

**HARVARD CONSERVATION COMMISSION  
MINUTES OF MEETING  
JANUARY 17, 2019  
APPROVED: FEBRUARY 7, 2019**

Chairman Don Ritchie called the meeting to order at 7:01pm 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, Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns and Derek Beard (Associate Member)

**Others Present:** Liz Allard (LUB Admin), Tim Kilhart (DPW Director), Fred Hamwey (Hamwey Engineering), Kyle Bouchard (GPR, Inc.), Tom Cotton (Harvard Conservation Trust), Dan Daley, Dan Romero (Ross Associates), Kevin O'Malley and Peter Dorward (Harvard Conservation Trust)

**Annual Request for Research of the Baltimore Checkerspot Butterfly on the Williams Land**  
After a brief discussion of the research findings, Wendy Sisson made a motion to allow use of the Williams land along Stow Road for the continued research of the Baltimore Checkerspot Butterfly by Elizabeth Crone and Leone Brown of Tufts University. Jim Burns seconded the motion. The vote was unanimously in favor of the motion.

**Approve Minutes**

Jaye Waldron made a motion to approve the minutes of December 20, 2018 and January 3, 2019 as amended. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

**Website Post: Keep Pets Safe during Coyote Breeding Season**

Wendy Sisson stated a recent coyote attack on a dog in Bolton has sparked concern on NextDoor Harvard. Ms. Sisson has received permission from a representative of the Town of Belmont to post a document entitled "Keep Pets Safe during Coyote Breeding Season" prepared by Belmont's Animal Control Officer, John Magurianis. Ms. Sisson suggested Harvard, along with the Town of Bolton, host a speaking event with Mr. Magurianis. Commission members were agreeable to the suggestion. With Paul Willard, Animal Control Officer, not in attendance this evening, his input on the subject will be requested as well.

**Request to Judge the 2019 Bromfield Science Fair, Friday March 8<sup>th</sup>**

After a brief discussion the Commission opted not to participate as judges at the Bromfield Science Fair this year.

**Land Stewardship Subcommittee Update**

Wendy Sisson reported that Phil Knoettner, after many years of volunteer service with the town and Harvard Conservation Trust, has resigned from the Land Stewardship Subcommittee (LSS). Mr. Knoettner will continue with special projects, while other trail duties will be over seen by LSS members Jim Burns and Brian McClain. Mr. Knoettner's sign making skills will be greatly missed. Anyone with such skills is encouraged to contact the Commission.

Ms. Sisson suggested Sydney Blackwell, who has been involved with LSS over the years, as a good replacement. Joanne Ward made a motion to accept the resignation of Phil Knoettner and to appoint Sydney Blackwell to the remaining term (March 31, 2019) of Phil Knoettner. Jim Burns seconded the motion. The vote was unanimously in favor of the motion.

**Continuation of a Notice of Intent Hearing – Harvard Department of Public Works, Slough Road, DEP#177-673, Harvard#1018-03.** Opened at 7:32m

**Notice of Intent Hearing – Kevin O'Malley, 8 Wilroy Avenue, DEP#177-674, Harvard#0119-01.** Opened at 7:50pm

**Request to Launch Chinese Lanterns on Williams Land in Celebration of Chinese New Year**

Bob Douglas, a resident of Stow Road, was present to request permission from the Commission to launch Chinese lanterns on the Williams Land in celebration of Chinese New Year. After a brief discussion Wendy Sisson made a motion to approve the request. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

**Capital Planning & Investment Committee (CPIC) Application Update**

Unofficial word from the Community Preservation Committee (CPC) is the application in the amount of \$200,000 submitted by the Conservation Commission (ConCom) was approved last night. This lead to a discussion as to whether or not the ConCom intends to reduce the amount requested from the Capital Planning & Investments Committee (CPIC). ConCom members agreed the request for funding of \$200,000 from CPC was for the conservation fund and not a specific open space preservation project, therefore there is no need to reduce the amount requested from CPIC, which is a request for funding towards a specific open space preservation project.

Additional questions asked by CPIC were reviewed with no additional comments. Don Ritchie and Liz Allard are meeting with CPIC on Monday to discuss these questions. Members of Harvard Conservation Trust will be present as well for added support.

**Open Space Committee**

Tom Cotton, president of Harvard Conservation Trust (HCT), was present to provide feedback on the proposed Open Space Committee. Mr. Cotton stated in general HCT likes the structure and content of the committee. HCT would like to add the review of right of first refusal proposals, excess surplus land and default properties as activities addressed by the OSC. In addition the committee should have a closer relationship with the Park & Recreation (P&R) Commission, but not necessarily a member from P&R on the committee. After some wordsmithing of the proposal Joanne Ward made a motion to accept the proposed language of the Open Space Committee, as discussed this evening, and recommend the creation of said committee to the Select Board. Jim Burns seconded the motion. The vote was unanimously in favor of the motion.

**2018 Annual Report – Due January 25, 2019**

Jim Burns made a motion to approve the 2018 annual report of the Conservation Commission as amended this evening. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

**White Land Conservation Land Encroachment**

Mark Shaw was not present this evening to update the Commission on the proposal he was tasked with creating. This item was passed over this evening.

**Update on Pine Hill Village**

Board of Health should be issuing permits in association with the septic systems shortly. The property owner has requested to be on the next Conservation Commission agenda at which he plans on submitting the amended plan. With the chair of the Commission, Don Ritchie, unable to attend the next meeting, it was requested the request to amend the Order of Conditions be held off until the second meeting in February.

