

**HARVARD CONSERVATION COMMISSION  
MINUTES OF MEETING  
JUNE 4, 2015  
APPROVED: AUGUST 6, 2015**

Chairman Paul Willard meeting to order at 7:10pm in the Hapgood Room at 7 Fairbank Street 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, Charlie Gorss, Wendy Sisson, Jim Breslauer, Joanne Ward and Jaye Waldron

**Others Present:** Liz Allard (LUB Admin), Rich Marcello and Dan Grimes (Acorn Tree & Landscape)

**ZBA Request for Comments**

Liz Allard had previously distributed the application submitted to the ZBA for the demolition and reconstruction of a pre-existing non-conforming structure at 64 Warren Avenue. The existing structure is within the 75' no build zone under the Commission regulations as will be the new structure. The proposed footprint of the house is increasing by almost 50%, thereby increasing the disturbance within 75' of Bare Hill Pond. The Commission views this project as new construction and would require the setbacks within the regulations be met. Ms. Allard will send a letter to the ZBA in that regard.

**Request for Continue the Research of the Baltimore checkerspot butterfly on the Williams Land**

Wendy Sisson explained to the members that Tufts University would like to continue their research of the Baltimore checkerspot butterfly on the Williams land. Ms. Sisson stated this research has been very helpful to the Commission in keeping the area maintained properly and has been a good test of management of a property.

In addition, this year they are also seeking permission to use the area for the marking and data collection of the Eastern Kingbirds and setting up of mosquito traps for the study of diseases in migratory birds.

Jim Breslauer made a motion to approve the use of the Williams land by Tufts University for the above-mentioned research during the summer of 2015. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Jaye Waldron arrived at 7:20pm

**Invasive Plant Species Project Update**

Wendy Sisson stated the black swallow wart on the Clapp/Scorgie land has spread across Still River Road. In order to help maintain the work that is being conducted to control invasive plant species a management plan for the town for roadways needs to be developed. In addition, educating the neighbors would help in the control and spread of the invasives. Ms. Sisson stated the Japanese Barberry has been reduced in the area, which helps reduce tick habitat.

Ms. Sisson reported work on the Herman orchard will begin in the fall.

**Request for Determination of Applicability Hearing – Richard Marcello, 24 Cove Drive, Harvard#0515-02.** Open at 7:31pm

### **Forest Cutting Plan – 32 Mettacomett Path**

Liz Allard had previously distributed the forest cutting plan for 32 Mettacomett Path that includes work within the buffer zone to a resource area. The wetland is part of a major network of resource areas and is above an aquifer. Also, the members requested the forester be informed they would prefer the work take place when there is snow cover and the ground is frozen. In addition, the members would like there to be contact with the Commission when work is being completed. Member would also like to know what percentage of trees that are being removed are mature trees.

### **Master Plan Steering Committee Update**

The Master Plan Steering Committee has sent out a Request for Proposals for an impact evaluation of Devens. Responses are due back on June 11<sup>th</sup>.

### **Update to the Gift of Land - 100 Shaker Road**

Liz Allard stated she had received a message from Town Counsel, Mark Lanza, this week stating he has still not received the information he needs from Attorney Gould in order to move forward with the process of obtaining the parcel; he will be in touch once he receives that information.

### **Open Space Plan Update**

Liz Allard stated she has reviewed the requirements for updating the open space and recreation plan as detailed by the State. The list of sections that need to be updated is much more extensive than Ms. Allard has originally anticipated. Ms. Allard has contacted the Park & Recreation Commission chair seeking assistance from their Commission. The chair of Park & Recreation had stated they were willing to help, but as volunteers they have limited time and resources themselves. Ms. Allard asked if any of the members of the Conservation Commission could offer assistance in updating the plan. Wendy Sisson stated she was willing to help. With no other volunteers, Ms. Allard asked if she could assign specific tasks to each of the members. The members had no objection to the request.

### **Willard Land Conservation Restriction Update**

Liz Allard stated she has been in touch with the State in regards to having another town holding a conservation restriction in Harvard. The State has stated it cannot be accomplished. Members suggested determining if the Board of Selectmen or the Planning Board can hold a conservation restriction.

### **Adjournment**

Jim Breslauer made a motion at 8:23pm to adjourn the meeting. Don Ritchie 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**  
**Rich Marcello, 24 Cove Road, Harvard#0515-02**  
**June 4, 2015**

The public hearing was opened at 7:31pm 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 Hapgood Room at 7 Fairbank Street

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

**Others Present:** Liz Allard (LUB Admin), Rich Marcello and Dan Grimes (Acorn Tree & Landscape)

This hearing is for a Request for Determination of Applicability filed on behalf of Rich Marcello for the installation of a walkway and dock within 200' of Bare Hill Pond at 24 Cove Road, Harvard.

Rich Marcello, along with Dan Grimes, from Acorn Tree and Landscape, were present to discuss the proposal to construct a walkway and dock at 24 Cove Road. Mr. Grimes explained they intend to use stone to make a natural walkway down to the water. There will be no removal of any existing trees. The dock is proposed to be 12 x12 over the water and will not be anchored to the ground. Mr. Marcello has spoken with the harbor master who has approved the dock for one year.

The walkway will consist of a couple of switchbacks; the steep parts will have landings and stairs; the walkway itself will be no wider than 3-4 feet. Mr. Grimes was told to avoid major roots of existing trees when constructing the walkway. Jim Breslauer reviewed the walkway area and agrees the location as planned makes a lot of sense. Paul Willard asked if there is any provision for erosion control. Mr. Grimes stated work will proceed as we go, but will have some silt socks on site as needed. Mr. Grimes was also told not to remove the roots of the vegetation at the pond edge; however Mr. Marcello will be allowed to maintain them as they are. After a brief discussion members agreed the use of pea stone would better than woodchips for the path.

With no additional questions or comments Jim Breslauer made a motion to close the hearing and issue a Negative 3 Determination with the following conditions:

- 1) The proposed path may not exceed 4' in width;
  - 2) Path shall be constructed in a manner that will avoid major tree roots of existing trees;
  - 3) The roots of vegetation to removed at the edge of the pond for the dock shall remain, routine trimming of this vegetation is allowed; and
  - 4) Silt socks shall be on site in the event of a large rain event during installation of path,
- Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard  
Land Use Administrator/  
Conservation Agent

## **DOCUMENTS & OTHER EXHIBITS**

### **Request for Determination of Applicability Hearing – Richard Marcello, 24 Cove Drive, Harvard#0515-02**

- WPA Form 1 – Request for Determination of Applicability, Rich Marcello, received May 20, 2015