

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
JUNE 19, 2014
APPROVED: JULY 17, 2014**

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

Members Present: Paul Willard, Wendy Sisson, Jim Breslauer, Jaye Waldron and Joanne Ward

Others Present: Liz Allard (LUB Admin), Molly Cutler (HCT), Pete Dorward (HCT), Bruce Leicher (BHPWMC), Pablo Carbonell, John Boardman (Hancock Assoc.), John and Julie Snyder, Nick Pauling (GPR, Inc.)

Discuss Right of First Refusal with Harvard Conservation Trust – 121 Old Littleton Road

Jim Breslauer made a motion to go into Executive Session to discuss the possible purchase of real property, the public discussion of which could have detrimental effects on the negotiating position, only to resume the public meeting once completed. Jaye Waldron seconded the motion. A roll call vote was taken: Jim Breslauer, aye, Joanne Ward, aye, Wendy Sisson, aye, Jaye Waldron aye, Paul Willard aye.

Public meeting resumed at 7:38pm

Notice of Intent Hearing – Bare Hill Pond Watershed Management Committee, Bare Hill Pond, Harvard#0514-01. Opened at 7:38pm

Request for Determination of Applicability Hearing – Gary Dupuis, 188 Stow Road, Harvard#0614-02. Opened at 8:01pm

Request for Determination of Applicability Hearing – Harvard Department of Public Works, Fairbank Street/Old Boston Turnpike, Harvard#0614-01. Opened at 8:06pm

Wetland Violation Snyder, 97 Woodside Road

Liz Allard explained she had located the information within the 1993 minutes of the Conservation Commission that details the installation of the culvert as it is today. Members discussed the removal of vegetation by the property owner from the spillway on a routine bases to avoid any up stream flooding on abutting property due to beaver activity. Members agreed the situation is as good as it is going to get considering the circumstances and things should be left as is. The Commission thanked Mr. and Mrs. Snyder for attending this evening.

Review Forestry Cutting Plan 125-6700-14 Cruft Lane

Jaye Waldron stated she has not heard back from Laura Dooley, the State Forester, who signed the plan for Cruft Lane. Ms. Waldron will continue to be in touch with Ms. Dooley to address the concerns of the Commission.

Revisit Road Erosion into Resource Area on East Bare Hill Road

Liz Allard explained to the members she had been contacted by John Burns on East Bare Hill Road who stated the solution to silt entering the pond on his property is not working as the first hard rain took out most of the crush stone the Department of Public Works had installed as a diffuser. The members asked Ms. Allard to request the DPW install larger stone in place of the smaller crushed stone.

Request for a Certificates of Compliance – 17 Candleberry Lane, DEP#177-602

Liz Allard stated she has received a Request for a Certificate for 17 Candleberry Lane, DEP#177-602. Ms. Allard has reviewed the site and found it to be in compliance with the Order of Conditions. Wendy Sisson made a motion to issue a Certificate of Compliance for DEP#177-602. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Ms. Allard stated she received an additional Request for a Certificate of Compliance this afternoon for 21 Depot Road, DEP#177-452. Ms. Allard has reviewed the site and found it to be in compliance with the Order of Conditions. Wendy Sisson made a motion to issue a Certificate of Compliance for DEP#177-452. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Approve Minutes

Wendy Sisson made a motion to approve the minutes of May15, 2014 and June 5, 2014 as amended. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Approve Invoices

Liz Allard stated the Commission has received the following invoice for payment:

- Brackett & Lucus - \$217.50

Wendy Sisson made a motion to approve the above mentioned invoice for payment on the next bill warrant. Jim Breslauer seconded the motion. The vote was unanimously in favor of the motion.

Master Plan Steering Committee Update

Jaye Waldron stated the response the Master Plan survey was low. The Master Plan Steering Committee is planning an additional forum on Devens and more outreach on the elements of the Master Plan for this fall.

Paul Willard left the meeting at 9:12pm

Executive Session

Jim Breslauer made a motion to go into Executive Session to discuss the possible purchase of real property, the public discussion of which could have detrimental effects on the negotiating position, only to adjourn the public meeting once completed. Joanne Ward seconded the motion. A roll call vote was taken: Jim Breslauer, aye, Joanne Ward, aye, Wendy Sisson, aye, Jaye Waldron aye.

Adjournment

After executive session, Jim Breslauer made motion to adjourn the meeting at 9:52pm. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

**Harvard Conservation Commission
Notice of intent Hearing Meeting Minutes
Bare Hill Pond Watershed Management Committee, Bare Hill Pond, Harvard#0514-01
June 19, 2014**

The public hearing was opened at 7:38pm by Chairman Paul Willard under the Massachusetts Wetland Protection Act, Ch. 131 §40 and 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, Wendy Sisson, Jaye Waldron and Joanne Ward

Others Present: Liz Allard (LUB Admin.), Bruce Leicher (BHPWMC) and Pablo Carbonell

This hearing is for a Notice of Intent filed on behalf of Bare Hill Pond Watershed Management Committee for the annual drawdown of Bare Hill Pond for the management of invasive weeds.

Bruce Leicher, the chairman of the Bare Hill Pond Watershed Management Committee (BHPWMC), was present to discuss the Notice of Intent for the annual draw down of Bare Hill Pond for the management of invasive weeds. Mr. Leicher stated the phosphorus levels are currently as low as they were last year. The BHPWMC is seeking permission for the annual draw down over the next three years, with a requirement for approval from the Commission each August. Approval would be based on the data presented annually.

