

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
MARCH 21, 2019
APPROVED: MAY 2, 2019**

Chair Don Ritchie called the meeting to order at 7:04pm 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, Wendy Sisson, Jaye Waldron, Joanne Ward, Mark Shaw and Derek Beard (Associate Member)

Others Present: Liz Allard (LUB Admin), Neil Gorman (Ross Associates), Peter Cricones (Pine Hill Village, LLC), Carla Page (Pine Hill Village, LLC), Kevin Ritchie (Civil Solutions), Fred Hamway (Hamway Engineering), Tom Cotton and David Outman (Harvard Conservation Trust)

Approve Minutes

Joanne Ward Made a motion to approve the minutes of February 21, 2019 as amended. Jaye Waldron Seconded the motion. The vote was unanimously in favor of the motion.

Mud Season Notification

This notification has been posted on the Town website.

Municipal Vulnerability Preparedness Community Resilience Building Workshops

Jaye Waldron will attend the first Community Resilience Building workshop on April 11th. Don Ritchie will tentatively attend the second workshop on April 25th. Wendy Sisson too will tentatively attend the second workshop on behalf of the Land Stewardship Subcommittee.

Request to locate Telecommunications Facility on Conservation Land – Boca along Old Shirley Road

After a brief discussion members of the Commission agreed to review the site for the ability to locate a cell tower. If the proponent is still interested in the land the Commission could present this to the Town as a way to gain funding for conservation land.

Open Space Committee documentation for Select Board Strategic Planning Session

Wendy Sisson expressed her concerns with relinquishing the Commission's role in open space acquisition and suggested the Commission consider creating a subcommittee to deal with open space. Don Ritchie felt having a committee under the appointment of Select Board would get more traction for funding. Jaye Waldron believes the Commission should stay the course of having this committee formed as a stand alone committee as she feels the effectiveness of the committee would be better under Select Board. The general consensus of the Commission was to continue forward with the committee as proposed to the Select Board, which would allow for a new group of individuals to give the preservation of open space its own identity separate from the other responsibilities of the Commission. Mr. Ritchie will continue to work with Peter Dorward on providing the information the Select Board is seeking for their June strategic planning session.

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

Request for Determination of Applicability Hearing – Lih-Shim Young, 8 Willow Road, Harvard#0219-03. Opened at 7:52pm

Land Stewardship Subcommittee 2019 Appointments

On a unanimous vote, to a motion made by Joanne Ward and seconded by Jaye Waldron, the Commission reappointed the following individuals to a three-year term to expire March 31, 2022, to the Land Stewardship Subcommittee: Wendy Sisson, Sydney Blackwell and Jim Burns.

Notice of Intent Hearing – Pricilla Endicott, 44 Littleton County Road, Harvard#0319-01.
Opened at 8:02pm

Continuation of a Notice of Intent Hearing – Nitsch Engineering, 27 Massachusetts Avenue, Harvard#0119-02. Opened at 8:27pm

Approve Municipal Certification – Conservation Restriction, 99 South Shaker Road
On a unanimous vote, to a motion made by Joanne Ward and seconded by Jaye Waldron, the Commission approved the municipal certification for the conservation restriction for 99 South Shaker Road, which will be held by the Harvard Conservation Trust.

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

Peter Cricones and Carla Page were present to discuss the final plans for Pine Hill Village. Snow storage locations were discussed and revised. Since snow cannot be stored in the area of septic systems, the condition requiring all snow be stored 100' from any wetland resource area will need to be amended to 75' from any wetland resource area. Wendy Sisson recommended the tree clearing on the property be phased as opposed to being completed all at once. Ms. Sisson suggested three phases of cutting in the following order: phase 1 Pine Bank neighborhood and along the proposed roadway up to the public water supply wells; phase 2 Tucks Way and Sunrise neighborhood, including the cul-de-sac; and phase 3 East and West Serpentine Way. Phasing the tree clearing will provide less possibility of silting any of the stormwater basins due to the amount of runoff that would occur, as well as being better for the overall process. All stumps are to remain until an area is developed. There shall be no cutting during mud season when the ground is partially frozen. The conservation agent is to be notified when tree cutting takes place.

