

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
DECEMBER 4, 2014
APPROVED: FEBRUARY 10, 2015**

Chairman Paul Willard called the meeting to order at 7:00pm in the Town Hall Meeting Room under MGL Chapter 131 §40 The Wetland Protection Act and The Code of the Town of Harvard Chapter 119 the Wetland Protection Bylaw

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

Others Present: Liz Allard (LUB Admin), Bill and Elaine Leiser and Neil Gorman (Ross Assoc.)

Wetland Buffer Zone Violation – Leiser, 27 Mill Road, DEP#177-606

Liz Allard explained to the members that she was informed of tree removal within the wetland buffer zone at 27 Mill Road. Ms. Allard reviewed the site with the property owner, Bill Leiser two weeks ago. Ms. Allard explained to Mr. Leiser at that time that under the existing Order of Conditions (OOC) there is to be no disturbance beyond the erosion control barrier. Mr. Leiser stated he was unaware of this condition with the OOC. According to Mr. Leiser the trees removed were not in good condition, and some were a safety concern. All stumps of the removed trees remain in place. In addition, Mr. Leiser has been cleaning up the buffer zone of fallen branches and leaf litter. Ms. Allard explained to Mr. Leiser that trees, even in poor health, make great habitat for wildlife, as well as the natural litter on the ground. Ms. Allard had further explained to Mr. Leiser about the benefits of the tree canopy and its ability to aid in protecting wetland areas.

Wendy Sisson stated it seems as though Ms. Allard has done a good job of explaining to Mr. Leiser the importance of the buffer zone and that no further action is necessary. Mr. Leiser was asked to allow the area beyond the erosion control barrier to be left in its natural state and allow for the cut trees to regenerate naturally.

Ms. Allard then explained the situation at 180 Prospect Hill Road, which Mr. Leiser also owns. It appears that some time during the installation of the septic system in 2006 the wooded area below the septic system was cleared and a hay field was created. This area contained a small wetland system, as shown on the septic system plan. Since the work for the installation of the septic system was outside the 100' wetland buffer zone, there were no filings with the Commission. The clearing of the area has since eliminated the wetland. Ms. Allard and Mr. Leiser reviewed the site a few weeks ago and found no evidence of a wetland resource area. Currently the Leisers are in the process of building a carriage house on the property. Ms. Allard noted even if there was still a wetland present the new carriage house would not have any adverse impacts to the wetland.

Community Preservation Wrap-up

Wendy Sisson stated she is wrapping up the information she will present at the Community Preservation Committee (CPC) meeting next Wednesday in regards to the request for an additional \$50,000 for invasive plant control on conservation land. Ms. Sisson would like an opportunity to present to the Commission a presentation on the existing three year invasive plant program. Work completed to date includes the clearing of a large area and treatment of all the invasive plants on the Powell land; the clearing and treatment around the fields on the Williams land and Murray Lane; and the treatment of black swallowwort on the Clapp-Scorgie land. In order to suppress the invasive plants there needs to be a combination of treatment and mowing as these locations. The only item not accomplished under this initial project was the removal of the woody plant species between the two fields on the Williams land.

Ms. Sisson stated the request for funding this year will include \$25,000 to continue treatment on the previously mentioned lands; the treatment of invasive plants on the Maxant land and the clearing, removal and treatment of invasive plants at Bare Hill Wildlife Sanctuary. Ms. Sisson is hoping to use the Maxant land as a learning tool for the Department of Public Works, by having Polatin Ecological Services conduct a training session at the site on the treatment of invasive plant species.

Ms. Sisson will be asking the CPC if the Commission could substitute some locations should things change over time. Ms. Sisson will also propose the Herman Orchard clearing under this proposal as the orchard is also affected by invasive plants.

Notice of Intent Hearing – Lori Lucy, 6 Old Mill Road, DEP#177-634, Harvard#1114-01.

