

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
OCTOBER 17, 2019
APPROVED: DECEMBER 5, 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, Jim Burns, Mark Shaw and Derek Beard (Associate member)

Others Present: Liz Allard (Land Use Boards Administrator/Conservation Agent), Matt Marro and Glenn Berger

Prepare for Town Meeting Warrant Articles:

- **Article 15 Authorize the Grant of Zone 1 Well Protection Easement Over a Portion of the Dunlap Conservation Land**
 - Jim Burns volunteered to present this article on behalf of the Commission. Liz Allard will provide him with the necessary information.
- **Article 18 Prohibit Deer Hunting on Town Conservation Land – Citizen Petition**
 - Deer Management Subcommittee requested the Commission request a vote from the Select Board supporting the efforts of deer management on conservation land, thereby not supporting Article 18

Deer Management “Consider This” Article

The Commission discussed the important points that should be made in such an article, such as the loss of land that was previously hunted when converted to public open space, avoiding over population of deer, which can lead to starvation, and that limited hunting will not solve the issue, but it will keep it in check. This item was tabled as the Deer Management Subcommittee requested it, but was unable to attend due to a presentation at the same time this evening.

Request to Extend Order of Conditions – Pine Hill Village, LLC, Stow Road, DEP#177-586

Jaye Waldron made a motion to extend the Order of Conditions for Pine Hill Village, DEP#177-586 to November 1, 2020. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Violations of Code of the Town of Harvard, Chapter 90 Scenic Road Bylaw

After a brief discussion of the letter received from the Harvard Conservation Trust in regards to the widening of roadways and destruction of shade trees, Jaye Waldron made a motion supporting the Harvard Conservation Trust's effort to have the Scenic Road Bylaw enforced. Joanne Ward seconded the motion. The vote was 4-1 with Mark Shaw opposing the motion.

Approve Minutes

Joanne Ward made a motion to approve the minutes of September 5, 2019 as amended. Mark Shaw seconded the motion. The vote was unanimously in favor of the motion.

Approve Reimbursement

Jim Burns made a motion to approve the \$115.00 reimbursement of Jaye Waldron for attendance at the Massachusetts Association of Conservation Commissioners fall conference. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Continuation of a Notice of Intent Hearing – IRA Financial Trust Co., Lot 1 Pinnacle Road (Map 13 Parcel 28.1), DEP#177-681 Harvard#0719-01. Opened at 7:27pm

Continuation of a Notice of Intent Hearing – Matthew Ellis, 62 South Shaker Road, DEP#177-679 Harvard#0619-02. Opened at 7:31pm

Continuation of a Notice of Intent Hearing – Ron Kline, 18 Park Lane, DEP#177-683, Harvard#0919-02. Opened at 7:45pm

Approve Maxant Conservation Restriction – 0 Ayer Road

Paul Willard made a motion to approve the conservation restriction as drafted for the land known as 0 Ayer Road. Jim Burns seconded the motion. The vote was unanimously in favor of the motion.

The following items were passed over this evening:

- Forest Stewardship Plan Proposals
- Revised Driveway Easement for 98 Shaker Road
- Update Pine Hill Village
- Accepting Precipitation Frequency Statistics prepared by the Northeast Regional Climate Center at Cornell University

Adjournment

Mark Shaw made a motion to adjourn the meeting at 8:15pm. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

*These members were only in attendance as necessary for voting purposes.

Harvard Conservation Commission
Continuation of a Notice of Intent Hearing Minutes
IRA Financial Trust Co., Lot 1 Pinnacle Road (Map 13 Parcel 28.1)
DEP#177-681, Harvard#0719-01
October 17, 2019

The public hearing was opened at 7:27pm 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 Meeting Room, 13 Ayer Road, Harvard

Members Present: Don Ritchie, Paul Willard, Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and Derek Beard (Associate Member)

Others Present: Liz Allard (Land Use Administrator/Conservation Agent)

This hearing was continued from October 3, 2019 for a Notice of Intent filed on behalf of IRA Financial Trust Co. for the construction of a single-family dwelling, driveway, private well and sewage disposal system within 100' of a wetland resource area on Lot 1 Pinnacle Road (Map 13 Parcel 28.1), Harvard.

