

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

Chair Don Ritchie called the meeting to order at 7:02pm 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, Paul Willard, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and Derek Beard (Associate Member)

Others Present: Liz Allard (LUB Admin), Dan Wolfe (Ross Assoc.), Peter Cricones (Pine Hill Village, LLC), Carla Page (Pine Hill Village, LLC), Tom Cotton, Fred Hamwey (Hamwey Engineering), Cal Goldsmith (GPR, Inc.), Jim Lee (Harvard Conservation Trust), Larry Sprang (Arrowstreet), Peter Dorward (Harvard Conservation Trust), Matt Brassard (Nitsch Engineering) and Tom Murphy (NV5)

Approve Minutes

Jim Burns made a motion to approve the minutes of February 7, 2019 as amended. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

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

This discussion was postponed to the March 7, 2019 meeting.

Request to Amend & Extend the Order of Conditions – Pine Hill Village, Stow Road (Map 36 Parcels 85 & 86.1)

With information provided today necessary for the Commission to make a determination on the request to amend the Order of Conditions (OOC), the applicant was informed this discussion would be continued to the March 7, 2019 meeting of the Commission. The applicant was also informed, as allowed for within the OOC, the Commission would be seeking the engagement of an independent environmental professional who shall be responsible for monitoring all activity within wetland resource areas and buffer zones to ensure compliance with the OOC.

Request for Determination of Applicability Hearing – Steve Ernst, 2 Wilroy Avenue, Harvard#0219-01. Opened at 7:29pm

Continuation of a Notice of Intent Hearing – Kevin O'Malley, 8 Wilroy Avenue, DEP#177-674, Harvard#0119-01. Opened at 7:35pm

Continuation of a Notice of Intent Hearing – Harvard Department of Public Works, Slough Road, DEP#177-673, Harvard#1018-03. Opened at 7:36pm

Continuation of a Notice of Intent Hearing – Nitsch Engineering, 27 Massachusetts Avenue, Harvard#0119-02. Opened at 7:45pm

Executive Session

Jim Burns made a motion to go into Executive Session with members of the Harvard Conservation Trust to discuss the possible purchase of real property, the public discussion of which could have detrimental effects on the negotiating position, only to return to the public meeting once completed. Joanne Ward seconded the motion. A roll call vote was taken: Paul Willard, aye; Jaye Waldron, aye; Joanne Ward, aye; Mark Shaw, aye; Jim Burns, aye; and Don Ritchie, aye.

At 9:31pm Joanne Ward made a motion to exit executive session and return to the public meeting. Paul Willard seconded the motion. A roll call vote was taken: Paul Willard, aye; Jaye Waldron, aye; Joanne Ward, aye; Mark Shaw, aye; Jim Burns, aye; and Don Ritchie, aye.

Open Space Committee Update – Select Board Meeting February 26th

Just a reminder the Commission requested to be placed on the Select Board agenda to present this committee to them. This item will be discussed on Tuesday February 26th at 7:05pm in the Town Hall Meeting Room.

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. After a brief discussion Paul Willard made a motion to support the Planning Board efforts on the approval of an Erosion Control Bylaw at the 2019 Annual Town Meeting. Jim Burns seconded the motion. The vote was unanimously in favor of the motion.

Adjournment

Jaye Waldron made a motion to adjourn the meeting at 8:39pm. Paul Willard 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 21, 2019

Approve Minutes

- *DRAFT HARVARD CONSERVATION COMMISSION MINUTES OF MEETING, FEBRUARY 4, 2019, prepared by Liz Allard*

Request for Determination of Applicability Hearing – Steve Ernst, 2 Wilroy Avenue, Harvard#0219-01

- Sewage Disposal System, designed for Steve Ernst, #2 Wilroy Avenue, Prepared by David E. Ross Associated, Inc., Job No. 31556, Plan No. L-13689, dated January, 2019

Continuation of a Notice of Intent Hearing – Nitsch Engineering, 27 Massachusetts Avenue, Harvard#0119-02