Opened at 7:36pm

Certificates of Compliance

Liz Allard stated the Commission received two Requests for Certificate of Compliance; 8 Finn Road, DEP#177-629 and 37 Peninsula Road, DEP#177-618. Ms. Allard has reviewed both sites and finds them to be in compliance with the Order of Conditions. Don Ritchie made a motion to issue Certificates of Compliance for 8 Finn Road, DEP#177-629 and 37 Peninsula Road, DEP#177-618. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Master Plan Update

Jaye Waldron stated the Master Plan Steering Committee (MPSC) is holding a public forum this Saturday on Devens; the forum is at the Center on the Common from 9am -noon. A draft of Chapter 2 has been received and is being reviewed by the MPSC. The Committee's new deadlines are January 10th to review the draft of the Master Plan, January 26th to present the plan to the Planning Board and for the final plan to be accepted by the Planning Board on February 9th.

Notice of Intent Hearing – The Homescout LLC, 90 Warren Avenue, DEP#177-635,

Harvard#1114-02. Opened at 7:53pm

Approval of Minutes

Jaye Waldron made a motion to approve the minutes, including executive session, of November 6 and 20, 2014 as amended. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

Approve Invoices

Liz Allard stated the Commission has received an invoice for inclusion on the next bill warrant in the amount of \$144.00 from Town Counsel, Mark Lanza. Wendy Sisson made a motion to approve the invoice for Mark Lanza for payment. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

January 2015 Meeting Schedule

Liz Allard explained the first Thursday in January is New Years day. Does the Commission want to meet on another Thursday in January or just go with one meeting in January? The members agree unless necessary, they will only meet on January 15, 2015 for the month of January.

MassLift Grant

Wendy Sisson stated she and Liz Allard had put together an application for a grant through Sudbury Valley Trustees (SCT) for baseline documentation training. Although the Commission did not receive the grant, SVT has offered training for baseline documentation. A representative from SVT will be meeting with Ms. Sisson, Ms. Allard and Peter Dorward of the Harvard Conservation Trust on January 13th to further discuss.

8:50pm Paul Willard left the meeting and Don Ritchie took over to chair the meeting.

Executive Session

Don Ritchie made a motion that the Conservation Commission 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 in which a public discussion of these matters will have a detrimental effect on the negotiating position of the Commission, only to adjourn the public meeting once the discussion is complete. Wendy Sisson seconded the motion. A roll call vote was taken; Don Ritchie, aye; Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye.

Adjournment

At the conclusion of the executive session (9:00pm), Jaye Waldron made a motion to adjourn the public meeting. Joanne Ward seconded the motion. A roll call vote was taken; Don Ritchie, aye; Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

**Harvard Conservation Commission
Notice of Intent Hearing Meeting Minutes
Lori Lucy, Old Mill Road, DEP#177-634, Harvard#1114-01
December 4, 2014**

The public hearing was opened at 7:36pm 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, Wendy Sisson, Don Ritchie, Jaye Waldron, Joanne Ward and Jim Saalfield (Associate Member)

Others Present: Liz Allard (LUB Admin) and Neil Gorman (Ross Associates)

This hearing is for a Notice of Intent filed on behalf of Lori Lucy for the upgrade to a sewage disposal system within the 100' wetland buffer zone at 6 Old Mill Road, Harvard.

A site walk was conducted on December 2nd with members of the Commission, Neil Gorman, of Ross Associates, and the Conservation Agent. Mr. Gorman was present this evening to represent the applicant and explain the site to the members. Bower's Brook borders the west property boundary and a small finger of bordering vegetated wetland (BVW) extends into the middle of an existing spruce grove. The proposed project consists of the replacement of the existing failing sewage disposal system with a majority of the system within a maintained field and within the edges of the spruce grove. Three spruce trees will need to be removed for the installation. The closest distance of the proposed leaching system to the BVW will be fifty-three feet. Members discussed the moving of the system further from the BVW, but the system is already located as close to the property line along the road as possible.

