

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
NOVEMBER 21, 2019
APPROVED: JANUARY 16, 2020**

Chair Don Ritchie called the meeting to order at 7:03pm 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, Jim Burns, Mark Shaw and Derek Beard (Associate member)

Others Present: Liz Allard (Land Use Boards Administrator/Conservation Agent), Mark Adams (Harvard Snowmobile Club), Joe Gibbons (Harvard Snowmobile Club), Margret Kusner, Marty Green (Harvard Press), Logan and Jeff Ostaszewski, Matthew Mostoller (Harvard Conservation Trust) and Steve Sears (Ross Associates, Inc.)

Annual Pre-Season Meeting with Harvard Snowmobile Club

Mark Adams, the president of the Harvard Snowmobile Club (HSC), along with Joe Gibbons, the vice president of HSC, were present to discuss the 2019 -2020 snowmobile season with the Commission. Mr. Adams stated the installation of the directional signage began early this year due to frost; there are more that will be installed after Thanksgiving. The trail connection through the "Poor Farm" property at 166 Littleton Road is being maintained. HSC is still working on resolving the common driveway challenge on Littleton Road that connects to the Fully Dudley Woods on Old Littleton Road. HSC is willing to communicate with other land owners to try to resolve the connection issue and requested the support from Commission as this connection affects all trail users, not just snowmobile use. Both Wendy Sisson and Don Ritchie agreed HSC would be better off negotiating snowmobile access across private property, rather than trying to negotiate use for a multitude of uses.

Mr. Adams stated HSC has started necessary trail work and have noted places in which a bridge may be best suited for all season use. Those areas include the White Lane and Kauffman land. These areas will be reviewed by members of the Land Stewardship Subcommittee to provide feedback. Trail re-routing on Holy Hill is working well; the trail from the Small land to Pond Road has also been re-routed between the existing elementary school and the Superintendent's House during construction of the new elementary school. The Commission thanked both Mr. Adams and Mr. Gibbons for attending this evening.

Discuss Eagle Scot Project with Logan Ostaszewski – Tully Land Boardwalk

Logan Ostaszewski detailed the design options for the boardwalk on the Tully land, located at the rear of the Department of Public Works property. Mr. Ostaszewski suggested the trail be slightly altered to allow the boardwalk to be located in the best location. Wendy Sisson thinks the proposed bridges are an over design for the site, but could be utilized in other locations. Ms. Sisson suggested the spring time may be better time of year for this activity, which would allow for time to find another location. Mark Shaw suggested the Clapp-Scorgie land. Ms. Sisson suggested the previously requested bridge for the White Lane land. Both Ms. Sisson and Mr. Shaw will work together with Mr. Ostaszewski to determine the best location and structure to be constructed this spring.

Discuss the appointment of a member or designee to the Open Space Committee

After a discussion on the appointment of either a member or designee of the Commission to the Open Space Committee, Jim Burns made a motion to recommend the Select Board the appointment of Peter Dorward as the Conservation Commission's designee to the Open Space

Committee. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Ratify Emergency Certification – 189 Stow Road

Jaye Waldron made a motion to ratify the Emergency Certification issued to Mark Vitale for the breaching of a beaver dam that is causing downstream flooding of properties in the area of Elizabeth Brook. Jim Burns seconded the motion. The vote was 5-0-1 with Wendy Sisson abstaining from the vote.

Update from Community Preservation Committee (CPC) Meeting

Jim Burns attended the CPC meeting this week to represent the Commission. As previously discussed the CPC was interested in knowing what the Commission's priorities for funding in fiscal year 2021. CPC does not have the funding to meet all of the requests they have received this year, but indicated they will be receiving an increase in funding in 2021.

Review Statement Post Deer Management Decision

Wendy Sisson made a motion to approve the revised response, which updates the process being taken post the Deer Management Subcommittee presentation to the Conservation Commission on November 7th. Mark Shaw seconded the motion. The vote was unanimously in favor of the motion.

Updated statement can be found here: <https://www.harvard.ma.us/conservation-commission/pages/updated-response-deer-management-program>

Planning Board Request for Comments

The Commission had no comments on either application before the Planning Board.

Approve Reimbursement & Invoice

Jim Burns made a motion to approve the following:

- Wendy Sisson, trail maintenance supplies – \$47.25
- Moore's Lumber, Harvard Garden sign - \$122.58

Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Approve Minutes

This item was passed over this evening.

Continuation of a Notice of Intent Hearing – 62 Old Littleton Road, LLC, 62 Old Littleton Road, Harvard#1019-02. Opened at 7:25pm

Request for Determination of Applicability Hearing – Lamacchia Development, LLC , 86 Ayer Road, Harvard#1019-03. Opened at 7:37pm

Request for the use of the Haskell Land for Livestock

Paul Willard has spoken with Rob Duzan in regards to request to use the corner of the Haskell Land for the raising of Dexter cows. The Commission had a number of questions about the proposed use and requested Mr. Duzan be invited to the next meeting to discuss.

Forest Stewardship Plan Proposals

This item to be removed from the agenda.

Update Pine Hill Village

Liz Allard stated the designated rain gauge on Oak Hill Road has been taken offline; therefore a gauge on Old Littleton Road has been designated as the official gauge for determining rainfall amounts. The developer will be providing weekly reports of the upcoming weeks activities.

