

**HARVARD CONSERVATION COMMISSION  
MINUTES OF MEETING  
AUGUST 16, 2012  
APPROVED: September 6, 2012**

Chairman Paul Willard called the meeting to order at 7:00pm in the Town Hall Meeting Room

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

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

**Zoning Board of Appeals (ZBA) Request for Comments**

Liz Allard stated the ZBA has requested comments on two applications before them this September. Both applications are for the addition to a pre-existing non-conforming dwelling, located at 63 Slough Road and 204 Bolton Road. Neither parcel contains any resources areas. Ms. Allard suggested letters be sent to the ZBA expressing the Commission has no concerns with the applications as submitted. Member agreed.

**Request to Extend Order of Conditions – Dzekevich, Slough Road, DEP#177-543**

Liz Allard explained the Commission had received a request to extend the Order of Conditions for DEP#177-543, Slough Road. Upon review of the issuance dates Ms. Allard has noted that this permit would be able to apply the State's Permit Extension Act, which thereby automatically extends the permit to 2014, thereby not needing a vote of the Commission.

**Bare Hill Pond Watershed Management Committee Update**

Jaye Waldron stated she attended the recent meeting of the Bare Hill Pond Watershed Management Committee at which the Committee discussed this year's annual draw down and the required monitoring of the pond, which includes the frog counts. There are fewer water chestnuts in the Clapp Brook area according to Rick Dickson. Bruce Leicher had stated the clarity of pond is good. The down stream wetland has increased in sedges and cattails. Bladderwort has increased in other areas as well; fanwort is replacing milfoil. The Committee is debating the depth of this year's draw down, whether it will be seven feet or six and a half. Ms. Waldron informed the Committee that the Commission has concerns with the draw down.

**Planning Board Request for Comments – Shaker Hill Country Club, 146 Shaker Road**

Liz Allard stated the Commission has received a request for comments from the Planning Board in regards to the expansion of the existing snack shack at the golf course on Shaker Road. The area in question contains no resource areas. Ms. Allard suggested a letter be sent to the Planning Board stating the Commission has no comments on the application as submitted. Members agreed.

**Request to Amend the Order of Conditions – Marcello, 24 Cove Road, DEP#177-604**

Liz Allard explained the request to amend the order of conditions from Rich Marcello includes a change to the well design and the driveway to be used for daily access. Members had questions about the uses of each of the two driveways. Jaye Waldron questioned the septic system under one of the driveways. Ms. Allard stated that would be an issue to be resolved by the Board of Health. Once the members understood the uses of the two driveways, Charlie Gorss made a motion to accept the changes to the plan as *De Minimus*. Jim Breslauer seconded the motion. The vote 4-1-1, with Jaye Waldron opposing and Don Ritchie abstaining from the vote.

**Request for Determination of Applicability Hearing – David & Michael O'Toole, 127 Clinton Shore Drive, Harvard#0712-02. Opened at 7:46pm**

### **Approve Minutes**

Don Ritchie made a motion to approve the minutes of July 19, 2012 as amended. Jim Breslauer seconded the motion. The vote was unanimously in favor of the motion.

### **Review & Update Five-Year Strategies and Objectives FY14-18**

Liz Allard previously distributed the updated five-year strategies and objectives as requested by the Board of Selectmen. Ms. Allard stated since the revised plan does not include fiscal year 2013, the current fiscal year (FY), Ms. Allard removed the item "Create full-time Conservation agent position" and "Complete update of Conservation Land Book". Both these objects are goals tasked for FY13. Don Ritchie made a motion to approve the Five-Year Strategies & Objectives Plan FY14-18 as drafted. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

### **Update on Open Space & Recreation Plan Goals & Objectives**

Liz Allard reminded the members that at the previous meeting they were tasked with reviewing their assignments under the Open Space & Recreation Plan to determine if the task can be completed and if not, why. This item will remain on the agenda under old business as a friendly reminder.

### **Required Conservation Restrictions under Community Preservation Act**

Liz Allard stated there is nothing new to report; she has not had an opportunity to contact the State in regards to the requirements. Jim Breslauer stated he has spoken with two members of the Board of Selectmen in regards to the Commission hiring an independent attorney who could assist in getting these restrictions completed.

