

**HARVARD CONSERVATION COMMISSION  
MINUTES OF MEETING  
FEBRUARY 7, 2019  
APPROVED: FEBRUARY 21, 2019**

Vice Chairman Paul Willard 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:** Paul Willard, Wendy Sisson, Jaye Waldron, Joanne Ward and Mark Shaw

**Others Present:** Liz Allard (LUB Admin), Cal Goldsmith (GPR, Inc.), Mark Adams (Harvard Snowmobile Club), Tony Shaw (Harvard Snowmobile Club), Matt Brassard (Nitsch Engineering), Tom Murphy (NV5), Emily Grandstaff-Rice (Arrowstreet), SusanMary Reddinger (School Building Committee) and Mart Green (Harvard Press)

**Harvard Snowmobile Club (HSC) Update**

Mark Adams was present to update the Commission on the activities of the snowmobile club this season. Mr. Adams stated there were a number of trees down behind the transfer station in the Dean's Hill area. HSC was able to complete trail clearing prior to the riding season. This season has only had about one decent riding day thus far.

Wendy Sisson stated she liked the message sent out recently by HSC president, Tony Shaw, who was also present this evening, in regards to the potential of snow covered trails, which included a reminder of the requirement for the trails to have 4" of snow to be considered useable. As previously discussed Mark Adams is the contact for HSC when Mr. Shaw is out of Town. Contact information for Mr. Adams was provided to the Commission.

Mr. Adams detailed the need to make improvements to the trail that runs between Depot Road and Lancaster County Road. HSC will contact the Park & Recreation Commission for approvals to make these improvements. Additional approvals for work within wetland resource area shall be sought from the Conservation Commission. HSC is also recommending a bridge in the area of White Lane and South Shaker Road. The Commission will need to review the location to determine the best location for such feature, as well as to determine if one trail as opposed to two trails, one for walkers and one for snowmobiles, is necessary. The repairs to the Holy Hill Trail have made significant improvement to that area. Minor repairs to the trail may be necessary next fall.

Mr. Shaw asked the Commission to express the desire of the HSC to continue accessing Pond Road from the Small Nature Trail via the Harvard Elementary School land. The Commission agreed to make this request to the School Building Committee, who will be before the Commission later this evening.

The Commission requested a letter of support from HSC in regards to the Commission and Harvard Conservation Trust initiative to preserve land along Willard Land known as the Capobianco land. The sale of this land to a private individual may result in no longer having access to the trail on that land. Mr. Shaw agreed to this request.

**Approve Minutes**

Jaye Waldron made a motion to approve the minutes of January 17, 2019 as amended. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

**Honorary Plaque – Hoch Land**

Wendy Sisson requested funding from the Commission to install a plaque on the bridge on the Hoch land in honor of the Phil Knoettner, who has volunteered his time with both the Land Stewardship Subcommittee and Harvard Conservation Trust for well over a decade.

After a brief discussion, Joanne Ward made a motion to allocate up to \$200 for a plaque for the bridge on the Hoch Trail to honor Phil Knoettner. Mark Shaw 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 7:30pm**

**Information Discussion of Wetland Replication for Slough Road Project**

Cal Goldsmith, of GPR, Inc., was present to discuss the potential locations for the necessary wetland replication as part of the improvements to be made to Slough Road. An area on Tully land adjacent to the Department of Public Works property was discussed. There is an existing detention basin on the site that provides a hydrological connection to an area adjacent to an existing wetland area. The outflow of the basin would be extended under the existing trail and out flow to a level spreader adjacent to the proposed wetland replication area.

The Commission agreed the replication area should only be 1:1 as opposed to the 2:1 requirement within the Wetland Protection Bylaw. The location will need to be reviewed by the Commission in order to make a further determination as to whether or not this is a suitable area for wetland replication. Wendy Sisson asked that GPR, Inc. determine if the detention basin on that property is functioning properly should this location be chosen. Liz Allard will provide GPR, Inc. with the approved plan for the detention basin. Mr. Goldsmith indicated a new Notice of Intent will be filed for this activity as opposed to including it as part of the existing Notice of Intent for Slough Road.

**Approve Invoices**

Wendy Sisson made a motion to approve the following invoice:

- MACC - \$275.00 (annual conference: Ward/Sisson/Allard)

Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Jaye Waldron made a motion to approve the following invoice:

- Liz Allard -\$62.78

Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

**MACC Annual Conference – March 2, 2019**

Liz Allard reminded the members that funding is available for them to attend the annual conference of the Massachusetts Association of Conservation Commissioners. If members are interested in attending they should send their selection of workshops to Ms. Allard no later than February 20, 2019.

**Request to locate Telecommunications Facility on Conservation Land – Newman and Newman 2, along Prospect Hill Road and Boca along Old Shirley Road**

Members discussed the proposed locations for a telecommunications facility and agreed if there are no restrictions to this type of use that the Boca land along Old Shirley Road would be suitable. Liz Allard will review the deed to determine if there are any limitations on the use of the land. If not, she will seek advice from Town Counsel as how the Commission should proceed.

**Request to use Barba's Point as part of the Harvard Lions Club 7<sup>th</sup> Annual Bare Hill Triathlon**

After a brief discussion, Mark Shaw made a motion to allow the Lion's Club to use Barba's Point for the 7<sup>th</sup> annual Bare Hill triathlon. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

**Zoning Board of Appeals Request for Comments – 17 Oak Hill Road**

As an application for an accessory apartment in an existing structure the Commission had no comments for this application.

### **Planning Board Request for Comments – Harvard Elementary School, 27 Massachusetts Avenue**

This item is moot since the Planning Board approved the site at their meeting on Monday. Liz Allard stated at the Planning Board meeting that a Notice of Intent had been filed and was on the agenda for this evening at which the Commission would have a number of questions in regards to the stormwater management structures.

### **Continuation of a Notice of Intent Hearing – Kevin O'Malley, 8 Wilroy Avenue, DEP#177-674, Harvard#0119-01. Opened at 8:00pm**

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

At the January 28<sup>th</sup> meeting of CPIC the Committee voted to recommend the funding of \$100,000 to annual town meeting. The Commission and representatives of Harvard Conservation Trust will meet on February 21<sup>st</sup> to further discuss the next steps of the preserving the land available along Willard Lane, known as the Capobianco land.

### **Open Space Committee Update – Select Board Meeting February 26<sup>th</sup>**

As requested at the last meeting the proposed Open Space Committee charter has been sent to the Select Board for discussion at their February 26<sup>th</sup> meeting. Members are encouraged to attend in show support of this Committee.

### **White Land Conservation Land Encroachment**

Mark Shaw has revisited the location and feels the remediation complete to date to the access road should be sufficient as it may cause more damage to the area if the Commission requires the property owner to remediate back to original conditions. It was suggested that something as simple as two pillars and a locked chain be placed across the access road to keep people off the conservation land without permission. In addition, markers to delineate the property lines, such as concrete post, should be installed at the property owner's expense.

After discussing the validity of allowing land owners that abut conservation land the use of that land for personal use, the members agreed to revisit the site once the weather gets better to make a final determination on any required remediation.

### **Update on Pine Hill Village**

Liz Allard reached out this week for advice from the Department Environmental Protection on how to monitor this project on a daily basis. Peter Cricones has requested to amend the Order of Conditions and extend the Order of Conditions to November 1, 2021. This item will be on the agenda for February 21, 2019. A plan detailing the changes will be requested. Liz Allard will seek further advice from Nitsch Engineering as whether or a new Notice of Intent should be filed. In addition Ms. Allard will seek Town Counsel advice on the hiring of additional oversight for the project.

### **Revisions to the Erosion Control Bylaw**

Liz Allard provided the members with the most recent version of the Erosion Control Bylaw. The Planning Board is seeking support of this bylaw for annual town meeting.

### **Adjournment**

Wendy Sisson made a motion to adjourn the meeting at 9:55pm. Mark Shaw 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  
Harvard Department of Public Works, Slough Road  
DEP 177-673, Harvard#1018-03  
February 7, 2019**

The public hearing was opened at 7:30pm by Vice Chairman Paul Willard 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:** Paul Willard, Wendy Sisson, Jaye Waldron, Joanne Ward and Mark Shaw

**Others Present:** Liz Allard (LUB Admin) and Cal Goldsmith (GPR, Inc.)

This hearing was continued from January 17, 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.

