

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
APRIL 17, 2014
APPROVED: MAY 15, 2014**

Chairman Paul Willard called the meeting to order at 7:02pm in the Town Hall Meeting Room

Members Present: Paul Willard, Jim Breslauer, Wendy Sisson, Jaye Waldron, Joanne Ward and Jim Saalfield (Associate Member)

Others Present: Liz Allard (LUB Admin), Bruce Leicher (BHPWMC), Wendy Gendron (Aquatic Restoration Consulting) and Brian McClain (BHPWMC)

Election of Officers

Jim Breslauer made a motion to elect Paul Willard as chairman. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Paul Willard made a motion to elect Don Ritchie as the vice chairman. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Wendy Sisson arrived at 7:06pm

Approve Invoices

Liz Allard stated the following invoice has been received and needs to be approved for payment to be included on the next bill warrant:

❖ Mark j. Lanza - \$77.50

Jim Breslauer made a motion to approve the above-mentioned invoice for payment. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Approve Minutes

Jim Breslauer made a motion to approve the minutes of February 20, March 6 and 20 and April 3, 2014 as amended. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Master Plan Steering Committee Update

Jaye Waldron reported the Master Plan Steering Committee (MPSC) met Monday with the consultant to review and discuss the town wide survey. This survey should be available to the public shortly and will be "live" for three weeks. The MPSC has yet to receive the working papers based on the public forums in March from the consultant.

Review Forest Cutting Plan 125-6700-14 Cruft Lane

Members of the Commission along with the Conservation Agent have been contacted by residents concerned with the forest cutting related activity on Cruft Lane. Jaye Waldron stated it is her understanding that a cutting plan can not be developed to create a change in the use of the land. Members discussed the differences between land under Chapter 61A and land that is being used as agricultural without any tax relief. The plan states the land is in Chapter 61A; members thought this was incorrect. Members would like to determine if the plan was executed properly and/or represented properly.

At this point the Commission is very concerned about the remaining work that needs to be completed to remove the felled trees, as the area is extremely wet. Ms. Waldron stated the Commission can require field checks for compliance at any time from the Department of Conservation and Recreation. (DCR), as well as copies of the inspections. According to the regulations the land to be forested must be devoted to forestry use and not other purposes. Questions arose as to the existing field being increased and would the Commission have permitted that increase. Ms. Waldron will continue to try and contact Laura Dooley at DCR for

further information. Paul Willard suggested the Commission retain outside assistance on understanding the law and its requirements. Wendy Sisson asked if the Commission should ask the Natural Heritage and Endangered Species Program if they would allow for future work in the area as it is estimated habitat for rare and endangered species. Mr. Willard suggested the Commission keep an eye on the project and be ready to react when and if necessary.

Jim Saalfield arrived at 7:30pm.

Request for a Certificate of Compliance – Gokey & Quinn, 294 Ayer Road

Liz Allard stated the Commission has received a Request for a Certificate of Compliance from Gokey & Quinn Bus Company at 297 Ayer Road. Ms. Allard conducted a site inspection and confirmed work has been completed as required under the Order of Conditions, DEP#177-465. Jim Breslauer made a motion to issue the Certificate of Compliance for 294 Ayer Road, DEP#177-465. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Informal Discussion of the Notice of Intent Application with Bare Hill Pond Watershed Management Committee

Bruce Leicher, chair of the Bare Hill Pond Watershed Management Committee (BHPWMC), was present, along with Wendy Gendron, from Aquatic Restoration Consulting, and Brian McClain, a member of the BHPWMC. Mr. Leicher distributed the “Bare Hill Pond Invasive Weed Management Strategy” prepared by Megan Glew, a member of BHPWMC. Mr. Leicher explained the first part of the strategy is a description of prior years’ process. The BHPWMC does not want to end up back at 40 micrograms per liter of phosphorus in the pond or the return of invasive weeds, therefore they are proposing a Notice of Intent similar to that previously filed by BHPWMC, with the difference being specific parameters measurements would be taken very year and draw downs would not be conducted until specific thresholds of those parameters are exceeded. The draw downs will still require annual approval of the Conservation Commission.

Mr. Leicher stated the BHPWMC will collect a minimum of two readings for phosphorus each year, with the latest collection in July to determine if a draw down will be required that fall. In order to be prepared for a draw down, in the event one is necessary, the BHPWMC will be filing a Notice of Intent with the Commission within the next month or so. Paul Willard stated the process of being prepared make sense to him.

Mr. Leicher noted the south end of the pond looks fantastic due to the control of invasive plant species and the return of native plants. Jim Saalfield asked if the BHPWMC has a comprehensive list of the plant species they are monitoring and how far back does that list go. Mr. Leicher stated reports from Gene Marsh, a former member of the BHPWMC, documented the invasives plant species as mostly milfoil and fanwort, along with water chestnut during the ‘80’s and ‘90’s. Thanks to Rick Dickson, the water chestnuts have essentially been eradicated from the pond. The first real comprehensive survey was done by ENSR in 1998 and then again in 2003.

Mr. Leicher noted the order of conditions for the stormwater management facilities requires routine testing to be certain they are functioning properly. Samples were collected after this past Tuesday rain event and results will be forwarded to the Commission.

Update on DEP Regulatory Workshop

Liz Allard stated she had attend a workshop today on the updates to 310 CMR 10.0 which includes new exemptions for minor activities within the buffer zone, combined application and permits under Chapter 91 and 401 Water Quality Certification, general permit for ecological restoration, stream crossing standards, limited project status for renewable energy projects, exemptions for regulated “resources” created by stormwater management structures. Other significant changes include streamlining the abutter notification requirements, allowing improvement dredging to maintain historic navigation channels in Areas of Critical Environmental

Concern, clarification on when a habitat evaluation is required, streamlining 401 Water Quality Certification, and modifications and additions to some definitions.

Quarterly Report on Conservation Commission Accounts

Liz Allard had previously distributed the forth quarter report of the accounts under the charge of the Commission. There were no questions from the members in regards to these reports.

Annual Appointments

Liz Allard stated the following members are up for re-appointment for a three year term: Charlie Gorss, Jim Breslauer and Jaye Waldron. In addition, Jim Saalfield is up for the annual appointment as the associate member. Jim Saalfield was concerned that due to his schedule he is unable to contribute to the Commission. Members explained to Mr. Saalfield that there is a huge learning curve when it comes to all of the aspects of conservation and Mr. Saalfield should not feel as though he is not participating enough at this point. Mr. Saalfield stated he would consider re-appointment and get back to the Commission shortly with his decision.

Notification of Post Emergent Herbicides Application – Pan Am Railways, Inc.

Liz Allard informed the members of notification from Pan Am Railways, Inc. stating post emergent herbicide application program will commence on or after May 1st of this year and will conclude on or about July 1st.

Land Stewardship Updates

Wendy Sisson stated the Land Stewardship Subcommittee will need to make repairs to the fence around the dancing ground at Holy Hill. Ms. Sisson suggested since the area contains significant historic value, that perhaps the snow mobile trail should be relocated as to not be so close to this area. Members agreed that the matter should be further investigated and considered.

Ms. Sisson stated a vehicle has gone down the fire road on the Clapp-Scorgie-Tufts-Smith land and suggested the re-installation of the chain across the road just beyond the parking lot. Members agreed.

At Hosking's Point a regulation sign has been installed and the fire pit has been filled in.

The Land Stewardship Subcommittee will be organizing a clean-up day in the near future.

Adjournment

Jim Breslauer made a motion to adjourn the meeting at 8:53pm. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

DOCUMENTS & OTHER EXHIBITS

Informal Discussion of the Notice of Intent Application with Bare Hill Pond Watershed Management Committee

❖ "Bare Hill Pond Invasive Weed Management Strategy"