- Existing Conditions Plan, designed for Arrowstreet, 27 Massachusetts Ave., Harvard, MA, prepared by David E. Ross Associates, Inc., Job No. 13784 & 19655, Plan No. L-13200B, dated 2-18-19

**Harvard Conservation Commission
Request for Determination of Applicability Hearing
Steve Ernst, 2 Wilroy Avenue, Harvard#0219-01
February 21, 2019**

The public hearing was opened at 7:29pm by Chair 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, Paul Willard, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and Derek Beard (Associate Member)

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

This hearing is for a Request for Determination of Applicability filed on behalf of Steve Ernst for the upgrade of a sewage disposal system within 200 feet of Bare Hill Pond at 2 Wilroy Avenue, Harvard.

Dan Wolfe, of Ross Associates, was present to represent the applicant. Mr. Wolfe detailed the project which includes a water line and sewer trench within 100' of Bare Hill Pond. The water line, septic tank, pump chamber, force main and leaching area are within 200' of Bare Hill Pond. All work is taking place in previously disturbed areas and will require the removal of several trees that are not of any value. The proposed location for the sewage disposal system was reviewed by Jim Burns and Liz Allard.

Since this dwelling is part of a homeowners association, Willard Shores. The association should have been notified of this hearing. This unfortunately did not take place in the appropriate amount of time. Therefore Mr. Wolfe requested the hearing be continued to March 7, 2019 to allow for appropriate notification of the homeowners association.

Jim Burns made a motion to continue the hearing to March 7, 2019 at 7:25pm in the Town Hall, 13 Ayer Road. 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
Continuation of a Notice of Intent Hearing
Kevin O'Malley, 8 Wilroy Avenue,
DEP#177-674, Harvard#0119-01
February 21, 2019**

The public hearing was opened at 7:35pm by Chair 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, Paul Willard, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and Derek Beard (Associate Member)

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

This hearing was continued from February 7, 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.

This hearing had been continued in order to properly notify the abutters, which has now been completed.

With no additional questions or comments, Jim Burns made a motion to close the hearing and issue a standard Order of Conditions. 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
Harvard Department of Public Works, Slough Road
DEP#177-673, Harvard#1018-03
February 21, 2019**

The public hearing was opened at 7:36pm by Chair 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, Paul Willard, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and Derek Beard (Associate Member)

Others Present: Liz Allard (LUB Admin), Cal Goldsmith (GPR, Inc.), Fred Hamwey (Hamwey Engineering) and Tom Cotton

This hearing was continued from February 7, 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 information provided to Fred Hamwey, peer reviewer for the Commission, only this afternoon the Commission suggested the hearing be continued. Cal Goldsmith agreed to the continuance.

Jim Burns made a motion to continue the hearing to March 21, 2019 at 7:30pm in the Town Hall, 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
Continuation of a Notice of Intent Hearing
Nitsch Engineering, 27 Massachusetts Avenue, Harvard#0119-02
February 21, 2019**

The public hearing was opened at 7:45pm by Chair 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, Paul Willard, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and Derek Beard (Associate Member)

Others Present: Liz Allard (LUB Admin), Matt Brassard (Nitsch Engineering), Tom Murphy (NV5) and Larry Sprang (Arrowstreet)

This hearing was continued from February 7, 2019 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 revisions made to the site plan as requested by the Commission at the previous hearing. These revisions included extending the length of the level spreader, continuation of the wetland delineation further to the north, and showing the 100' wetland buffer zone on all of the plans. Mr. Brassard also followed up with his colleagues on reducing the effects of salt on wetland resource areas and has determine there are no additional measures above those already put in place by this proposal that would further reduce salt from entering the wetland resource area. Liz Allard requested that the location where snow will be stored be detailed on the plan. Ms. Allard also shared standard conditions for the maintenance of the stormwater facilities with Mr. Brassard who was in agreement with most of the conditions.

With still no file number or comments from the Department of Environmental Protection Mr. Brassard requested the hearing be continued. Jim Burns made a motion to continue the hearing to March 7, 2019 at 7:45pm in the Town Hall Meeting Room, 13 Ayer Road at 7:45pm. Paul Willard seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent