

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
AUGUST 16, 2018
APPROVED: SEPTEMBER 6, 2018**

Chairman Don Ritchie called the meeting to order at 7:00pm in the Town Hall, 13 Ayer Road, under MGL Chapter 131 §40 Wetland Protection Act and Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw

Members Present: Don Ritchie, Jaye Waldron, Joanne Ward and Mark Shaw

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

Approve Minutes

Joanne Ward made a motion to approve the minutes of July 19, 2018 as amended. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Forestry Memorandum of Understanding (MOU) regarding Wetland Protection Act

The MOU identifies the roles each agency will play to ensure that forestry practices are conducted in a manner that is consistent with the Wetlands Protection Act, Forestry Cutting Practices Act and the regulations at 310 CMR 10.00 and 302 CMR 16.00. Additionally, the MOU serves to advise the conservation commission, landowners and other persons involved in forestry activities of the respective roles and responsibilities of all involved.

Request to use Reuben Reed Land for Christmas Tree Sale

The Town Administrator, Tim Bragan has requested the use of the Reuben Reed Land at the corner of Mass Ave and No Name Street for the sale of Christmas Trees. Other activities taking place between the General Store and the Church on Still River Road will not allow for the sale of Christmas trees this year. After a brief discussion, Jaye Waldron made a motion to allow the use of the Reuben Reed Land for the sale of Christmas trees this year on the condition of a formal agreement between the Commission and party selling the trees no less than 30-days prior to the start of the sale. Mark Shaw seconded the motion. The vote was unanimously in favor of the motion.

Discuss 50' Buffer Zone Remediation – 223 Bolton Road, DEP#177-639

Liz Allard reminded the members the erosion control barrier was installed improperly, which caused disturbance within the 50' buffer zone. With the project nearing completion Ms. Allard would like to review the site with members of the Commission to determine what remediation should be required to restore the 50' buffer zone. Don Ritchie and Joanne Ward agreed to a site inspection on August 28th with Ms. Allard and the applicant.

Tree Removal within Buffer Zone – 185 West Bare Hill & 139 Stow Road

Liz Allard shared the newly created Tree Removal Form, which details the approval or denial of a request to remove trees within the buffer zone of a resource area. Since the acceptance of the new policy Ms. Allard has issued three approvals.

Requested Information Regarding Harvard CPA Projects

There was no update to this item this evening.

Master Plan Recommendations Update

Joanne Ward made a motion to approve the letter to the Planning Board regarding the adoption of an erosion control bylaw as recommended by the Master Plan. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Determination of Applicability Hearing – Nancy Cole, across from 184 Old Littleton Road, Harvard#0818-01. Opened at 7:37pm

The following items appeared on the agenda under “Pending Business” and nothing new to report at this time unless otherwise noted:

- Preservation of open space along Willard Lane – a potential buyer is interested in discussing with the Commission the ability of preserving the back land. The contact information for this individual has been sent to Wendy Sisson.
- Discuss Potential Gift of Land – Brown Road
- Smith Land Acquisition, Littleton County Road (Map 14 Parcel 56), with Ashley Davies of Sudbury Valley Trustees
- Deer Management Update
- Potential Acquisition of Land adjacent to Black Pond with Lynda Moulton – According to Tim Bragan, the Town Administrator, it is not a matter of what the Town is willing to forgive in deferred taxes, but a matter of how much the land is appraised at. Liz Allard will further discuss with the Assessor to determine if he is able to place a value on the back four acres.
- Potential Open Space – Woodside Road, Map 30 Parcel 14 – According to Tim Bragan, the Town Administrator, as an undevelopable lot the Town would just allow the taxes to accrue because it would cost the Town more to complete the tax taking process
- Update from the State Service Forester – Cruft Lane
- Chapter 147 Wetland Protection Bylaw Regulations
- Open Space Committee

Adjournment

Mark Shaw made a motion to adjourn the meeting at 8:07pm. 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 Hearing
Nancy Cole, across from 184 Old Littleton Road, Harvard#0818-01
August 16, 2018**

The public hearing was opened at 7:37pm by Chairman Don Ritchie under MGL Chapter 131 §40 Wetland Protection Act and Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw in the Town Hall, 13 Ayer Road, Harvard

Members Present: Don Ritchie, Joanne Ward, Jim Burns, Mark Shaw, and Jaye Waldron

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

This hearing is for a Request for Determination on behalf of Nancy Cole for the mitigation of groundwater with the installation of recharge chambers within the 100' wetland buffer zone of a resource area across from 184 Old Littleton Road, Harvard.

Dan Wolfe, of Ross Associates, was present to represent the applicant, Nancy Cole, who was also present. Mr. Wolfe explained the issue on the property is water that is pumped out of the basement and discharged on the north side of the house, which eventually finds its way back into the basement. With the need to install a new septic system across the roadway the applicant wishes to addresses the drainage issue at the same time. Mr. Wolfe explained the plan calls for a four chamber system to be installed across the street. This system will allow for the collection of water that will eventually drain into the existing field.

After a brief discussion, Joanne Ward made a motion to close the hearing and issue a Negative #3 Determination of Applicability with the condition that the outflow is inspected annually for unwanted growth of vegetation and replacement of rip rap as necessary. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

EXHIBITS & OTHER DOCUMENTS

Conservation Commission Agenda, dated August 16, 2018

Approve Minutes

- DRAFT HARVARD CONSERVATION COMMISSION MINUTES OF MEETING, JULY 19, 2018, prepared by Liz Allard

Forestry Memorandum of Understanding (MOU) regarding Wetland Protection Act

- Forestry Memorandum of Understanding between the Department of Environmental Protection and the Department of Conservation and Recreation regarding the Wetlands Protection Act, and Forest Cutting Practices Act, dated 6/6/2018

Tree Removal within Buffer Zone – 185 West Bare Hill & 139 Stow Road

- Harvard Conservation Commission Tree Removal Inspection for 185 West Bare Hill Road, dated 5/24/2018, 139 Stow Road, dated 8/2/2018 and 115 Clinton Shore Drive, dated 8/16/2018

Master Plan Recommendations Update

- Letter to the Harvard Planning Board RE: 2016 Master Plan Action Plan – Adopt an Erosion Control Bylaw, dated August 16, 2018

Determination of Applicability Hearing – Nancy Cole, across from 184 Old Littleton Road, Harvard#0818-01

- Site Plan Nancy Cole #184 Old Littleton Road, Harvard, MA, Job No: 31918, Plan No: L-13530, dated 7/30/18