

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
SEPTEMBER 3, 2015
APPROVED: OCTOBER 1, 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, Wendy Sisson, Charlie Gorss, Jaye Waldron and Joanne Ward

Others Present: Liz Allard (LUB Admin), Bonnie Chandler, Marty Green (Harvard Press), Bruce Leicher (BHPWMC), Beth Ruze, Rose Ruze, Wendy Gendron (Aquatic Restoration Consulting), Tom Gormley and Peter von Loesecke

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

Bonnie Chandler was present to discuss her request to use the conservation land on Still River Road, known as Carey, for the grazing of her goats. Ms. Chandler stated she has been raising goats and sheep in Harvard for 25 years. She currently has 20 adult goats, and elderly sheep she is getting rid of and a couple of bucks. Ms. Chandler is looking to expand her grazing area to a small area on the adjoining conservation land with a portable fence. Paul Willard asked if any trees would need to be removed in order to install the fencing. Ms. Chandler stated it would be nice to remove a few trees in order to get the fencing in, but could work around them.

Don Richie and Liz Allard reviewed the site and saw no issue with the request. Wendy Sisson made a motion to allow Bonnie Chandler of 183 Prospect Hill Road to use the conservation land along Still River Road, known as the Carey land, for the grazing of her goats. No trees are to be removed within the area requested to be used. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Community Preservation Committee Application

Liz Allard is still seeking a final amount of available funding from the Community Preservation Committee for the FY17 application. The final applications will be prepared and presented at the September 17th meeting.

Erosion Control Bylaw & Present Issues with Driveway Drainage

Liz Allard has not been able to locate any additional bylaws from other communities; she will reach out to Stow to determine the process they have in place for this bylaw.

Ms. Allard mentioned she has requested additional erosion controls be installed on the house lot on Poor Farm Road that has current activity. The property owner has not installed the erosion control as of yet. Ms. Allard will follow up with the owner next week.

Jaye Waldron arrived at 7:17pm

Update to the Gift of Land at 100 Shaker Road

Liz Allard stated she had spoken with George Watkins today in regards to the purchase of the land at 100 Shaker Road. Mr. Watkins attorney had forwarded an email message from Town Counsel to Mr. Watkins that indicated the Town was ready to sign the Agreement. Ms. Allard explained to Mr. Watkins the Commission still had some items to resolve, primarily an easement that would allow for access along the existing driveway of the abutting lot, as well as an easement for the abutting lots driveway which passes over the land in question. In addition, Ms. Allard has not heard directly from Attorney Lanza herself in regards to the agreement being ready to sign. Ms. Allard will follow up Town Counsel prior to the meeting on September 17th.

Land Stewardship Subcommittee Update

Wendy Sisson stated the mowing of conservation land around town is being completed within the next week or so. The Bare Hill Wildlife Sanctuary is completed last as it is the greatest pollinator field in Town.

Work on the Herman Orchard will begin right after Columbus Day. Work on the Clapp-Scorgie-Tufts-Smith land has been completed in regards to black swallow wart and barberry.

The next major project to get under way is tackling the bittersweet on the Bare Hill Wildlife Sanctuary.

Approve Minutes

Wendy Sisson made a motion to approve the minutes of August 6 and 20, 2015, as amended. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

Continuation of a Notice of Intent Hearing – Kenneth Kasabian, Lot B Poor Farm Road (Map 9 Parcel 4.2.1), DEP#177-643, Harvard#0715-02. Opened at 7:30pm

Bare Hill Pond Watershed Management Committee Annual Report & Request to draw Down Bare Hill Pond, DEP#177-630

Bruce Leicher, chairman of the Bare Hill Pond Watershed Management Committee (BHPWMC), was present to discuss with the Commission the annual report and request to draw down Bare Hill Pond as required by the Order of Conditions. A 6' drawdown is requested this year; a 5' 6" drawdown was used last year and the year prior to that (2013/14) a year was taken off and there was no drawdown. Mr. Leicher stated the phosphorus levels had gone up this past this spring, which could be a result of the large amount of snow melt we received this year. Phosphorus levels did go back down in July.

Mr. Leicher stated the draw down zone is still free of invasive plant species. Wendy Gendron, from Aquatic Restoration Consulting, stated she can not determine the cause of the increase of the phosphorus, as it occurred a year after the non-draw down year, and could have resulted from the decaying of vegetation at the bottom of the pond. Ms. Gendron stated that internal recycling can cause a lake to generate phosphorus as well.

Ms. Gendron explained Bare Hill Pond is a thermal stratified lake, meaning there is a change in temperature at different depths, and is due to the change in the water's density with temperature. Ms. Gendron explained results of dissolved oxygen (DO) over 6mg/L are good for fish. These results can be seen on page 5 of her report, which compares DO and temperature.

As for plant species this year versus last year, four locations had more plants over last year, while nine locations had less plant than last year. Ms. Gendron did not find any new plant species this year. The pond has experienced a shift from a plant species to an alga, but not one that impedes recreational activities. Ms. Gendron stated there are fewer weeds with the draw down in the draw down zones as compared to the previous year in which a draw down was not conducted. Ms. Gendron did note the draw downs do not affect the areas that are 10 – 12 feet depth.

Wendy Sisson noted the increase in the invasive yellow iris has limited the ability for turtles and other sun bathing species to sun themselves on the lilies that use to be in that area. Ms. Gendron stated that was correct, however dragonflies love the iris. Tom Gormley, a member of the BHPWMC, stated he saw no reduction in frogs this year while conducting the annual count.

Mr. Leicher stated the BHPWMC is seeking to conduct a six foot draw down this year, which is a six inch increase over last year. If this year's draw down is successful the BHPWMC will consider taking a year off from the draw down or reducing the depth of the draw down for 2016.

Beth Ruze, a resident of 31 Turner Lane, stated as a daily swimmer of the pond she finds it to be very weedy over the last few years. Ms. Ruze stated it is hard for her to tell if not having a draw down in 2013 had an effect on the weeds. Ms. Ruze stated the weeds seemed to be worst in the spring the year of no draw down; with weed becoming increasingly worse over the course of the last two summers. Ms. Gendron noted that the effects of any given draw down can only last for so long over the course of the year. In addition, Ms. Gendron stated the draw down will not make the water clear to the bottom of the pond; what you are hoping for is shift in the plant species invasive to native. Mr. Gormley agreed he has noticed an increase in the weeds at his location on the pond. Peter von Loesecke, member of the BHPWMC, stated up to 5 ½ to 6 feet line you see the effects of the draw down at his location on the pond.

With no additional comments Don Ritchie made a motion to allow the Bare Hill Pond Watershed Management Committee to conduct a six foot draw down for 2015. Charlie Gorss seconded the motion. The vote was unanimously in favor of the motion.

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

Liz Allard had previously distributed a conservation restriction (CR) for the parcel at the corner of Murray Lane and Stow Road. The CR states the land can have one 400 square foot structure by right and any other structure would require the approval of the Commission.

Although there are few objections to the addition of an animal shelter on the property, members agreed a site walk should be conducted to review the site for compliance with the CR.

A site walk was scheduled for September 15, 2015 at 5:30pm.

Master Plan Steering Committee Update

Jaye Waldron stated the Master Plan Steering Committee (MPSC) was meeting this evening to review the elements review and the fiscal impact report from Burns & McDonnell (the MPSC consultant for the Devens Impact Evaluation). The MPSC will meet again on September 10, 2015.

Adjournment

Wendy Sisson made a motion at 8:29pm 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
Continuation of a Notice of Intent Hearing Meeting Minutes
Kenneth Kasabian. Lot B Poor Farm Road (Map 9 Parcel 4.2.1)
DEP#177-643, Harvard#0715-02
September 3, 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, Charlie Gorss, Wendy Sisson, Jaye Waldron and Joanne Ward

Others Present: Liz Allard (LUB Admin) and Marty Green (Harvard Press)

This hearing was continued from August 6, 2015 for a Notice of Intent filed on behalf of Kenneth Kasabian for the construction of a single family dwelling with sections of the proposed driveway and grading for the septic system within the 100 wetland buffer zone on Lot B Poor Farm Road (Map 9 Parcel 4.2.1), Harvard.

The members discussed the proposals received from LEC, Waterman Design Associates and BSC Group for peer review of the application. Liz Allard noted both the applicant and its representative have stated they would prefer to use Waterman Design Associates.

With an outstanding proposal that detailed all of the points the Commission is seeking to have covered by this review, Wendy Sisson made a motion to accept BSC Group proposal for peer review of the Notice of Intent filed on behalf of Kenneth Kasabian, Lot B Poor Farm Road. Charlie Gorss seconded the motion. The vote was unanimously in favor of the motion.

Ms. Allard stated the applicant has requested the hearing be continued to the September 17th meeting of the Commission. Wendy Sisson made a motion to continue the hearing to September 17, 2015 in the Hapgood Room at 7 Fairbank Street at 7:45pm. 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

Continuation of a Notice of Intent Hearing – Kenneth Kasabian, Lot B Poor Farm Road (Map 9 Parcel 4.2.1), DEP#177-643, Harvard#0715-02

- Letter from LEC Environmental Consultants, Inc., Re: Proposal for Regulatory Services, NOI Peer Review (DEP File#177-0643), Construction of a Single Family House & Associated Work, Poor Farm Road, Harvard, Massachusetts, dated August 18, 2015
- Letter from DC MacRitchies Inc., Re: Proposal for Professional Services (Ref No. 34215-104 – Kasabian Lot B Poor Farm Rd, Harvard, MA) NOI Application Stormwater Review, dated August 20, 2015
- Letter from Waterman Design Associates, Inc., Reference: Notice of Intent Peer Review Services, 97 Poor Farm Road, Harvard, Massachusetts, WDA MN-2074, dated August 20, 2015
- Letter from BSC Group, RE: Proposal to Provide Peer Review Services, 97 Poor Farm Road, dated August 25, 2015

Bare Hill Pond Watershed Management Committee Annual Report & Request to draw Down Bare Hill Pond, DEP#177-630

- Letter from the Bare Hill Pond Watershed Management Committee, Re: 2014-15 Drawdown Report and Fall 2015 Drawdown Plan, dated August 24, 2015