With the receipt of the revised plan detailing the request made by the Commission at the October 3rd meeting Joanne Ward made a motion to allow a waiver from Chapter 147-17 Setbacks in regards to the proposed deck and driveway within 75' of a wetland resource area. Mark Shaw seconded the motion. The vote was unanimously in favor of the motion.

Joanne Ward made a motion to close the hearing and issue a standard order of conditions. Paul Willard seconded the motion. The vote was unanimous amongst members eligible to vote, those being Joanne Ward, Paul Willard, Mark Shaw and Wendy Sisson.

Respectfully submitted

Liz Allard
Land Use Administrator/
Conservation Agent

**Harvard Conservation Commission
Continuation of a Notice of Intent Hearing Minutes
Matthew Ellis, 62 South Shaker Road
DEP#177-679, Harvard#0619-02
October 17, 2019**

The public hearing was opened at 7:31pm 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 Meeting Room, 13 Ayer Road, Harvard

Members Present: Don Ritchie, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and Derek Beard (Associate Member)

Others Present: Liz Allard (Land Use Administrator/Conservation Agent), Matt Marro and Glenn Gerber

This hearing was continued from October 3, 2019 for a Notice of Intent filed on behalf of Matthew Ellis for the construction of a garage within 100' of a wetland resource area at 62 South Shaker Road, Harvard.

Matt Marro stated as requested by the Commission the plan has been revised to detail the removal of the shed from the wetland resource area and the previously proposed location for the reserve area has been removed from the plan. The Commission discussed the need for wetland markers along the existing edge of lawn to avoid any additional lawn creep into the wetland resource area.

Jim Burns made a motion to allow a waiver from Chapter 147-17 Setbacks in regards to the proposed garage as a pre-existing site condition limiting the ability to locate it outside the 75' buffer zone area. Mark Shaw seconded the motion. The vote was unanimously in favor of the motion.

Jaye Waldron made a motion to close the hearing and issue an Order of Conditions with the addition of a special condition requiring "Protected Wetlands" signage be added along the delineated wetland from wetland flag B5 to B12. Each sign shall be 8' -10' apart and can be included with a split rail fence along this boundary. 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
Continuation of a Notice of Intent Hearing Minutes
Ron Kline, 18 Park Lane, Harvard#0919-02
October 17, 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 Meeting Room, 13 Ayer Road, Harvard

Members Present: Don Ritchie, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and Derek Beard (Associate Member)

Others Present: Liz Allard (Land Use Administrator/Conservation Agent)

This hearing was continued from October 3, 2019 for a Notice of intent filed on behalf of Ron Kline for the installation of a new Presby© type septic system and grading within the 100' buffer zone of a wetland resource area 18 Park Lane, Harvard.

Liz Allard stated the Department of Environmental Protection file number has been received with no comments. Joanne Ward made a motion to close the hearing and issue a standard Order of Conditions. 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 October 17, 2019

Continuation of a Notice of Intent Hearing – IRA Financial Trust Co., Lot 1 Pinnacle Road (Map 13 Parcel 28.1), DEP#177-681 Harvard#0719-01

- Sewage Disposal System, IRA Financial Trust Co., Pinnacle Road, Harvard, MA, Job No. 32825, prepared by Ross Associates, Inc., dated 10/17/19

Continuation of a Notice of Intent Hearing – Matthew Ellis, 62 South Shaker Road, DEP#177-679 Harvard#0619-02

- Proposed Plot Plan of Land in Harvard, Massachusetts at 62 South Shaker Road prepared for the Acton Woodworks, Inc., by Summit Surveying Inc., 19-0112, dated 10-10-2019

Approve Maxant Conservation Restriction – 0 Ayer Road

- Deed of Conservation Restriction to Town of Harvard, Grantor Theodore W. Maxant and Valerie I. Delker, Trustees of Zero Ayer Road Trust, Grantee: Town of Harvard, Address of Premises: 0 Ayer Road, Harvard, MA, Grantor's Title See: Worcester Registry of Deeds, Book 40180 Page 230, undated