

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
AUGUST 20, 2015
APPROVED: SEPTEMBER 3, 2015**

Chairman Paul Willard called the meeting to order at 7:05pm 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, Jim Breslauer, Jaye Waldron and Joanne Ward

Others Present: Liz Allard (LUB Admin), Dan Wolfe (Ross Assoc.), Bill Johnson and John Finn

Request to Construct Animal Shelter at Corner of Stow Road and Murray Lane

Paul Willard stated he had been contacted by Sean Bilodeau, the owner of the lot at the corner of Stow Road and Murray Lane, which has a conservation restriction (CR) associated with it, requesting the approval to construct a 26' x 14' animal shelter for a new draft horse and possible goats or a pony. Members wondered if the horse would be grazing near any resource areas. The members requested the Conservation Agent review the CR for further discussion at the next meeting.

Follow up to a Request to Access 21 Stow Road from the Williams Land for Improvements to the Existing Septic System

Liz Allard had previously informed the members she had reviewed the site at 21 Stow Road during the replacement of the distribution box. The Commission had provided detailed information on how the Williams land was to be accessed for this activity. Ms. Allard found that the contract had driven directly across the Williams land and was using a large excavator for the work. Both of these actions are directly in opposition to what the Commission had approved.

Jim Breslauer made a motion to send a letter to the contractor indicating the disappointment in neglect to follow the detailed instructions of the Commission and future work he does in Harvard will be closely monitored. Any additional violations will result in a \$300/day penalty. The letter is to be copied to the property owner, the realtor, the Board of Health, and the Building Commissioner. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Approve Notes

Jim Breslauer made a motion to accept the notes from the meeting, at which a quorum was not available, of July 16, 2015 as written. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

Request to use Conservation Land along Still River Road for the grazing of Goats

Liz Allard explained she had been contacted by Bonnie Chandler, the abutter to a parcel of conservation land near the intersection Still River Road and Prospect Hill Road, in regards to using the land for the grazing of her goats and lambs. Members would like to view the site prior to making any decisions. A site walk was scheduled for Tuesday September 1st.

Review Proposals for Peer Review – Kasabian, Lot B Poor Farm Road

Liz Allard stated she has received two proposals so far is waiting on one more. A final decision will be made at the September 3, 2015 meeting of the Commission.

Request to Use the William's Conservation Land for Wild Mouse Foraging Behavior Research

Liz Allard had previously distributed information in regards to a request from, Lauren Redosh, an undergraduate student at Tufts University, working with Dr. Elizabeth Crone. Ms. Redosh is seeking to conduct research on the William's land on mouse foraging behavior and how it may change with the presence or absence of aerial and terrestrial predators.

Jim Breslauer made motion to allow Lauren Redosh to conduct research, as requested in her emailed dated August 10, 2015, with the stipulation that no feeding stations are placed within the middle of the field. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Master Plan Steering Committee Update

With Jaye Waldron was absent this evening; there was no update to the Master Plan process.

Community Preservation Community Preservation Committee Application

Liz Allard is still seeking a final amount of available funding from the Community Preservation Committee for the FY17 application. Ms. Allard had been told there would be \$110,000 available this year, but that was not a confirmed amount.

Members agreed an application requesting 10% of the available funds for open space and an additional application requesting the balance (\$23,900) of the FY16 request for the invasive species project be requested as well.

Continuation of a Notice of Intent Hearing – Kevin O’Malley, 8 Wilroy Avenue, Map 31 portion of Parcel 25), DEP#177-639, Harvard#0515-01. Opened at 7:30pm

Continuation of a Notice of Intent Hearing – John Finn, 44 Peninsula Road, Harvard#0715-01. Opened at 7:45pm

Request for Determination of Applicability Hearing – William & Laura Johnson, 72 Warren Avenue, Harvard#0815/01. Opened at 8:15pm

Adjournment

Jim Breslauer made a motion at 8:17pm to adjourn the meeting. 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
Kevin O'Malley, 8 Wilroy Avenue,
DEP#177-641, Harvard#0615-03
August 6, 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 Hapgood Room at 7 Fairbank Street

Members Present: Paul Willard, Don Ritchie, Jim Breslauer and Joanne Ward

Others Present: Liz Allard (LUB Admin) and Dan Wolfe (Ross Assoc.)

This hearing was continued from August 6, 2015 for a Notice of Intent filed on behalf of the Kevin O'Malley for the installation of a new septic system upgrade within 200' of Bare Hill Pond at 8 Wilroy Avenue, Harvard.