### **Harvard Conservation Trust Request for Trail Challenge Installation of Plastic Punches**

Liz Allard stated she would like to have Wendy Sisson present to discuss the location of the plastic punches as the Land Stewardship Subcommittee was working with the Harvard Conservation Trust to establish locations. Members agreed, item will be on the agenda for the next meeting.

### **Hoch Land Purchase Update**

Liz Allard stated there is no current update on the Commission's desire to purchase the Hoch Land.

### **Discuss General Guidelines for Farming in Wetland Resource Areas**

Liz Allard and Paul Willard have straightened out Ms. Allard's confusion with the document and the requirements for farming under the Wetland Protection Act (WPA). As written the document is not less stringent than the WPA as Ms. Allard had previously thought. Ms. Allard will work with Wendy Sisson to create the recommended background information as previously requested.

### **Sprague Land Signage**

Liz Allard stated she received the accident report from the Harvard Police Department in regards to the damage of the sign on the Sprague Conservation Land. The after review of the report the members agreed on a motion by Jim Breslauer and seconded by Don Ritchie that the motorist shall pay for the repair of the sign at a cost of \$100.

### **Master Plan Update**

Jim Breslauer stated he attended the Planning Board meeting this past Monday at which the PB discussed the state of the Master Plan update and the Master Plan Steering Committee (MPSC). The PB voted to disband the MPSC and to return the responsibility of updating the Master Plan to the Board itself.

### **Executive Session**

Jim Breslauer made a motion to go into Executive Session pursuant to Massachusetts General Law Chapter 30A, Section 21(a)(6) to consider the purchase, exchange, lease or value of real

property because a public discussion of this matter could have detrimental effects on the negotiating position only to adjourn the meeting once the discussion is complete. Don Ritchie seconded the motion. A roll call vote was taken. Paul Willard, aye; Jim Breslauer, aye; Don Ritchie; aye; Charlie Gorss, aye, Jaye Waldron aye and Patrick Doherty, aye.

**Adjournment**

Jim Breslauer made a motion to adjourn the meeting at 8:24pm. Don Ritchie 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**  
**David & Michael O'Toole, 127 Clinton Shore Drive, Harvard#0712-02**  
**August 16, 2012**

Chairman Paul Willard opened the public hearing at 7:30pm under the Harvard Wetland Protection Bylaw, Chapter 119 of the Code of the Town of Harvard in the Town Hall Meeting Room

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

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

This hearing is for a Request for Determination of Applicability filed on behalf of David & Michael O'Toole for the removal of a tree within 200' of Bare Hill Pond at 127 Clinton Shore Drive, Harvard.

Liz Allard explained that she and Don Ritchie visited the site on Wednesday and agreed that the tree to be removed will not create an adverse impact on the resource area, Bare Hill Pond. Mr. Ritchie stated the stump shall remain to prevent erosion into Bare Hill Pond. With no questions from the members, Jim Breslauer made a motion to close the hearing and issue a Negative #3 Determination of Applicability with the condition that the stump of the tree remains. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard  
Land Use Administrator/  
Conservation Agent

## **DOCUMENTS & OTHER EXHIBITS**

### **Request to Amend the Order of Conditions – Marcello, 24 Cove Road, DEP#177-604**

- ❖ Residential Development Driveway Site Plan, prepared by GPR, Inc., Job 101063, dated June 2012
- ❖ Residential Development Site Plan, prepared by GRP, Inc., Job 101063, dated July 2012
- ❖ Residential Development Notice of Intent Site Plan. Prepared by GPR, Inc., Job 101063, dated December 2011

### **Request for Determination of Applicability Hearing – David & Michael O'Toole, 127 Clinton Shore Drive, Harvard#0712-02**

- ❖ Wetland Protection Bylaw – Form 1 Request for Determination of Applicability, submitted by David & Michael O'Toole, dated July 23, 2012, received July 30, 2012

### **Review & Update Five-Year Strategies and Objectives FY14-18**

- ❖ Conservation Commission's Five-Year Strategies and Objectives FY14-18

### **Sprague Land Signage**

- ❖ Commonwealth of Massachusetts Motor Vehicle Crash Police Report, signed by Sgt. John Coates, dated July 20, 2012