With Don Ritchie absent this evening the Commission does not have the appropriate members eligible to vote on this application, therefore the hearing must be continued. Wendy Sisson made a motion to continue the hearing to February 21, 2019 at 7:30 pm in the Town Hall Meeting Room, 13 Ayer Road. Jaye Waldron 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  
Kevin O'Malley, 8 Wilroy Avenue, DEP#177-674, Harvard#0119-01  
February 7, 2019**

The public hearing was opened at 8:00pm by Vice Chairman Paul Willard 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:** Paul Willard, Wendy Sisson, Jaye Waldron, Joanne Ward and Mark Shaw

**Others Present:** Liz Allard (LUB Admin)

This hearing was continued from January 17, 2019 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.

With Don Ritchie and Jim Burns absent this evening the Commission does not have the appropriate members eligible to vote on this application, therefore the hearing must be continued. Joanne Ward made a motion to continue the hearing to February 21, 2019 at 7:25 pm in the Town Hall Meeting Room, 13 Ayer Road. Mark Shaw 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  
Nitsch Engineering, 27 Massachusetts Avenue, Harvard#0119-02  
February 7, 2019**

The public hearing was opened at 8:05pm by Vice Chairman Paul Willard 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:** Paul Willard, Wendy Sisson, Jaye Waldron, Joanne Ward and Mark Shaw

**Others Present:** Liz Allard (LUB Admin), Matt Brassard (Nitsch Engineering), Tom Murphy (NV5), Emily Grandstaff-Rice (Arrowstreet), Susan Mary Reddinger (School Building Committee) and Mart Green (Harvard Press)

This hearing is for a Notice of Intent filed on behalf of Nitsch Engineering for the replacing of the existing Hildreth Elementary School building with a new facility within the 100' wetland buffer zone at 27 Massachusetts Avenue, Harvard.

Matt Brassard, of Nitsch Engineering, was present to represent the School Building Committee. Mr. Brassard reviewed the existing and proposed site conditions for the Harvard Elementary School. Mr. Brassard explained the new school will have relatively similar impervious area as the existing school. Although the wetland is on the abutting town-owned property to the east, its associated 100' wetland buffer zone runs through the existing and proposed parking lot. A portion of the access road to the north is also within the 100' wetland buffer zone. Stormwater management systems are proposed to reduce the peak runoff rates to at or below the existing rates. Soil testing has indicated high ground water and/or poor infiltrative capacity makes groundwater recharge somewhat infeasible for the site.

Stormwater management systems on the west side of the property will consist of a conventional closed pipe drainage system that includes a deep sump hooded basins for pre-treatment, proprietary chambers for water quality treatment and a closed pipe detention system to provide peak flow control. The system to the east will be similar, although a pre-treatment of flows from a portion of the main parking lot will be achieved by routing flow through a series of bio-retention cells. Discharge from the east will occur via a level spreader to minimize erosion of overland flow during rain events.

The project has a potential start date of April 2019 and will be a two year process. The first phase will consist of the construction of the access roadway and the features on north side of property, including the new school. The second phase will consist of the removal of the existing school, the construction of the back parking lot, the south access road and other features, including stormwater management systems.

Wendy Sisson requested the 100' wetland buffer zone and wetland line be shown on all of the plans. In addition the Commission would like to see the wetland line delineated further north. Snow storage areas were discussed and should be detailed on the final plan. The use of salt during icing conditions lead to the request to increase the size of the level spreader prior to discharge within the 100' wetland buffer zone. Mr. Brassard will also look for other suggestions to reduce the effects of salt on the wetland. The use of retaining walls as opposed the slope within the 100' wetland to retain existing vegetation was discussed. Mr. Brassard detailed the wastewater disposal system.

On behalf of the Harvard Snowmobile Club (HSC), the Commission requested the HSC be able to continue to have access across the Harvard Elementary School land via the Small Nature Trail to Pond Road. Travel by snowmobile could occur adjacent to the south access road.

Comments and file number have not been received as of yet from the Department of Environmental Protection. Standard conditions for the maintenance of the stormwater management system will be sent to Mr. Brassard for his review. With these and other items to be addressed, Wendy Sisson made a motion to continue the hearing to February 21, 2019 in the Town Hall Meeting Room at 7:45pm. Mark Shaw 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 February 7, 2019**

#### **Approve Minutes**

- *DRAFT HARVARD CONSERVATION COMMISSION MINUTES OF MEETING, JANUARY 17, 2019, prepared by Liz Allard*