

**HARVARD CONSERVATION COMMISSION  
MINUTES OF MEETING  
OCTOBER 4, 2012  
APPROVED: November 1, 2012**

Chairman Paul Willard called the meeting to order at 7:03pm in the Town Hall Meeting Room

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

**Others Present:** Liz Allard (LUB Admin), Michelle Catalina, David Crossman, Rich Harrington (Stamski & McNary), Matt Bombaci (GPR, Inc.), Joseph Dupell, Tracey Pouliot, Sal De Luca, Carol Swanson, Anne Compton-Reeves and Scott McCready

**Discuss Planner & Master Plan Goals with Planning Board Chair Michelle Catalina**

Michelle Catalina, Chair of the Planning Board (PB), was present to discuss with the Commission input they may have in regards to a Planner for the Town of Harvard. Ms. Catalina explained the PB has started the process of determining if a Planner is actual needed by the Town at this point in time. After the Board of Selectmen's (BOS) strategic planning session in June the PB learned that the subject matter of a Planner was discussed by the BOS; at that time the PB decided to start the discovery process themselves so that they could get a better understanding of the needs and wants of all of the Boards and Commissions this position may impact.

At this point the PB is seeking input on tasks that are not being completed, but could be done by a Planner. Ms. Catalina's first step was to speak with the current Land Use Administrator to get a sense of what it is she is doing that a Planner could do and what is not being done due to her limited hours. Ms. Catalina stated once all of the data is collected the PB will need to take a vote on whether or not they support the creation of this position. Mrs. Catalina stated the BOS could decide to bring the position to Town Meeting if they so chose without input from the PB. Ms. Catalina stated implementing the goals of the Master Plan could be difficult without the proper staffing. Paul Willard asked if the PB was thinking this would be a full-time position. Ms. Catalina stated the PB is not at that stage yet, however when it was discussed last year the position was part-time. Ms. Catalina stated the position would be in addition to the existing staff. The PB wants to be certain there are enough things that need to get done that are not currently being done to justify the time. Ms. Catalina stated that she is aware that the Economic Development Committee (EDC) wants Planner, but not sure what EDC wants the Planner to do. Mr. Willard asked who will make the decision to create the position. Ms. Catalina stated the Town, by town meeting vote. Ms. Catalina stated at the November 15<sup>th</sup> meeting of the PB members will be discussing the findings of this discovery process; everyone is welcome to attend or to submit any comments to her prior to that meeting. Ms. Catalina thinks this is going to be a very hard sell to the Town.

Mr. Willard stated he sees no need for this position. Jaye Waldron asked if a consultant could be hired to complete specific tasks or could those tasks be completed by volunteers? Ms. Catalina stated some things can only be completed by someone who has a Master's degree. Members asked why a Master's degree. Ms. Catalina explained that the only thing agreed upon during last year's discussion of a Planner, was the requirement of a Master's degree. Members of the Commission wondered if perhaps experience would be suitable. Jim Breslauer believes the discussion is premature; the discussion should not take place until Phase II of the Master Plan is completed and Harvard knows whether it will take back its historical boundaries of Devens. Ms. Catalina agreed there is still a lot of work to be done before this position may actually be necessary, but the PB wants to be able to say they have looked into the possibility of a Planner.

Ms. Catalina distributed the summary of visions and goals for Conservation Commission that came out of Phase I of the Master Plan process this past spring. Ms. Catalina noted the entire report is available online.

### **Approve Minutes**

Don Ritchie made a motion to approve the minutes of September 20, 2012 as amended. Jim Breslauer seconded the motion. The vote was unanimously in favor of the motion.

### **Abbreviated Notice of a Resource Area Delineation Hearing, Sweeney Charitable Reminder Unitrust, Shaker Road (Map 3 Parcel 1.2).** Opened 7:30pm

### **Bare Hill Pond Watershed Management Committee Update**

Jaye Waldron stated she had attended the recent meeting of the Bare Hill Pond Watershed Management Committee at which the following topics were discussed:

- ❖ BHPWMC has received additional grant money;
- ❖ Bids for the work at the beach area, including BHP-8 & 9 were opened last week, work is to begin on October 15, 2012
- ❖ In attendance were abutter's to the pond, which were there to discuss the condition of the pond; some do not think the draw downs are helping in regards to weed management; BHPWMC has contacted Lycott Environmental who have stated the addition of chemicals would not help;
- ❖ Abutter's are also upset that they are paying taxes on a waterfront property that has no water in front of it during the draw down season.

### **Request for Determination of Applicability Hearing, Scott McCready, 118 West Bare Hill Road, Harvard#0912-02.** Opened 7:48pm

### **Request for a Certificate of Compliance – Kimball, 29 Littleton Road, DEP#177-605**

Liz Allard stated she had conducted a site inspection for a Certificate of Compliance at 29 Littleton Road. Ms. Allard stated the site is in compliance with the Order of Conditions. Don Ritchie made a motion to issue a Certificate of Compliance for Steven Kimball, 29 Littleton Road, DEP#177-605. Jim Breslauer seconded the motion. The vote was unanimously in favor of the motion.

### **Update on Ruben Reed Land Encroachment**

Liz Allard stated she had met with Bill Clougherty of Mass Highway this week to show him the site along Mass Avenue. Mr. Clougherty stated he would review the plans they have to determine if the parking area is in fact on State owned land, which the property owners would have needed a permit from Mass Highway to create should the parking area be on State land. Ms. Allard will follow up with Mr. Clougherty prior to the next meeting on October 18, 2012.

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

Liz Allard had previously sent her correspondence with Attorney Pickett to the member for discussion this evening. Attorney Pickett noted that the three parcels in question, Stone, Locke and Loungo were not conveyed to the Town for conservation purposes. At this point the land is not under the protection of conservation, MGL 40 §8C. Jim Breslauer requested Ms. Allard contact Attorney Pickett to determine if the Commission could pay the Town \$1.00 for Conservation Restrictions on each of the three properties. In addition the Commission requested Ms. Allard to ask Attorney Pickett her advice on how to rectify the situation.

### **Massachusetts Association of Conservation Commissioners Fall Conference**

Liz Allard made a request to attend the fall conference of the Massachusetts Association of Conservation Commissioners (MACC) this November, at which the topic is Road and Water: Maintenance and Protection. The half day program is \$60.00 for members. Jim Breslauer made a motion to allocate \$60.00 for Liz Allard to attend the fall conference of MACC. Paul Willard seconded the motion. The vote was unanimously in favor of the motion.

**Adjournment**

Don Ritchie made a motion to adjourn the meeting at 8:16m. 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**  
**Abbreviated Notice of a Resource Area Delineation Hearing Meeting Minutes**  
**Sweeney Charitable Remainder Unitrust, 0 Shaker Road (Map 3 Parcel 1.2), DEP#177-611**  
**October 4, 2012**

Chairman Paul Willard opened the hearing at 7:30pm under MGL Chapter 131 §40, the Wetland Protection Act and the Code of the Town of Harvard, Wetland Protection Bylaw, Chapter 119 in the Town Hall Meeting Room

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

**Others Present:** Liz Allard (LUB Admin), David Crossman, Rich Harrington (Stamski & McNary), Joseph Dupell, Tracey Pouliot, Sal De Luca, Carol Swanson, and Anne Compton-Reeves

This hearing is for an Abbreviated notice of a Resource Area Delineation filed on behalf of Sweeney Charitable Remainder Unitrust for the review and approval of a delineated wetland at 0 Shaker Road (Map 3 Parcel 1.2), Harvard.

A site walk was conducted on Tuesday with Rich Harrington, Dave Crossman, Liz Allard and Don Ritchie. Mr. Harrington explained the site is just over twenty-one acres and is adjacent to the Shaker Hill Country Club. The site has two accesses point through the Town Ayer; one off of Pringry Way and the other off Bennett's Crossing. Dave Cross explained there is a perennial stream that runs through the site, creating riverfront area, as well as a bordering vegetated wetland. Mr. Crossman explained he stopped delineating the wetland beyond flag RF7 because at that point the wetland was within the 200' riparian zone. During the site visit Mr. Crossman agreed to remove wetland flag 13, and to connect the line directly from wetland flag 12 to 14. Mr. Crossman stated there were no vernal pools on the site, however there is one small area in a valley that water briefly sits in; he thinks it only happens after rain water settles. Jim Breslauer asked why only one side of the stream was delineated. Mr. Harrington stated there will be no activity on the opposite side of the stream.

Paul Willard explained to those present that at this time there are no plans that show what the intention of the property owner may be. This hearing was to confirm the wetland line only. Should the applicant wish to proceed with the development of the parcel they will most likely need to file an additional application with the Commission, at which point all abutter's will be notified again.

With no further questions or comments, Don Ritchie made a motion to close the hearing and issue an Order of Resource Area Delineation as approved by the revised plan dated October 3, 2012. Charlie Gorss 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 Hearing Meeting Minutes  
Scott McCready, 118 West Bare Hill Road, Harvard#0912-02  
October 4, 2012**

Chairman Paul Willard opened the hearing at 7:48pm under the Code of the Town of Harvard, Wetland Protection Bylaw, Chapter 119 in the Town Hall Meeting Room

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

**Others Present:** Liz Allard (LUB Admin), Matt Bombaci (GPR, Inc.) and Scott McCready

This hearing is for a Request for Determination of Applicability filed on behalf of Scott McCready for the installation of a septic tank and force main within the 200' buffer zone of a pond at 118 Wets Bare Hill Road, Harvard.

Matt Bombaci, of GPR, Inc., and Scott McCready were present. The application is for work within 200' of an existing pond on the property. The area of activity slopes away from the pond, therefore no erosion controls are proposed. Don Ritchie had reviewed the site with the Conservation Agent and stated he had no issues with the proposal as presented.

Don Ritchie made a motion to close the hearing and issue a negative 3 Determination of Applicability with no additional conditions. Jim Breslauer seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard  
Land Use Administrator/  
Conservation Agent

## **DOCUMENTS & OTHER EXHIBITS**

### **Discuss Planner & Master Plan Goals with Planning Board Chair Michelle Catalina**

- ❖ Summary of the Harvard 2012 Visions and Goals for Conservation, undated

### **Abbreviated Notice of a Resource Area Delineation Hearing, Sweeney Charitable Reminder Unitrust, Shaker Road (Map 3 Parcel 1.2)**

- ❖ WPA Form 4A Abbreviated Notice of Resource Area Delineation application, dated September 20, 2012
- ❖ Resource Area Delineation Plan, dated September 20, 2012

### **Request for Determination of Applicability Hearing, Scott McCready, 118 West Bare Hill Road, Harvard#0912-02**

- ❖ WPA Form 1 Request for Determination of Applicability application, dated September 2012
- ❖ Subsurface Sewage Disposal System Single Component Upgrade Site Plan, Construction Detail & Specifications, dated August 2012