**Revisions to the Erosion Control Bylaw**

There were no comments at this time from the Commission on this bylaw.

**Adjournment**

Jim Burns made a motion to adjourn the meeting at 9:45pm. Joanne Ward 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 January 17, 2019****Approve Minutes**

- *DRAFT HARVARD CONSERVATION COMMISSION MINUTES OF MEETING, DECEMBER 20, 2018, prepared by Liz Allard*
- *DRAFT HARVARD CONSERVATION COMMISSION MINUTES OF MEETING, JANUARY 3, 2019, prepared by Liz Allard*

**Continuation of a Notice of Intent Hearing – Harvard Department of Public Works, Slough Road, Harvard#1018-03**

- Drainage Improvements, Slough Road, Harvard, MA plan set, Job No. 181042, prepared by GPR, Inc., dated 1/14/19
- Email from Kyle Burchard to Fred Hamwey, Subject: RE: Slough Rd Drainage – Review Letter 2, dated Thu, Jan 17, 2019

**Notice of Intent Hearing – Kevin O'Malley, 8 Wilroy Avenue, Harvard#0119-01**

- Sewage Disposal System, designed for Kevin O'Malley, 8 Wilroy Avenue, Harvard, MA, Job No. 19473, Plan No. L-8569-A, prepared by Ross Associates, Inc., dated 8/18/15

**Open Space Committee**

- Harvard Open Space Committee Charter, undated
- Letter from Harvard Conservation Trust, Subject: Review of Draft Charter for the Harvard Open Space Committee, dated January 17, 2019

**Harvard Conservation Commission  
Continuation of a Notice of Intent Hearing  
Harvard Department of Public Works, Slough Road, Harvard#1018-03  
January 17, 2019**

The public hearing was opened at 7:32m 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, Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns and Derek Beard (Associate Member)

**Others Present:** Liz Allard (LUB Admin), Tim Kilhart (DPW Director), Fred Hamwey (Hamwey Engineering), Kyle Burchard (GPR, Inc.), Tom Cotton and Dan Daley

This hearing was continued from January 3, 2019 for a Notice of Intent filed on behalf of Harvard Department of Public Works for the replacement of an existing culvert with concrete headwall and hooded catch basin within 100' of a wetland resource area between 88 and 118 Slough Road, Harvard.

Kyle Burchard, of GPR, Inc., was present to represent the applicant. Mr. Burchard stated he believes the peer review being conducted by Fred Hamwey, of Hamwey Engineering, is down to a couple of details and inlet grades; but these adjustments will not change the limits of disturbance. As requested by the Commission the plan reflects a reduction in the amount of curbing on the roadway edge.

Mr. Burchard has spoken with Judy Schmitz, from the Department of Environmental Protection (DEP), who agreed the requirement to meet Massachusetts Stream Crossing Standards on this project is not practicable. Requirements under Massachusetts General Permit can be dealt with through a Self-Verification Notification Form. With no sufficient land area to complete wetland replication, DEP is recommending another location in Town, which would be suitable for wetland replication, be located and approved by the Commission. If the applicant satisfies the wetland replication requirements, 401 Water Quality Certification will not need to be met. Liz Allard requested confirmation from DEP as to the above mentioned guidance.

Tom Cotton, 109 Slough Road, asked about roadway sanding and maintaining the basins. Mr. Burchard explained the design and function of the twelve proposed deep sump catch basins that require annual maintenance. The installation of these catch basins will reduce the need for roadway treatment as icing of the roadway will be minimized.

With additional information still required for the peer review to be complete, documentation provided from DEP, and a suitable wetland replication area to be located and approved, Wendy Sisson made a motion to continue the hearing to February 7, 2019 at 7:30pm in the Town Hall, 13 Ayer Road. Jim Burns 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  
Kevin O'Malley, 8 Wilroy Avenue, Harvard#0119-01  
January 17, 2019**

The public hearing was opened at 7:50pm 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, Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns and Derek Beard (Associate Member)

**Others Present:** Liz Allard (LUB Admin), Dan Romero (Ross Associates) and Kevin O'Malley

This hearing is for a Notice of Intent filed on behalf of Kevin O'Malley for the installation of a septic system for an existing single-family dwelling within the 100' wetland buffer zone at 8 Wilroy Avenue, Harvard.

Dan Romero, of Ross Associates, was present to represent the applicant, Kevin O'Malley, who was also present. Mr. Romero explained this is the third application filed on behalf of Mr. O'Malley for the installation of a septic system. The two previous Orders of Condition lapsed prior to the work being started. The system will be located across the roadway from 8 Wilroy Avenue, in an area used for parking and storage. The installation of the system will require the removal of a cluster of trees, none of which are of great value to the wetland resource area, Bare Hill Pond. During the original application process the Commission requested the system be shifted slightly to reduce the disturbance to the existing trees; this has been maintained on the proposed plans before the Commission this evening.

After a brief discussion in regards to the request to waive the \$200.00 filing fee under the Wetland Protection Bylaw, Jaye Waldron made a motion to waive the fee for this application based on the Commission's receipt of the two previous payments that did not result in any necessary inspections. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Due to an error in abutter notification the hearing needed to be continued, therefore Wendy Sisson made a motion to continue the hearing to February 7, 2019 at 8:00pm in the Town Hall, 13 Ayer Road. Jim Burns seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard  
Land Use Administrator/  
Conservation Agent