

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
APRIL 16, 2015
APPROVED: AUGUST 6, 2015**

Chairman Paul Willard meeting to order at 7:08pm in the Hildreth House 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, Charlie Gorss, Wendy Sisson, Jim Breslauer, Jaye Waldron, and Joanne Ward

Others Present: Liz Allard (LUB Admin), Gary Shepard (Ross Assoc.), Eve Whittenberg, Susan Dutkewych, Al Barbieri, Sean Bilodeau, and Sean P. Bilodeau

Election of Officers

Jim Breslauer nominated Paul Willard as chair of the Commission. Jaye Waldron seconded the nomination. The vote was unanimously in favor of the nomination.

Joanne Ward nominated Don Ritchie for Vice Chair of the Commission. Wendy Sisson seconded the nomination. The vote was unanimously in favor of the nomination.

Master Plan Steering Committee Update

Jaye Waldron stated the Master Plan Steering Committee (MPSC) has voted to not renew the contract to complete the Master Plan with RKG. The MPSC is preparing a Request for Proposals to complete an impact evaluation for Devens. The elements of the Master Plan will be completed by the Town Planner and the Planning Board (PB). A warrant article is needed to extend the sunset date of the funds to complete the Master Plan. Kara McGuire Minar, the chair of the Planning Board (PB), will be the new PB representative to the MPSC. The next scheduled meeting of the MPSC will take place on April 27th; the PB to determine how to complete the Plan by years end.

Members discussed attending the meeting to express concern about the, as seen to date, elements that involve matters under the Conservation Commission or their goals.

Planning Board Request for Comments – Case, Bolton Road (Map 31 Parcel 25)

Liz Allard stated the Planning Board has requested comments for a Driveway Site Plan Approval and Scenic Road Consent application filed on behalf of Charles Case, for the construction of a common driveway along a scenic road. The lot in question contains wetlands; however the location of the proposed driveway is not within the jurisdiction of the Commission.

Members agreed the following comments should be sent to the Planning Board in regards to this application:

- Further development of the parcel may require a filing with the Conservation, and
- It is the applicant's responsibility to verify that there are no other wetlands on any abutting properties within the jurisdiction of the Commission relating to development of this parcel.

Zoning Board of Appeals - Plante, 16 South Shaker Road

Liz Allard explained to the members that the application filed with the ZBA is for a request for a Variance for the addition of a porch at the above mentioned property. Ms. Allard stated neither the site, nor any off site location, contain resource areas with the proposed development area. A letter stating the Commission has no comments will be sent to the ZBA.

Review & Discuss Assignment Agreement – 100 Shaker Road

Wendy Sisson further discussed the survey and access that should be finalized before the Commission signs anything in regards to the gift of land at 100 Shaker Road. These are two factors that if not worked out prior to the Commission officially agreeing to accept the assignment for the purchase of this land, may make obtaining this parcel more costly in the long run. Members had request the donors obtain a certified surveyed plan prepared by a civil engineer as part of the assignment. Ms. Allard received a plot plan from George Watkins. Members discussed the differences between a surveyed plan and a plot plan. The members agreed that Mr. Watkins should be told that a survey plan is required and that the received plot plan will not suffice.

Ms. Sisson also stated it is her understanding that Faith Cross, one of the donor's of the land, is not interested in having an easement on her property as discussed at the April 2, 2015 meeting. The Commission would also like the donor's to know that Town Counsel will need to be in contact with the attorney for the seller of the property in order to assist in the transaction.

Approve Invoices

Liz Allard stated the Commission has received the following invoice for inclusion on the next bill warrant:

- Mark J. Lanza - \$1689.00

Liz Allard stated she had discussed the Commission's concern in regards to the February bill and the time allotted to reviewing a purchase and sales agreement by Attorney Lanza; who agreed to remove the charge. Jim Breslauer made a motion to approve the invoiced as adjusted. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Daman Gift of Land Update

Liz Allard stated she has not received any new information on the above mention gift of land.

