated the cost to treat for invasive species is about \$320.00 an acre. The Commission thanked Mr. Volmar for updating the Commission on the details of the activity taking place at Fruitlands under the WHIP grant.

Encroachment onto Conservation Land – Blue Moon Farm, 87 Depot Road

Jim Croyle was present to discuss with the Commission the encroachment he incurred when he took ownership of the property at 87 Depot Road. During the documentation of the abutting Conservation Land it was discovered that a shed, fencing and pool had been installed on the Conservation Land. Mr. Croyle contends that only a corner of the pools' concrete surrounding is on the Conservation Land. Mr. Croyle had no evidence of this with him this evening. Mr. Croyle stated that the fencing has been removed from the Conservation Land and that he is looking into moving the shed. Mr. Croyle stated that he would also like to discuss with the Commission the potential of swapping a portion of his land for portion of the Conservation Land in order to remove a right angle that exist on his property. The Commission instructed Mr. Croyle to submit the evidence that shows just how much of the pool is in fact on the Conservation Commissions Land and then the Commission will have a better idea of how to proceed with correcting the issue.

Continuation of a Notice of Intent Hearing – Transformations, Inc., Stow Road (Map 36 Parcel 85 & 86.1), DEP#177-586, Harvard#1010-01. Opened at 7:36pm

Approve Minutes

Wendy Sisson made a motion to approve the minutes of March 3, 2011 as written. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Bare Hill Pond Watershed Management Committee Update

Jaye Waldron updated the Commission of the recent Pond Committee meeting. The Committee is looking at three more sites to locate stormwater management structures. The Committee is having the structure known as BMP-8, located at the Town Beach, re-engineered, as the original plan will not be sufficient. Paul Willard still feels as though BMP-7, located just off the parking lot at the beach, is not functioning properly. The Commission still has questions as to how well BMP-3 (the constructed wetland) is functioning. The members agreed that they would need to wait until drier weather to really get a good sense of whether the system is meeting its requirements. Ms. Waldron stated that the Committee also discussed addition education and out reach for the residents of Town.

Jim Breslauer arrived at 8:13pm

Wendy Sisson suggested reviewing the stormwater management structures in a few months to see how they are functioning. Paul Willard stated that BMP-7 is causing water to channel in that area and is causing more damage than previous conditions. Mr. Willard suggested the area be put back the way it was or re-engineer BMP-7. The best time to see how these systems are functioning is during or immediately after a rain event. Liz Allard will review the sites during a rain event.

Proposed Chapter 147 Amendments

Jim Breslauer has made several suggested changes to Chapter 147 as requested. The new detail showing the use of hay socks rather than hay bales has been revised. The addition of the notification of watercourse alteration has been added as required under the National Floodplain Insurance Program. Additional information pertaining to the appropriate time frame for delivering additional material for review by the members has been added as well. Mr. Breslauer asked that members review the regulations for any additional changes they may want to make. Any suggestions can be forwarded directly to him.

Drainage at Transfer Station

Wendy Sisson wanted to mention just as a reminder from the previous visit from Rich Nota, the Department of Public Works (DPW) Director, that the Commission should be seriously looking into solutions for the drainage issue at the back of the DPW property. The members asked Liz Allard to contact a local engineering firm to get a proposal for the engineered plans and to discuss with Mr. Nota the possibility of the DPW performing the work.

Election of Officers

Jim Breslauer made a motion to elect Paul Willard as Chairman of the Commission. Wendy Sisson seconded the motion. The vote was unanimously in favor of the motion.

Jaye Waldron made a motion to elect Wendy Sisson as the Vice Chair of the Commission. Jim Breslauer seconded the motion. The vote was unanimously in favor of the motion.

Discuss Land Gift on Bolton Road

Wendy Sisson has spoken with Betsy Williams who is willing to consider donating a parcel of land to the Town as municipal land rather than Conservation Land. Ms. Sisson would like to form a group of individuals who would be more knowledgeable on the need and requirements of such an activity. Members agreed and Ms. Sisson will move forward with contacting specific individuals.

Adjournment

Jim Breslauer made a motion to adjourn the meeting 9:30 pm. 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
Transformations, Inc., Stow Road (Map 36 Parcel 85 & 86.1),
DEP#177-586, Harvard#1010-01
April 7, 2011**

The public hearing was opened at 7:36m by Chairman Paul Willard under the Massachusetts Wetland Protection Act, Ch. 131 §40 in the Town Hall Meeting Room

Members Present: Paul Willard, Wendy Sisson, Charlie Gorss and Janet Waldron

Others Present: Liz Allard (LUB Admin), Jeff Richards (Transformation, Inc.), Judy Gustafson, Steve Ventresca (Nitsch Eng.) and Warren Henderson

This hearing was continued from March 17, 2011 for a Notice of Intent filed on behalf of Transformations, Inc. for the construction of a roadway, 17 residential buildings, septic system and public water supply source within the 100' wetland buffer zone, to include the installation of a new culvert along an intermittent stream

Jeff Richards stated that additional soil testing will need to be conducted within the area of the proposed constructed wetland and is asking for continuance a this evening. Wendy Sisson reminded Mr. Richards that at the last hearing members requested full size copies of the plan for their review.

Charlie Gorss made a motion to continue the meeting to May 5, 2011 at 7:30pm. Wendy Sisson seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

DOCUMENTS & OTHER EXHIBITS

Update on Fruitland's Wildlife Habitat Incentives Program (WHIP) Grant

- Fruitlands Museum Conservation Plan issued by Natural Resources Conservation Services
- Fruitlands WHIP Project – Phase 1 (2011) Modifications