The construction sequence will require editing before final plan can be approved. In addition, the monitoring of the project by a qualified consultant will require under weekly inspections within phase 1 of the construction sequence. Under phases 2 & 3 of the construction sequence the Commission anticipates there will be less of a need for weekly inspections, but will make that determination when those phases are set to begin. Language in regards to inspections after a 1" rainfall will be amended to include the consultant, conservation agent or member of the Commission as to not delay the process should the agent not be available.

The applicant will provide all final documentation required for the public hearing on the request to amend the order of Conditions. This hearing is tentatively scheduled for April 18, 2019.

Request to Participate at the 3rd Annual Environmental Conference on May 30th
This item was passed over this evening.

Executive Session

This item was not necessary this evening.

Adjournment

Jaye Waldron made a motion to adjourn the meeting at 10:10pm. 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
Harvard Department of Public Works, Slough Road
DEP#177-673, Harvard#1018-03
March 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, Wendy Sisson, Jaye Waldron, Joanne Ward, Mark Shaw and Derek Beard (Associate Member)

Others Present: Liz Allard (LUB Admin), Fred Hamwey (Hamwey Engineering) and Tom Cotton

This hearing was continued from February 21, 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.

Don Ritchie explained to the Commission that a discussion was held yesterday that included Fred Hamwey, Tim Kilhart, Liz Allard and himself as to the outstanding issues Mr. Hamwey has with the proposal as it relates to stormwater management requirements. Those outstanding issues include:

- Contours used for calculating the storage volume in the area of the culvert inlet were determined by elevation and not by field survey;
- Catch basin grates have been designed to allow a flow capacity of 2.5 cfs, research indicates maximum grate capacities to be less than 1.5 cfs (data for the 2.5 cfs grate capacity was requested); and
- Runoff coefficients of 0.1 for steep land and various soil types is not acceptable (runoff coefficients should be based on the surface of the land, the slope of the land and the type of soil)

Other minor items that need to be addressed include the correct date on the plan, along with an engineer stamp, and rim elevation for HW2 need to be corrected (should be 506.16).

GPR, Inc., has indicated they have completed a solid set of construction-level drawings, far exceeding the permit set of drawings they were contracted to complete. GPR's current contractual obligations to the Department of Public Works for this project have been completed at a cost of several times their engineering budget for which they are not being reimbursed, and the proposed design is the reasonable best that can be done within the constraints.

The plan and the stormwater management report as presented are not satisfactory to Mr. Hamwey, therefore he can not, in good faith, advise the Commission to issue an Order of Conditions based on that plan and report. Tim Kilhart understands the Commission's position of wanting a plan and report that is compliant and satisfactory to the consultant.

Mr. Kilhart requested the hearing be continued to April 18, 2019 to allow for additional time to come to an agreement with GPR as to meeting the consultant's requests.

Jaye Waldron made a motion to continue the hearing to April 18, 2019 at 7:30pm 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
Request for Determination of Applicability Hearing
Lih-Shim Young, 8 Willow Road, Harvard#0219-03
March 21, 2019

The public hearing was opened at 7:52pm 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, Wendy Sisson, Jaye Waldron, Joanne Ward, Mark Shaw and Derek Beard (Associate Member)

Others Present: Liz Allard (LUB Admin) and Kevin Ritchie (Civil Solutions)

This hearing is for a Request for Determination of Applicability filed on behalf of Lih-Shim Young for the replacement of a failing sewage disposal system within 100 feet of a wetland resource area at 8 Willow Road, Harvard.

Kevin Ritchie, of Civil Solutions, was present to represent the applicant. Mr. Ritchie detailed the plan for the replacement of a failing septic system. A site walk had been conducted yesterday. The location for the replacement system is limited to the area in which it has been designed due to the nature of the land area. There are no plans to remove any existing trees on the site during the installation of the septic system.

Wendy Sisson made to close the hearing and issue a Negative 3 Determination of Applicability with the condition that the sedimentation barrier is to be inspected by the Conservation Agent or a member of the Commission prior to activity. 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
Notice of Intent Hearing
Pricilla Endicott, 44 Littleton County Road,
DEP#177-677, Harvard#0319-01
March 21, 2019**

The public hearing was opened at 8:02pm 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, Wendy Sisson, Jaye Waldron, Joanne Ward, Mark Shaw and Derek Beard (Associate Member)

Others Present: Liz Allard (LUB Admin) and Neil Gorman (Ross Assoc.)

