

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
JANUARY 15, 2015
APPROVED: MARCH 19, 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, Jim Breslauer, Charlie Gorss, Wendy Sisson, Jaye Waldron, and Joanne Ward

Others Present: Liz Allard (LUB Admin), Peter Dorward (HCT), Lowell Barrett, Sharon Harris and George Watkins

Review & Approve Memorandum of Understanding RE: Lawton Conservation Restriction

Wendy Sisson explained Avery Appraisers have stated now that the sale has gone through for Parcels B and C and Lot 1, which includes a pre-sale conservation restrictions and purchased for a reduced rate, with a reduced value of those parcels, it is doubtful the conservation restrictions the Commission agreed to pay for would appraise beyond the agreed \$150,000.

A solution to the matter is to switch gears and have Parcel A appraised and determine if there is in fact value there beyond \$150,000 and if so purchase Parcel A from the Harvard Conservation Trust as originally planned. Unbuildable parcels in Harvard, at times, are more valuable; as could be the situation here. In addition, the Planning Board has the option to waive the four and half acre requirement for a hammerhead lot, with some contingencies. Parcel A is 3.81 acres and has fifty feet of frontage, which may fit into this category, and would increase its value. The appraiser has requested a formal statement from the Planning Board stating that such a waiver is conceivable. Wendy Sisson will follow up with the Chair of the Planning Board.

In light of this new information, the Commission did not review or approve the Memorandum of Understanding this evening as it may not be needed should they purchase Parcel A rather than the conservation restrictions for Parcels B & C and Lot 2.

Continuation of a Notice of Intent Hearing – The Homescout, LLC, 90 Warren Avenue, DEP#177-635, Harvard#1114-02. Opened at 7:30pm

Review and Approve Annual Report

Liz Allard had previously distributed the annual report for review by the members. With no comments or additions to the report, Wendy Sisson made a motion to approve the 2014 annual report of the Conservation Commission as drafted. Charlie Gorss seconded the motion. The vote was unanimously in favor of the motion.

Request for Certificate of Compliance – 38 Peninsula Road, DEP#177-617

Liz Allard stated she has inspected 38 Peninsula Road for the issuance of a Certificate of Compliance. Ms. Allard finds the site to be in compliance with the Order of Conditions and recommends the issuance of a Certificate of Compliance. Joanne Ward made a motion to issue a Certificate of Compliance for 38 Peninsula Road, DEP#177-617 for the addition to an existing single-family dwelling. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Master Plan Steering Committee Update

Jaye Waldron stated the Master Plan Steering Committee (MPSC) is still waiting for the draft of the Chapters of the Master Plan from the consultant. Since communication has been difficult between the MPSC and the consultant, the Town Administrator has sent a letter to the consultant

urging them to complete the Master Plan as detailed within the contract between them and the Town.

Approval of Invoices

Liz Allard stated the Commission has received an invoice for inclusion on the next bill warrant in the amount of \$1232.00 from Town Counsel, Mark Lanza. Jim Breslauer made a motion to approve the invoice for Mark Lanza for payment. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Quarterly Update of Conservation Funds

Liz Allard had previously distributed an update of the conservation funds for the second quarter of fiscal year 2015 for the members review. Wendy Sisson had question about some of the uses of the funds. Errors in balances from last quarter have been resolved and all accounts agree with the finance departments accounts.

Community Preservation Committee Update

Joanne Ward stated the Community Preservation Committee (CPC) met last night and voted on the funding of the requested projects for fiscal year 2016. Ms. Ward stated the CPC only had \$151,000 of available funds this year. Due to the reduce funding available the Commission will not be receiving any funds for the conservation fund (used for the purchase of open space), but will receive \$26,100 for the invasive plant species management program. This is a \$23,900 reduction in the amount requested by the Commission. Jim Breslauer wondered if the Commission should be advocating for an increase the Community Preservation surcharge. Others felt this may not be the time to do so, but should be discussed at a future meeting.

Bromfield Science Fair February 27th

Liz Allard stated she has been contacted by Ellen Leicher in regards to members of the Commission participating as judges and award presenters at the Bromfield Science Fair again this year. Jim Breslauer and Jaye Waldron stated they would be willing to judge the projects this year. Liz Allard will confirm with Don Ritchie that he is willing to present the awards.

Jim Breslauer left the table and joined the general public at 8:01pm

Request for Determination of Applicability Hearing – Jim Breslauer, 130 Poor Farm Road, Harvard#1214-01. Opened at 8:02pm

Jim Breslauer returned to the table at 8:11pm

MACC Annual Conference February 28th

Liz Allard reminded members of the annual conference of the Massachusetts Association of Conservation Commissioners on February 28th. Any member interested in attending can submitted their choices of workshops to Ms. Allard and she will get them registered for the event.

Municipal Affordable Housing Trust Sale of the Poor Farm

The Commission discussed the Municipal Affordable Housing Trust (MAHT) intent to sell the Poor Farm at 166 Littleton Road and any potential to preserve the land with a conservation restriction prior to the sale. Paul Willard stated he would speak with the chair of the MAHT and Wendy Sisson will talk with the chair of the Board of Selectmen about the matter.

Adjournment

Charlie Gorss made a motion to adjourn the public meeting at 8:26pm. 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
Continuation of a Notice of Intent Hearing Meeting Minutes
The Homescout LLC, 90 Warren Avenue, DEP#177-635, Harvard#1114-02
January 15, 2015

The public hearing was opened at 7:30pm 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, Charlie Gorss, Wendy Sisson, Jaye Waldron, and Joanne Ward

Others Present: Liz Allard (LUB Admin)

This hearing was continued from December 4, 2014 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 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.

Liz Allard stated the Commission had received a written request to continue the hearing until February 19, 2015 to allow for the applicant and his representatives to continue to work with the Board of Health to resolve issues with the proposed project. Jim Breslauer made a motion to continue the hearing to February 19, 2015 at 7:30pm. Jaye Waldron 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
Jim Breslauer, 130 Poor Farm Road, Harvard#1214-01
January 15, 2015**

The public hearing was opened at 8:02pm 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, Charlie Gorss, Wendy Sisson, Jaye Waldron, and Joanne Ward

Others Present: Liz Allard (LUB Admin) and Jim Breslauer

This hearing is for a Request for Determination of Applicability filed on behalf of Jim Breslauer for the removal of a tree that is a threat to human safety with 200' of a resource area at 130 Poor Farm Road, Harvard.

Jim Breslauer was present to discuss the removal of a tree on his property that is within 200' of the vernal pool. Mr. Breslauer explained the tree has rotted at the base and has a potential for damaging the house and fence, as well as endangering members of his family should it come down in heavy winds. Liz Allard reviewed the site and has found there to be no adverse impact to the resource area by the removal of this tree.

With no comments or questions, Wendy Sisson 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