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

Fire Department Request for Input – Training Facility at the Gravel Pit on Stow Road

Liz Allard stated she is still waiting for information from the Fire Chief in regards to the regulations set forth by the State in regards to live burns at training facilities such as the proposed. The Commission will wait until further information is received before making any comments on the proposed facility.

Continuation of a Notice of Intent Hearing – Jonathan Williams, 13 Whitman Road, DEP#177-636, Harvard#0115-01. Opened at 7:45pm

Notice of Intent Hearing – Eve Wittenberg & Cathy Corning, Prospect Hill Road, DEP#177-638, Harvard#0315-01. Opened at 8:00pm

Wendy Sisson left the meeting at 8:30pm

Continuation of a Notice of Intent Hearing – Sean Bilodeau, 134 Old Littleton Road, DEP#177-637, Harvard#0215-01. Opened at 8:30pm

Adjournment

Jim Breslauer made a motion at 8:48pm to adjourn the meeting. 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
Continuation of a Notice of Intent Hearing Meeting Minutes
The Homescout, LLC, 90 Warren Avenue, Harvard#01114-02
April 16, 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 Hildreth House

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

Others Present: Liz Allard (LUB Admin)

This hearing was continued from March 19, 2015 on 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 applicant's representative requested the hearing be continued to May 21, 2015. Jim Breslauer made a motion to continue the hearing to May 21, 2015 at 7:30pm in the Hapgood Room at 7 Fairbank Street. Wendy Sisson 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
Jonathan Williams, 13 Whitman Road, DEP#177-636, Harvard#0115-01
April 16, 2015**

The public hearing was opened at 7:45pm 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 Hildreth House

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

Others Present: Liz Allard (LUB Admin)

This hearing was continued from April 2, 2015 for a Notice of Intent filed on behalf of Jonathan Williams for an upgrade to the sewage disposal system for an existing four-bedroom single-family house within the 100' wetland buffer zone at 13 Whitman Road, Harvard.

Liz Allard explained the applicant's representative had requested a continuance of the hearing to the next meeting of the Commission.

Jim Breslauer made a motion to continue the hearing to May 21, 2015 at 7:31pm in the Hapgood Room at 7 Fairbank Street. 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
Notice of Intent Hearing Meeting Minutes
Eve Wittenberg & Cathy Corning, Prospect Hill Road (Map 16 Parcel 1.2),
DEP#177-638, Harvard#0315-01
April 16, 2015**

The public hearing was opened at 8:00pm 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 Hildreth House

Members Present: Paul Willard, Don Ritchie, Charlie Gorss, Wendy Sisson, Jim Breslauer, Jaye Waldron and Joanne Ward

Others Present: Liz Allard (LUB Admin), Gary Shepard (Ross Assoc.) and Eve Whittenberg

This hearing was continued from April 2, 2015 for a Notice of Intent filed on behalf of Eve Wittenberg & Cathy Corning for site work associated with the construction of a single family house including land clearing and landscaping within the 100' wetland buffer zone on Prospect Hill Road (Map 16 Parcel 1.2), Harvard.

Gary Shepard, of Ross Associates, was present along with the applicant, Eve Whittenberg. Mr. Shepard revised the plan, which now details the accurate numbering system for the wetland line, and includes a few minor adjustments as a result of the site walk. The erosion control barrier was discussed as members had concerns with approximately seven acres of land being exposed at one time. Additional erosion controls were requested in the steep area near the proposed septic system grading and driveway. The applicant agreed to a condition with the Order of Conditions that would require the chosen contractor to submit a sequencing plan prior to the start of work. The timing of the clearing and the re-vegetation of the site will be important factors in completing this project without any adverse impacts to the resource areas and the surrounding buffer zones. The applicant is hoping to complete the project this year; she was told the ideal time to plant grass will be in the fall. Rye grass will stabilize the area quickly and will have a root structure. It was suggested the pasture areas be planted in stages. If the fall grass planting is not achieved this year the soil should not be disturbed until the following spring.

Jim Breslauer suggested not completing the work in the savanna until the pastures are complete and stable. Ms. Sisson suggested reversing that thought and doing the savanna first. Members agreed to this sequence. The Conditions shall include an on-site meeting with contractor prior to the start of activity. Work is to cease if the time is getting too late in the fall to expect grass seed to germinate. A double row of erosion controls shall be placed at the area of the proposed driveway and septic, where it is proposed along the 100' wetland buffer zone line. Although outside the jurisdiction of the Commission, Ms. Sisson requested the applicant consider how water is going to drain when designing the house and the barn for the site.

Jim Breslauer made a motion to close the hearing and issue an Order of Conditions that includes the following Special Conditions:

- 1) A pre-construction meeting shall take place on-site with the contractor and all responsible parties prior to any activity taking place on the site;
- 2) The "Savannah Zone" shall be completed and stable and inspected by the Conservation Agent or a member of the Conservation Commission prior to the start of work on the pastures and stable;

- 3) Additional erosion and sediment controls, as noted on the plan, shall be installed and maintained throughout the project, along with the "Harvard Siltation Barrier";
- 4) The "Savannah Zone" may be periodically mowed, but will not be maintained as a manicured lawn. This is a permanent condition;
- 5) Along the 50 foot buffer zone line iron pipes shall be installed and include the Commission's "Protected Wetlands" signage. The pipes shall be placed approximately 50 feet from each other along the entire length of the 50 foot buffer zone. These markers are to remain in perpetuity; and
- 6) No Certificate of Compliance shall be issued until the pasture is completed and stable.

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
Continuation of a Notice of Intent Hearing Meeting Minutes
Sean Bilodeau, 134 Old Littleton Road, DEP#177-637, Harvard#0215-01
April 16, 2015

The public hearing was opened at 8:30pm 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, Charlie Gorss, Jim Breslauer, Jaye Waldron and Joanne Ward

Others Present: Liz Allard (LUB Admin), Gary Shepard (Ross Assoc.), Sean P. Bilodeau and Sean Bilodeau

This hearing was continued from April 2, 2015 for a Notice of Intent filed on behalf of Sean Bilodeau for the installation of a replacement septic system for a single family home within the 100' wetland buffer zone at 134 Old Littleton Road, Harvard.

Gary Shepard, of Ross Associates, was present to represent the applicant. Paul Willard questioned why the applicant, who had not arrived yet, continues to conduct activity within the 100' wetland buffer zone without a permit. Sean P. Bilodeau arrived and stated he was unaware the activities he had conducted to further stabilize the area from silt runoff into the road should have been discussed with the Commission prior to doing so and apologized for said activity.

Mr. Shepard has revised plan as suggested at the site walk to show the movement of the pump chamber to the rear of the house. In doing so he was able to locate the force main outside of the 50' buffer zone. The proposed deck has been added to the plan, and is also outside the 50' buffer zone. The Commission agreed in order to avoid lawn creep to the edge of the wetland two markers containing the Commission's "Protected Wetland" shall be placed at the 50' buffer zone line close to the existing tree line. Liz Allard asked about the driveway on the east side of house, is there intent to improve what is there now. The driveway will be defined and be maintained as a gravel driveway. This detail will be added to the plan.

With no further comments or questions, Joanne Ward made motion to close the hearing and issue an Order of Conditions to include the above-mentioned conditions. 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

Notice of Intent Hearing – Eve Wittenberg & Cathy Corning, Prospect Hill Road, DEP#177-638, Harvard#0315-01

- Site Plan of Land in Harvard, Mass., prepared for Cathy Corning, prepared by David E. Ross Associates, Inc., Job No. 30368, Plan No. L-12537, dated 4/16/2015

Continuation of a Notice of Intent Hearing – Sean Bilodeau, 134 Old Littleton Road, DEP#177-637, Harvard#0215-01

- Sewage Disposal System, 134 Old Littleton Road, Assessor's Map 18, Parcel 36, Town of Harvard, Massachusetts, designed for Sean Bilodeau, prepared by David E. Ross Associates, Inc., Job No. 30132, Plan No. L-12497, dated 4/16/2015