Dan Wolfe, Ross Associates, was present to represent the applicant. Mr. Wolfe explained as requested at the last hearing an additional hay bale dike has been added to the plan on the north side of the dwelling. Also as requested, Mr. Wolfe and Liz Allard reviewed the site for potential erosion along the slope to Bare Hill Pond (BHP). Both Mr. Wolfe and Ms. Allard noted the stone dust in question previously has been removed and the slope itself is a rocky area in which minimal grass is growing or could grow to aid in the reduction of erosion, therefore neither are recommending any improvements. The area is approximately 50' from BHP; any runoff would not be directly discharging to the pond. During the site visit Ms. Allard noted trees to be saved during construction as they are serving as habitat. These trees have been noted on the plan and will have orange snow fencing placed around them during construction.

Joanne Ward made a motion to close the hearing and issue a standard Order of Conditions based on the plan date of August 18, 2015. 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
Notice of Intent Hearing Meeting Minutes
John Finn, 44 Peninsula Road,
DEP#177-642, Harvard#0715-01
August 6, 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 Hapgood Room at 7 Fairbank Street

Members Present: Paul Willard, Don Ritchie, Jim Breslauer and Joanne Ward

Others Present: Liz Allard (LUB Admin), Dan Wolfe (Ross Assoc.) and John Finn

This hearing was continued from August 6, 2015 for a Notice of Intent filed on behalf of the John Finn for the demolition of the existing dwelling, the reconstruction of a single family home and driveway, along with the installation of a new holding tank, well and propane tank within 200' of Bare Hill Pond at 44 Peninsula Road, Harvard.

Dan Wolfe, Ross Associates, was present to represent the applicant, John Finn, who was also present. Mr. Wolfe reviewed the revisions made to the plan as requested at the previous hearing. These revisions included the removal of graded fill at the front of the proposed dwelling, which has been replaced with a stone retaining wall; added areas for enhanced ground cover plantings; areas for under-story supplemental plantings; and the addition of a rain garden beyond the proposed driveway. The enhanced ground cover area will allow the Finn's to maintain the existing view.

Jim Breslauer stated he would like there to be a footpath in the open area to the east. All agreed a hardy ground cover could be planted in manner that will aid in creating a three foot wide path to the swim area.

Don Ritchie made a motion to close the hearing and issue a standard Order of Conditions based on the plan dated August 19, 2015, to include perpetual maintenance of the rain garden and infiltration trench and the addition of ground cover on the east side of the peninsula. 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 Meeting Minutes
William & Laura Johnson, 72 Warren Avenue, Harvard#0815-01
August 20, 2015**

The public hearing was opened at 8:15pm 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, Jim Breslauer and Joanne Ward

Others Present: Liz Allard (LUB Admin), Dan Wolfe (Ross Assoc.) and Bill Johnson

This hearing is for a Request for Determination of Applicability filed on behalf of the William and Laura Johnson for the construction of a detached structure within 200' of a vernal pool at 72 Warren Avenue, Harvard.

Dan Wolfe, of Ross Associates, was present to represent the applicant, Bill Johnson, who was also present. Mr. Wolfe explained the proposal to construct a garage that will be approximately 180' from a vernal pool across Warren Avenue. As a result of the site walk, erosion controls will be added from the edge of the existing driveway to the property line. Jim Breslauer asked about slope down to the road and leakage of chemicals; is there any threat there. Mr. Wolfe stated there will be a frost wall as part of the construction of the garage and it will retain any potential leaks or spills. In addition, Warren Avenue has a crown within it that would allow for the flow of water directly to the vernal pool. Don Ritchie asked about roof runoff. Mr. Wolfe suggested and added to the plan recharge trench at edges of the structure.

Jim Breslauer made a motion to close the hearing and issue a Negative #3 Determination to include the condition of the use of hay waddles and the addition of the recharge trenches, as shown on the plan dated 8-10-2015. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

Liz Allard

Land Use Administrator/
Conservation Agent

DOCUMENTS & OTHER EXHIBITS

Continuation of a Notice of Intent Hearing – Kevin O'Malley, 8 Wilroy Avenue, Map 31 portion of Parcel 25), DEP#177-639, Harvard#0515-01

- Sewage Disposal System, designed for Kevin O'Malley, 8 Wilroy Avenue, Harvard, MA, prepared by David E. Ross Associates, Inc., Job No. 19473, Plan No. L-8569-A, dated 8/18/2015

Continuation of a Notice of Intent Hearing – John Finn, 44 Peninsula Road, Harvard#0715-01

- Site Plan, designed for John Finn, 44 Peninsula Road, Harvard, MA, prepared by David E. Ross Associates, Inc., Job No. 30122, Plan No. L-12643, dated 8/19/15

Request for Determination of Applicability Hearing – William & Laura Johnson, 72 Warren Avenue, Harvard#0815/01

- Sketch Plan of Land in Harvard, Mass., prepared for William Johnson, prepared by David E. Ross Associates, Inc., dated August, 2015