

**HARVARD CONSERVATION COMMISSION  
MINUTES OF MEETING  
APRIL 19, 2012  
APPROVED: June 6, 2012**

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

**Members Present:** Paul Willard, Charlie Gorss, Jaye Waldron, Don Ritchie, Jim Breslauer and Patrick Doherty

**Others Present:** Liz Allard (LUB Admin), Joe Hutchinson, Ming Qin, Tony Shaw and Heidi & Louis Garofalo

**Findings in regards to earth work conducted on Littleton Road (Map 13 Parcel 1)**

Liz Allard explained the Commission hired David Crossman to delineate the area at the corner of Littleton Road and Cruft Lane to determine the extent of activity within the wetland and its buffer zone. Mr. Crossman determined that essentially the entire area is in fact wetland. Mr. Crossman recommended the area be returned to its natural state and allow to re-vegetate naturally.

Mr. Shaw stated he had previously hayed the area, but had not done so last year because the quality of the product was so poor. Mr. Shaw's intention was to plow the field and reclaim it to grow pumpkins. Mr. Shaw stated the pipe he installed remains in the trench, which has now been covered up. Members explained that the production of hay is not as disruptive as tilling the soil for pumpkins. Paul Willard believes the Commission needs to determine what is right for the land. Jim Breslauer stated the Wetland Protection Act allows for a change in use as long as there is no change in drainage. By installing the pipes, Mr. Shaw has changed the drainage, the pipes should be removed and then the field can be changed to pumpkins.

Some members of the Commission still have not reviewed the site and asked for time to do so before making a decision. This discussion will resume at the May 3, 2012 meeting.

**Review Order of Conditions with New Homeowner – Ming Qin, 6 St. John's Lane, DEP#177-601**

Ming Qin, the new owner at 6 St. John's Lane, was present to discuss the open Order of Conditions on the site. The Order of Conditions was issued for the installation of the septic system. A large part of the year area is within the 100' wetland buffer zone. Mr. Qin asked if he could plant gardens in the yard. The members stated that was an acceptable activity, however the Commission does not allow for the use of fertilizers within the 100' wetland buffer zone. The Commission thanked Mr. Qin for attending the meeting.

**Discuss Potential Open Space Purchase – Garofalo, 33 Prospect Hill Road**

Heidi & Louis Garofalo were present to discuss with the Commission the potential of purchasing a portion of their property at 33 Prospect Hill Road for open space. The Garofalo's stated they are interested in selling the back part of their parcel, which is adjacent to the Prospect Hill Management area, to the Commission. Some of the back property is wet, but has no standing water or streams. The area is also used by snowmobilers and horseback riders. The Commission explained the options to the Garofalo's stating that the first step is to determine by survey how much of the property they are considering. An appraisal will need to be conducted in order for the Commission to be able to purchase the property. The Commission looks forward to working with the Garofalo's in coming to an agreement that will suit everyone's needs.

**Master Plan Steering Committee Presentation**

Joe Hutchinson was present to discuss with the Commission the current status of the Master Plan Steering Committee and the up coming annual town meeting. Mr. Hutchinson stated Phase I of the process focused on the vision and goals whereas Phase II will be putting that plan into action. The residents clearly indicated a desire to reach a decision on whether Harvard wants to resume

governance of the its historic portion of Devens or does not wish to do so. The MPSC is proposing initial phase of Phase II be an extensive survey of how Devens will impact Harvard by way of the schools, cultural, c-district, water, etc. Mr. Hutchinson is here to gain support from the Commission on warrant article 28, which request \$100,000 for Phase II of the Master Plan.

A brief discussion was held in regards to individuals in Town opposing funding the article; those opposed would prefer he funds be allocated to hire a Town Planner who could complete the Master Plan.

Don Ritchie made a motion that the Conservation Commission support Article 28 of the 2012 Annual Town Meeting, which requests \$100,000 for Phase II of the Master Plan and any amendments to hire a planner be opposed. Patrick Doherty seconded the motion. The vote was unanimously in favor of the motion.

