

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
DECEMBER 2, 2021
APPROVED: DECEMBER 16, 2021**

Chair Don Ritchie called the meeting to order at 7:03pm, virtually, pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency and signed into law on June 16, 2021, under MGL Chapter 131 §40 Wetland Protection Act and Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw

Members Present: Don Ritchie, Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns (arrived at 7:15pm), Mark Shaw and Eve Wittenberg (Associate Member)

Others Present: Liz Allard (Land Use Boards Administrator/Conservation Agent), Bob Douglas (Deer Management Subcommittee), Daniel Tracey, Patrick Condon (Consigli Construction), Peter Dorward (Open Space Committee), Carla Page (Pine Hill Village) and Peter Cricones (Pine Hill Village)

Update from Deer Management Subcommittee

Bob Douglas, chair of the Deer Management Subcommittee (DMS), stated deer are still in the rut; hunters are seeing deer in the forest; no deer have been harvested as of yet on Conservation land; a frequently asked questions document about walking on Harvard Town Conservation land during hunting season was drafted and posted to the website last week; and the change in season now has all archers wearing orange in the woods.

Eve Wittenberg requested the minutes from the DMS maintain compliance with open meeting law, as there seems to be some minutes missing currently. Mr. Douglas stated the DMS will be approving the outstanding minutes at their next meeting. Ms. Wittenberg also requested she be emailed if a meeting is cancelled to avoid her waiting for a meeting to start that has in fact been cancelled. Mr. Douglas agreed to that request.

Harvard Snowmobile Club (HSC) Request to Construct Bridges and Additional Trail Work

Wendy Sisson explained the bridges proposed by the HSC will be assembled with poles from bank to bank with decking, that will not require the need for footings. At the site visits this week the Commission rerouted the proposed route off Madigan Lane to minimize the disturbance to the wetlands. The Littleton Road location is an improvement, as it will remove existing debris from previous bridge that has decayed. The proposed access off of Littleton Road has been well located by the HSC and will not be problematic. The Commission agreed it is not necessary for the HSC to file an application for these bridges.

As discussed at the November 18th meeting, the Clapp Cove trail is in need of repair. Wendy Sisson suggested the Commission pay for the material, with HSC providing the labor. After a short discussion, Wendy Sisson made a motion to allocate \$750.00 from the conservation fund for the repairs necessary to the trail in the Clapp Cove area of the Clapp-Scorgie-Tufts-Smith trail. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion by a roll call, Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Mark Shaw, aye; and Don Ritchie, aye.

Review Deer Management Frequently Asked Questions

Wendy Sisson made a motion to approve the "Frequently Asked Questions about walking on Harvard Town Conservation land during hunting season" as amended this evening. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie, aye.

Zoning Board of Appeals Request for Comments – 37 Peninsula Road

The Commission has no comments to the above-mentioned application.

Review Letter to Parks & Recreation Commission – Use of Conservation Land for Active Recreation

The Commission discussed the details of the letter and what information it should provide. The draft by Don Ritchie, with recommended edits from Wendy Sisson was the agreed upon direction for the letter. Members are to review the edits distributed by Ms. Sisson earlier this evening and provide feedback to the Conservation Agent.

With an Open Space Committee meeting scheduled for next Thursday Peter Dorward urged the Commission to take a vote on their position pertaining to the use of Conservation land for active recreation. Wendy Sisson made a motion stating the Commission is not in support of land being taken out of conservation in order to change the use to active recreation. Jaye Waldron seconded the motion. Mark Shaw asked Peter Dorward if there are any lands that meet the criteria and would be suitable for active recreation. Mr. Dorward stated there about six potential sites, along with available other municipal land including the Small land, the gravel pit and the Warilla land. The vote was unanimously in favor of the motion by a roll call, Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie, aye.

Pine Hill Village

- **Pine Bank and Stormwater System Review by Nitsch Engineering**

Liz Allard noted the following based on her review of the site:

- Detail provided by the contractor shows proposed repair to the pooling of water at entrance off Stow Road;
- Rain Gardens #22 and 23 have been installed at the entrance; material to construct needs to be verified;
- Bioretention cell only has one riser pipe; detail shows two; is one pipe sufficient needs to be verified;
- The rain gardens raisers have flat grates as opposed to rounded grates as shown on the approved detail; are the flat grates acceptable;
- The installation of the energy dissipation at the outlet at the constructed wetland should be verified with approved detail;
- Parabolic swale #8 in front of units 1A and B has had a fence installed; material to construct needs to be verified;
- Plantings around the constructed wetland are not consistent with the approved plan and some of the trees are dead; replacement plantings shall be in a random pattern;
- Additional planting required in front of Units 1A and B;
- Dewatering and silt removal methods for the constructed wetland will require approval from the Commission;
- Silt on the driveway for units 5 and 7 shall be removed before occupancy;
- A berm has been installed between the road way and the driveway to units 5 & 7 to eliminate stormwater from entering driveway;
- Erosion controls have been installed between Phase 1 and Phase 2 to reduce erosion into the constructed wetland; and
- An additional parking space has been installed at units 5 and 7; this pavement shall be removed and replaced with loam and seed as well as the planting as shown on the approved plan.

