

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
APRIL 21, 2022
APPROVED: JULY 7, 2022**

Chair Don Ritchie called the meeting to order at 7:04pm, virtually, pursuant to Chapter 22 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on February 15, 2022, 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, Paul Willard, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and Eve Wittenberg (Associate Member)

Others Present: Liz Allard (Land Use Boards Administrator/Conservation Agent), Bruce Ringwall (GPR, Inc.), Lou Russo (Wheeler Realty Trust), Marty Green (Harvard Press) and Brian Cook (Planning Board Master Plan Representative)

Request to Amend Order of Conditions – 74 Poor Farm Road, DEP#177-710, Harvard#0122-01

Bruce Ringwall, of GPR, Inc., explained the owner and builder decided to move the previously approved detached barn to be attached to the existing garage. The site has been reviewed with the Conservation Agent to determine edge of wetland and agree to the buffer zones. The revised barn will be reduced in size from 38'x40' to 24'x28', and still provides for a drip edge. Per the Wetland Protection Bylaw Regulations, the Commission must determine if the amendment to the plan requires the re-opening of the public hearing or can be granted as a *De Minimus* change. After briefly discussing, Jaye Waldron made a motion to require the re-opening of the hearing for the amendment to the site plan. Wendy Sisson seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jim Burns, aye; Jaye Waldron, aye; Joanne Ward, aye; Paul Willard, aye; Mark Shaw, aye; Wendy Sisson, aye and Don Ritchie, aye.

Ratify Emergency Certification – 44 Old Littleton Road

Liz Allard stated the Emergency Certification (EC) recently issued was for a clogged foundation drain that was causing water to enter the basement of the dwelling. The drain daylighted into the existing stream that crosses under the driveway and is in poor quality. The EC allows for a new headwall to be installed and removal of the existing flexible line in the stream. All work associated with this EC will be shown on the as-built for the newly replaced septic system. Jim Burns made a motion ratifying the Emergency Certification issued for 44 Old Littleton Road. Paul Willard seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jim Burns, aye; Jaye Waldron, aye; Paul Willard, aye; Wendy Sisson, aye and Don Ritchie. NOTE: Joanne Ward and Mark Shaw were not able to vote due to technical issues.

Land Stewardship Update Tripp Land – Trails & Parking

Wendy Sisson stated Harvard Conservation Trust (HCT) has purchased the New England Power Company land now referred to as the Eastern Greenway. Access to this corridor of land will be through the Town-owned land known as the Tripp land, which makes a very good connection. There has been encroachment on the Tripp land, as it appears the abutter was using it as a wood lot, which has been resolved. HCT has requested signage at the trailhead. Ms. Sisson suggested one of the standard brown conservation signs, with one board stating Harvard Conservation Land, a second with Tripp Land and then a third board with Eastern Greenway and HCT. The Commission was agreeable to this request.

Continuation of a Request to Amend the Order of Conditions – Luciano Manganella, 175 Littleton County Road, DEP#177-694. Opened at 7:30pm

Notice of Intent Hearing – Yvonne Chern, 203 Ayer Road, Harvard#0322-01. Opened at 7:31pm

Approve Minutes

Minutes were not available for approval this evening.

Harvard Climate Initiative Committee Earth Day Show & Tell Around Town Participation Reminder

Liz Allard reminded the members of their commitment to participate in the Earth Day Show & Tell next Saturday. Wendy Sisson has gathered a significant amount of information from the Conservation office to use during this event.

Pine Hill Village Update

The Commission discussed the effect lighting has on wetlands and its environment, particularly wildlife habitat. It was agreed to request the developer install a lower luminary in the first two light posts along the roadway within the development.

Adjournment

Jaye Waldron made a motion to adjourn the meeting at 8:03pm. Jim Burns seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jim Burns, aye; Jaye Waldron, aye; Joanne Ward, aye; Paul Willard, aye; Mark Shaw, aye; Wendy Sisson, aye and Don Ritchie, aye.