This hearing is for a Notice of Intent filed on behalf of Pricilla Endicott for a sewage disposal system upgrade for an existing dwelling and the construction of additions to the house and garage within the 100' wetland buffer zone and the 200' wetland buffer zone to an unnamed pond at 44 Littleton County Road, Harvard

Neil Gorman, of Ross Associates, was present to represent the applicant. Mr. Gorman detailed the site, which includes an existing dwelling, barn, and garage. An existing pond on the property has an associated bordering vegetated wetland along the property line. An existing sewage disposal system is located off the rear of the house that discharges to a very old leach pit. Three days of soil testing was completed without success in other more desirable areas. Suitable soils to locate the system were found just below the existing swimming pool. Due to the inability to achieve the proper distance to ground water (4") a full sized system with a secondary treatment unit is being proposed. The secondary treatment provides for full treatment of the sewage before it is discharged to the leach field. This type of system requires inspections on a regular basis with reporting to the local Board of Health. The installation of this system will require the construction of two retaining walls due to the grade down to the pond. As designed all Title V requirements for the leaching area are being met. The nearest point of grading is 22' from a wetland resource area. Due to the necessary grading a single tree may need to be removed. Mr. Gorman explained the plan for landscaping and the additions to the existing garage and main house.

Dave Outman, Harvard Conservation Trust Director, requested a notation on the site plan indicating the associated conservation restriction on the property.

Joanne Ward made a motion to close the hearing and issue an Order of Conditions with the standard 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
Nitsch Engineering, 27 Massachusetts Avenue,
DEP#177-676, Harvad#0119-02
March 21, 2019**

The public hearing was opened at 8:27pm 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, Wendy Sisson, Jaye Waldron, Joanne Ward, Mark Shaw and Derek Beard (Associate Member)

Others Present: Liz Allard (LUB Admin)

This hearing was continued from March 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.

As requested at the previous hearing a final plan has been provide to the Commission. Members discussed the operation and maintenance plan for the stormwater management facilities and the buy-in from all parties, School Committee, Department of Public Works and the Select Board, in maintaining these systems; otherwise they will fail with the potential of adverse impacts to the wetland resource areas. A letter shall be sent to those mentioned detailing this opinion of the Commission.

Wendy Sisson made a motion to close the hearing and issue an Order of Conditions that includes the Long-Term Pollution Prevention Plan and Stormwater Operation and Maintenance Plan prepared by Nitsch Engineering, the Commission's standard conditions, along with the following additional conditions:

- During construction all drainage structures shall be inspected regularly and cleaned as necessary;
- There shall be no sediment into the wetlands during construction; and
- Any stockpile of material in place longer than one week shall be covered.

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 March 21, 2019

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

- Review letter#4 Hamwey Engineering, Inc, Re: Slough Road Drainage Improvement (HEI File no. 18007.00), dated March 19, 2019
- Email from Kyle Bourchard, of GPR, Inc., to Liz Allard, Subject: Slough Road (DEP# CE 177-0673), dated March 14, 2019
- Email from Tim Kilhart, to Liz Allard, Subject: Re: Fwd: Slough Road - 4th Review Letter, dated March 20, 2019

Request for Determination of Applicability Hearing – Lih-Shim Young, 8 Willow Road, Harvard#0219-03

- Sewage Disposal System Plan, 8 Willow Road, Harvard, MA, Job 18.069, prepared by Civil Solutions, dated 2/27/2019

Notice of Intent Hearing – Pricilla Endicott, 44 Littleton County Road, Harvard#0319-01

- Sewage Disposal System, prepared for Pricilla Endicott, 44 Littleton County Road, Job No. 32500, prepared by David E. Ross Associates, Inc., dated March 2019

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

- Town of Harvard, Hildreth Elementary School, Notice of Intent Submission (Sheets C1.00, C3.00, C4.00, C5.00, C6.00, C7.00, C7.01 & C7.02), Project No. 16073, prepared by Nitsch Engineering, dated 3/18/2019

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

- Notice of Intent plan set (sheets 1 -7), File No. 1009/5086, prepared by R. Wilson and Associates, Inc., dated 1/31/2019
- Stormwater Management Plan Details (sheets 15A, 15B & 15C), Project No. BW0118C, prepared by Geosyntec Consultants, 2018.01.23
- Stormwater Management Plan Details (sheets 15D), Project No. BW0118C, prepared by Geosyntec Consultants, 2018.06.19