Pablo Carbonell, a resident of Bare Hill Pond, stated it seems a little opened ended that the draw down is addressing phosphorus and weed control. Mr. Carbonell stated there has been a lot of the research that is only targeting a few parameters; what about the turtle, frogs and other creatures in the lake. Mr. Carbonell stated he has not seen a crawfish in three to four years. Mr. Carbonell asked if there has been analysis of these things or will there be. Mr. Leicher explained as part of the original Order of Conditions the BHPWMC was and still are required to conduct monitoring of the effect of the drawdowns on turtles and frogs; granted they are done by volunteers, but they are done on an annual basis. In addition, the BHPWMC received data from the fishing derbies that take place on the pond. Mr. Leicher suggested Mr. Carbonell review the Generic Environmental Impact Report available on the BHPWMC webpage of the Town website. Jim Breslauer noted the Order of Conditions issued by the Commission requires monitoring.

Wendy Sisson explained the process in getting to where the BHPWMC and the Conservation Commission are working together to maintain an equilibrium between the health of the pond and its users. Ms. Sisson stated it would be huge expenses to have actual professionals monitor the entire pond. Mr. Carbonell stated he and his family has seen a decline in species over the past three to four years across the board. Paul Willard stated that it is obvious some damage will occur and it is a balancing act on determining if it is a good trade-off. Ms. Sisson stated there are other options, such as letting the pond go or the use of chemicals, but some species would not benefit from those choices either. Jaye Waldron stated the decline may not be because of the draw down.

Mr. Breslauer stated the previous Order of Conditions allowed for a draw down of up to eight feet; that was allowed to be able to complete a dredging project a few years ago. Would the BHPWMC be asking for that number to remain the same? Mr. Leicher stated they would not and felt a maximum of six feet would suffice.

With no Department of Environmental Protection file number yet, Wendy Sisson made a motion to continue the hearing to July 17, 2014 at 7:30pm in the Town Hall Meeting Room.

Respectfully submitted, Liz Allard Land Use Administrator/ Conservation Agent

Harvard Conservation Commission
Request for Determination of Applicability Hearing Meeting Minutes
Gary Dupuis, 188 Stow Road, Harvard#0614-02
June 19, 2014

The public hearing was opened at 8:01pm by Chairman Paul Willard under the Massachusetts Wetland Protection Act, Ch. 131 §40 and 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, Wendy Sisson, Jaye Waldron and Joanne Ward

Others Present: Liz Allard (LUB Admin) and John Boardman (Hancock Assoc.)

This hearing is for a Request for Determination of Applicability filed on behalf of Gary Dupuis for the pumping and filling of an existing cesspool and the installation of a new sewer pipe from the existing structure within 100' wetland buffer zone at 188 Stow Road, Harvard.

A site walk was conducted on Monday with members of the Commission, the Conservation Agent and the applicant's representative, John Boardman, of Hancock Associates. Mr. Boardman explained the plan to replace the existing septic system with components within the 100' wetland buffer zone. The wetland line is an approximation as this application does not approve the wetland line. The grade is flat so there will not be water racing off the surface to the adjacent wetland. In the proposed leaching area there is gravel. The leach area is 75' from the edge of the wetland. The erosion controls demarcate the limit of disturbance and activity.

Jim Breslauer made a motion to close the hearing and issue a Negative #2 Determination of Applicability. Joanne Ward 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
Harvard Department of Public Works,
Fairbank Street & Old Boston Turnpike, Harvard#0614-01
June 19, 2014**

The public hearing was opened at 8:06pm by Chairman Paul Willard under the Massachusetts Wetland Protection Act, Ch. 131 §40 and 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, Wendy Sisson, Jaye Waldron and Joanne Ward

Others Present: Liz Allard (LUB Admin.) and Nick Pauling (GPR, Inc.)

This hearing is for a Request for Determination of Applicability filed on behalf of the Harvard Department of Public Works for the installation of catch basins, the re-construction of an existing drainage structure on Old Boston Turnpike, along with the re-surfacing of Fairbank Street within the 100' wetland buffer zone.

A site walk was conducted on Monday with members of the Commission, the Conservation Agent and the applicant's representative, Nick Pauling, of GPR, Inc. Mr. Pauling explained the work to take place two catch basins along the north side of Fairbanks Street, which will be connected in series and will discharge to the west side of Old Boston Turnpike. The project also proposes to repave Fairbanks Street and install a cape cod berm on the north side of the Fairbanks Street to facilitate the collection of stormwater into the catch basins.

The degraded pavement along the west edge of Old Boston Turnpike will be improved by properly reconstructing an existing drainage infrastructure with a flared end section and rip rap for energy dissipation. The shoulder will be re-graded into a grass swale to collect both the outlet from Fairbank Street and runoff from Old Boston Turnpike. The grass channel will be stabilized with a temporary erosion control blanket, and will provide stormwater treatment. The swale will terminate 200' from the intersection of Fairbank Street and runoff will the sheet flow towards the intermittent stream. A check dam will be installed at the end of the grass swale to dissipate runoff velocities.

Jim Breslauer made a motion to close the hearing and issue a Negative #2 Determination of Applicability. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Liz Allard

Land Use Administrator/
Conservation Agent

DOCUMENTS & OTHER EXHIBITS

Request for Determination of Applicability Hearing – Gary Dupuis, 188 Stow Road, Harvard#0614-02

- Sewage Disposal Repair Plan, DWG: 15361sds.dwg, prepared by Hancock Associates, dated 5-20-14

Request for Determination of Applicability Hearing – Harvard Department of Public Works, Fairbank Street/Old Boston Turnpike, Harvard#0614-01

- Roadway Improvement Site Plan, Fairbank Street & Old Boston Turnpike, Harvard, MA, JOB 141023, prepared by GPR, Inc., dated June 2014