### **Community Preservation Committee Update**

Charlie Gorss stated the Community Preservation Committee (CPC) has a warrant article for this year annual town meeting (ATM) to raise the surcharge from 1.1% to 3%. Mr. Gorss stated several groups including the Conservation Commission will benefit from this increase. The CPC is hoping someone from the Commission can speak in support of the proposal at the ATM.

### **Zoning Board Appeals Request for Comments**

Liz Allard informed the Commission of two requests for Comments from the Zoning Board of Appeals. The first is an application for a Special Permit filed on behalf of Sarah Porter at 6 Still River Depot Road for an addition to a pre-existing non-conforming structure. There are no resource areas within or abutting the parcel in question. The Commission has no comments in regard to this application.

The second application is an Administrative Appeal filed on behalf of Solar Design Associates, LLC for denial of a building permit for the installation of a community solar garden on Woodchuck Hill Road. There are no resource areas within or abutting this parcel. The Commission had no comments in regard to this application.

### **Transfer Station Improvements Update**

Liz Allard informed the members that she received the following information from the Department of Public Works Director, Rich Nota in an email dated April 10, 2012:

“DPW proposed a Compost Facility be built on the old landfill; however, the project was passed over by the CPIC and FinCom. This has left me without a funding source to conduct a major cleanup and grading of the area.

The CPIC has agreed to fund a DPW Facility Needs Study. The study will review current site conditions (landfill and highway yard) and make recommendations for consideration in future facility upgrades. This may include a plan of the current DPW site indicating the location and type of the materials stored. However; it will not include any detailed drainage or treatment designs for construction purposes. The funding for this study will be available July 2012.

I will install a make-shift barrier to prevent any dumping of debris into the wetlands on the southerly side of the site. This will not include any major earthwork to re-shape the area for drainage purposes as requested. If immediate action is required, we will need to discuss funding options for this work.

The Transfer Station staff has been directed to conduct litter patrol during their shifts. They will focus their efforts on the areas that are in greatest need of clean-up. I gave them a head start on the clean-up by having some Highway Dept. workers pick-up litter on the downhill slope and the wetland areas around the Transfer Station.

I will be installing a barrier fence around the Transfer Station to collect wind blown litter from entering the wetlands”.

Don Ritchie stated he would check on the site the next time he is volunteering at the Transfer Station. The Commission will further discuss at the next meeting.

#### **FY13 Division of Conservation Services Grant Round Announcement**

Liz Allard explained to the members that the FY13 Division of Conservation grants are now available for submittal. The Commission agreed that there are several open space opportunities currently in which grant money should be pursued. Ms. Allard will attend the informational session in May to learn more on the application process.

#### **Open Space & Recreation Plan Update**

Liz Allard reminded the members of the goals which have been assigned to each under the Open Space & Recreation Plan. Ms. Allard will review and update the achievements made to date for discussion at a future meeting.

#### **Update on Hoch Land Purchase**

Liz Allard stated she has not received any news from Town Counsel in regards to the Commissions counter offer to purchase a parcel of land on Still River Road known as Hoch.

#### **Agricultural Advisory Committee & the Wetland Protection Act**

In light of recent events involving activities in and round wetlands on lands under agricultural use, Paul Willard is requesting the Commissions permission to work with the chair of the Agricultural Advisory Committee to develop a policy using the Farming in Wetlands document to make it suitable for Harvard. Jim Breslauer made a motion to allow Paul Willard to work with the Chair of the Agricultural Advisory Committee to develop a policy on farming in wetlands. Patrick Doherty seconded the motion. The vote was unanimously in favor of the motion.

#### **Adjournment**

Don Ritchie made a motion to adjourn the meeting at 8:46pm. Jim Breslauer seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard  
Land Use Administrator/  
Conservation Agent