These reports will be posted on the Commission's page of the Town website on Friday afternoon of each week.

Revised Driveway Easement for 98 Shaker Road

The Commission has not received the draft language from Attorney Gould as of yet. Liz Allard will follow up with her before the next meeting.

Accepting Precipitation Frequency Statistics prepared by the Northeast Regional Climate Center at Cornell University

This item was passed over this evening.

Drop-in: Update from Deer Management Subcommittee (DMS) Meeting

Bob Douglas, chair of the DMS, stopped into the meeting to update the Commission. DMS has developed signage to place on illegal deer stands requiring the removal of the stand. If the stand is not removed in a designated amount of time it will be seized and brought to the Harvard Police Department. Members of the Commission questioned whether or not you have to leave notice if a stand is seized. If so, another sign will need to be left behind detailing where the stand can be retrieved from.

Jim Burns made a motion to allow the Deer Management Subcommittee to locate and post illegal deer stands on conservation land and require them to be removed with a designated timeframe. Stands removed within the designated timeframe will be removed by the Deer Management Subcommittee and brought to the Harvard Police Department. Paul Willard seconded the motion. The vote was unanimously in favor of the motion.

The DMS also discussed the need for funding to solicit advice on the deer monitoring program. Derek Beard suggested a third-party monitor to remove the "fox guarding the hen house" stigma some residence may have about the program. Don Ritchie asked Mr. Beard to provide the Commission with some contacts he may have in order to obtain an idea of how much funding will be required for monitoring.

Quarry Lane/Stone Cutter's Path Drainage Swale Maintenance

Liz Allard stated she had been recently contacted by a member of the home owners association for the Quarry Lane and Stone Cutter's Path subdivision in regards to the maintenance of an existing drainage swale. Ms. Allard would like to confirm with the Commission that they view this area as one that can be maintained to allow it to function properly without having to file an application with the Commission. Members agreed the work to maintain the drainage swale associated with the development of Quarry Lane and Stone Cutter's Path does not require the filing of an application with the Commission. Ms. Allard will review the approved plans to provide guidance on the proper maintenance of the stormwater facilities within this subdivision.

Adjournment

Paul Willard made a motion to adjourn the meeting at 8:49pm. 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 Minutes
62 Old Littleton Road, LLC, 62 Old Littleton Road,
DEP #177-684, Harvard#1019-02
November 21, 2019**

The public hearing was opened at 7:25pm 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, Jim Burns, Mark Shaw and Derek Beard (Associate Member)

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

This hearing was continued from November 7, 2019 for a Notice of Intent filed on behalf of 62 Old Littleton Road, LLC for the demolition of a structure within the 100' buffer zone of a wetland resource area at 62 Old Littleton Road, Harvard.

The Department of Environmental Protection has issued a file number, with no comments for this application. Jaye Waldron made a motion to close the hearing and issue a standard Order of Conditions. Wendy Sisson 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 Minutes
Lamacchia Development, 86 Ayer Road, Harvard#1019-03
November 21, 2019**

The public hearing was opened at 7:37pm 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, Jim Burns, Mark Shaw and Derek Beard (Associate Member)

Others Present: Liz Allard (Land Use Administrator/Conservation Agent) and Steve Sears (Ross Associates, Inc.)

This hearing is for a Request for Determination of Applicability filed on behalf of Lamacchia Development, LLC for the replacement of a failing septic system and related grading within the 100' wetland buffer zone at 86 Ayer Road, Harvard.

Steve Sears, of Ross Associates, was present to represent the applicant. Mr. Sears stated the site consists of wet meadow and bordering vegetated wetland associated with the Bower's Brook. The proposed plan locates an upgraded septic system within an existing lawn area with grading within the 100' wetland buffer zone. A site walk was conducted earlier this week with members of the Commission and the Conservation Agent.

Jaye Waldron made a motion to close the hearing and issue a Negative#3 Determination of Applicability with the following conditions:

- 1) The siltation barrier shall be inspected by the Conservation Agent prior to activity on the site, and
- 2) Mowing beyond the delineated wetland shall occur once after August 15th of each year to maintain the existing wet meadow.

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 November 21, 2019

Annual Pre-Season Meeting with Harvard Snowmobile Club

- Harvard Snowmobile Club trail map, undated
- Town of Harvard Assessor's maps detailing current and proposed trail between Littleton Road and Old Littleton Road

Discuss Eagle Scot Project with Logan Ostaszewski – Tully Land Boardwalk

- Conservation trail boardwalk behind DPW, Logan Ostaszewski, Eagle Scout candidate, Conservation Comm., Meeting 11/21/19

Approve Reimbursement & Invoice

- Town of Harvard, Expense Reimbursement Request, Wendy Sisson, Conservation Commission, dated 11/12/2019
- Moore Lumber & Hardware, Invoice: 954863/1, dated 11/13/19

Request for Determination of Applicability Hearing – Lamacchia Development, LLC, 86 Ayer Road, Harvard#1019-03

- Sewage Disposal System, Lamacchia Dev. LLC, 86 Ayer Road, Harvard, MA, Job No. 32866, Plan No. L-13919, prepared by David E. Ross Associates, Inc., dated Sept. 2019