With no additional questions, Don Ritchie made a motion to close the hearing and issue an Order of Conditions with the special conditions that the slope created by the installation of the septic system be planted with a conservation mix and allowed to be left in its natural state and there shall be no dumping of lawn material within the 50' wetland buffer zone as shown on the plan dated October 20, 2014.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

Harvard Conservation Commission
Notice of Intent Hearing Meeting Minutes
The Homescout LLC, 90 Warren Avenue, DEP#177-635, Harvard#1114-02
December 4, 2014

The public hearing was opened at 7:53pm 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, Wendy Sisson, Don Ritchie, Jaye Waldron, Joanne Ward and Jim Saalfield (Associate Member)

Others Present: Liz Allard (LUB Admin)

This hearing is for a Notice of Intent filed on behalf of The Homescout LLC for an upgrade to the sewage disposal system, demolition of existing single-family dwelling and the reconstruction of a new single-family dwelling, improvements to the existing driveway, the construction of a bridge and new portion of the driveway and selective tree removal within the 100' wetland buffer zone at 90 Warren Avenue, Harvard.

A site walk was conducted on December 2nd with members of the Commission, Neil Gorman, of Ross Associates, and the Conservation Agent. As a result of that site walk Mr. Gorman submitted revised plans this evening. In an attempt to maintain the seventy-five foot no structures provision within the Wetland Protection Bylaw Rules, the original plan showed a fair amount of grading for the proposed location of the new single-family dwelling, driveway and retaining wall for the septic system, as well as the removal of a number of large existing trees. By reconfiguring the driveway as it enters the site from Warren Avenue, Mr. Gorman was able to reduce the grading along its north side that had a potential to be damaging to trees in that area. The revised plan shows the first one hundred and twenty-five feet of the driveway being shifted to accommodate the suggestion of the Commission members at the site walk. It was well noted during the site walk that the site contains a large number of Hemlocks that most likely will be lost over the next several years to the Woolly Adelgid; it is important to maintain as many hard wood species on the site as possible. During the site walk it was suggested the house be moved back away from the pond as the area behind the existing cottage is disturbed already and would require far fewer trees to be removed for its installation. By moving the house back, it reduces the need for a retaining wall for the driveway and proposed walkway. The revised plan has eliminated the proposed patio under the second level deck. The type of foundation can not be determined until more site work is completed, so there is a chance it could just be a slab foundation. The revision does put the drinking water well in the middle of the driveway, which will be proposed to the Board of Health as a manhole cover within the proposed driveway. The revision to the plans reduced the potential for disturbance to Bare Hill Pond.

There was much discussion in regards to the proposed location of the septic system and possibly shifting it away from the property line, however testing of soils have dictated its location as shown on the plan. The existing cesspool will be abandoned. An email from the abutter addressed concerns over the location and design of the septic system and requested the requirement of plantings for screening. Since this proposal requires Zoning Board of Appeal (ZBA) approval, the members felt these concerns would be better addressed by the ZBA. The abutter has been informed of this as well.

The proposal includes the building of a fourteen by forty-foot bridge across the existing wetland, where a foot bridge currently exists. Mr. Gorman stated Ross Associates are not structural engineers and have retained one to review the construction of this bridge. The members look forward to information in regards to the bridge from a structural engineer.

The members discussed the importance of maintaining the natural vegetation between the house and Bare Hill Pond. The applicant had flagged a number of trees from removal, which were reviewed and revised by the members and the Conservation Agent during the site walk. The site is one of environmental importance and the Commission grapples with a way to be certain this is conveyed to whoever buys the property.

With the Commission seeking additional information on this proposal, Don Ritchie made a motion to continue the hearing to January 15, 2015 at 7:30pm. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

EXHIBITS & OTHER DOCUMENTS

Notice of Intent Hearing – Lori Lucy, 6 Old Mill Road, DEP#177-634, Harvard#1114-01

- Sewage Disposal System Plan, #6 Old Mil Road, Harvard, Massachusetts, designed for Lori Lucy, prepared by David E. Ross Associates, Inc., Job No. 30036, Plan No. L-12457, dated October 2014

Notice of Intent Hearing – The Homescout LLC, 90 Warren Avenue, DEP#177-635, Harvard#1114-02

- Sewage Disposal System Plan, #90 Warren Avenue, Harvard, Massachusetts, designed for Homescout, LLC, prepared by David E. Ross Associates, Inc., Job No. 29808, Plan No. L-12470, dated 12/3/14