Respectfully submitted,

Liz Allard,
Land Use Administrator/
Conservation Agent

EXHIBITS & OTHER DOCUMENTS

- Conservation Commission Agenda, dated April 21, 2022
- Notice of Intent Residential Development Site Plan 74 Poor Farm Road Harvard, MA 01451, prepared for Douglas B. Schad, JOB 01.151, prepared by GPR, Inc., dated 04/15/22
- Commercial Development Special Permit prepared for Yvonne Chern, JOB 211009, prepared by GPR, Inc., dated March 2022

Harvard Conservation Commission
Continuation of a Request to Amend the Order of Conditions Hearing
Luciano Manganella, 175 Littleton County Road, DEP#177-694, Harvard#0820-04
April 21, 2022

The public hearing was opened at 7:30pm by Acting Chair Wendy Sisson 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 22 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on February 15, 2022.

Members Present (and able to vote on this application): Don Ritchie, Wendy Sisson, Joanne Ward and Jim Burns

Others Present: Liz Allard (Land Use Administrator/Conservation Agent), Paul Willard, Jaye Waldron, Mark Shaw and Eve Wittenberg (Associate Member)

This hearing was continued from April 7, 2022 for a Request to Amend the Order of Conditions filed on behalf of Luciano Manganella to revise the utility connections to a single-family dwelling with temporary impacts to the wetland resource area and the 100' wetland buffer zone at 175 Littleton County Road, Harvard.

With no word as of yet from the Natural Heritage and Endangered Species Program, Wendy Sisson made a motion to continue the hearing to May 5, 2022 at 7:25pm. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion by a roll call, Joanne Ward, aye; Mark Shaw, aye; Wendy Sisson, aye and Don Ritchie, aye.

Respectfully submitted,

Liz Allard,
Land Use Administrator/
Conservation Agent

**Harvard Conservation Commission
Notice of Intent Hearing
Yvonne Chern, 203 Ayer Road, Harvard#0322-01
April 21, 2022**

The public hearing was opened at 7:30pm by Acting Chair Wendy Sisson 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 22 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on February 15, 2022.

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

Others Present: Liz Allard (Land Use Administrator/Conservation Agent), Bruce Ringwall (GPR, Inc.) and Lou Russo

This hearing was continued from April 7, 2022 for a Notice of Intent filed on behalf of Yvonne Chern for the construction of commercial structures with associated parking, grading and drainage within the 100' wetland buffer zone at 203 Ayer Road, Harvard.

Bruce Ringwall, GPR, Inc., stated the proposals for peer review were due today, but have not received any responses as of yet. Mr. Ringwall detailed the previously discussed existing wetlands, replication, structures and drainage. The entire development area is just under eight acres and is being devolved under the Protective Bylaw Ayer Road Village-Special Permit (ARV-SP). Stormwater will drain towards the existing wetland area. Although the use of the remaining two structures has not been determined the drainage calculations includes stormwater from those proposed facilities, which includes roof runoff and surface water. The stormwater facilities as design meet the criteria of reducing rate and volume by 5%. Currently the badminton facility is the only structure to be constructed once all approvals have been obtained.

Jim Burns asked what type of maintenance is required for these types of drainage systems. Mr. Ringwall stated the underground structure, behind the badminton building, is designed to capture roof run off that typically would not have sediment or silt in it. The stormwater report contains a full Operations & Maintenance plan. Jaye Waldron asked if the other portion of the property is developed differently would the stormwater be different. Mr. Ringwall stated if the buildings or the parking under the ARV-SP change the applicant would have to go back to the Planning Board for those changes to confirm the impervious areas are similar and not larger; if larger additional basins would be needed.

With a consultant not yet engaged for peer review Wendy Sisson made a motion to continue the hearing to May 5, 2022 at 7:40pm. Jim Burns seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jim Burns, aye; Jaye Waldron, aye; Joanne Ward, aye; Paul Willard, aye; Mark Shaw, aye; Wendy Sisson, aye and Don Ritchie, aye.

Respectfully submitted,

Liz Allard,
Land Use Administrator/
Conservation Agent