In addition to the above noted items, Peter Cricones shall provide a written statement from Geosyntec pertaining to the use of only one riser within the bioretention cell and the flat grates within raingardens #22 and 23. Mr. Cricones was reminded that any changes to the approved plans require either Conservation Commission and/or Zoning Board of Appeal approval prior to the change occurring.

After explaining to Mr. Cricones there shall be no outstanding items, such as those listed above, when additional certificates of occupancy are requested for the units beyond the Pine Bank neighborhood, Mark Shaw made a motion to recommend to the Building Commissioner the release of the Certificates of Occupancy for units 1A & B, 3, 5 and 7. Wendy Sisson seconded the motion. The vote was unanimously in favor of the motion by a roll call, Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie, aye.

- **Additional Information re: August & September Recommendations by Nitsch Engineering**
Comments related to these reports were captured above.

Request for a Certificate of Compliance – 47 Pine Ridge Road, DEP#177-661

Jim Burns made a motion to issue the Certificate of Compliance for 47 Pine Ridge Road, DEP#177-661. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion by a roll call, Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie, aye.

Approve Minutes

Jay Waldron made a motion to approve the minutes of November 18, 2021 as amended. Jim Burns seconded the motion. The vote was unanimously in favor of the motion by a roll call, Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie, aye.

Request for Determination of Applicability Hearing- Consigli Construction, 2 Wilroy Avenue, Harvard#1121-03. Opened at 7:38pm

Adjournment

Jaye Waldron made a motion to adjourn the meeting at 8:32pm. Jim Burns seconded the motion. The vote was unanimously in favor of the motion by a roll call, Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie, aye.

Respectfully submitted,

Liz Allard,
Land Use Administrator/
Conservation Agent

EXHIBITS & OTHER DOCUMENTS

- Conservation Commission Agenda, dated December 2, 2021
- 2 Wilroy Ave Harvard, Massachusetts Permit Set – 10/27/2021
- Pine Hill Village Photos by Liz Allard 12.02.2021:
 - Drainage @ Roadway
 - Drainage @ Roadway Detail
 - Nyloplast in-line drain grate
 - Bioretention cell
 - Detail Raingarden Type A
 - Rain Garden Types
 - Constructed Wetland Outlet
 - Parabolic Swales
 - Parabolic Swale Detail
 - Silt in Driveway units 5 & 7
 - Berm @ units 5 & 7
 - Erosion control between phases
 - Guest parking @ Units 5& 7
 - Guest Parking @ Units 5& 7 detail
 - Plantings at Constructed Wetland
 - Planting detail
 - Plantings @ Unit 1

**Harvard Conservation Commission
Request for Determination of Applicability Hearing Minutes
Consigli Construction, 2 Wilroy Avenue, Harvard#1121-03
December 2, 2021**

The public hearing was opened at 7:38pm by Chair Don Ritchie under MGL Chapter 131 §40 Wetland Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw virtually, pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency and signed into law on June 16, 2021.

Members Present: Don Ritchie, Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and Eve Wittenberg (Associate Member)

Others Present: Liz Allard (Land Use Administrator/Conservation Agent) and Patrick Condon (Consigli Construction)

This hearing is for a Request for Determination of Applicability filed by Consigli Construction for an addition within 200' of Bare Hill Pond at 2 Wilroy Avenue, Harvard.

Patrick Condon, of Consigli Construction, explained the addition would allow for the existing bathroom to be expanded to meet the needs of handicapped accessibility. In addition, a concrete ramp will be installed at the front of the house. As discussed on the site walk, Mr. Condon was amenable to including a rain garden at the front of the house to capture runoff from the driveway. Mr. Condon will provide a detail of the rain garden.

With no additional comments, Mark Shaw made a motion to close the hearing and issue a Negative#3 Determination of Applicability that includes the inspection of the erosion control barrier prior to the start of activity. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie, aye.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent