

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
DECEMBER 19, 2019
APPROVED: FEBRUARY 6, 2020**

Chair Don Ritchie called the meeting to order at 7:05pm in the Hildreth House, 15 Elm Street, 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, Mark Shaw and Derek Beard (Associate member)

Others Present: Liz Allard (Land Use Boards Administrator/Conservation Agent), Michael Butler (GPR, Inc.), Bruce Ringwall (GPR, Inc.), Kathy Lorenz-Kruk, Dariusz Lorenz-Kruk, Mary & Rod Lorente and Tatja Hopman

Request for Certificates of Compliance

Jaye Waldron made a motion to issue the Certificates of Compliance for Slough Road, DEP#177-462 and 177-543. Mark Shaw seconded the motion. The vote was unanimously in favor of the motion.

Jaye Waldron made a motion to issue the Certificates of Compliance for 100 Depot Road, DEP#177-652. Mark Shaw seconded the motion. The vote was unanimously in favor of the motion.

Approve Minutes

Jaye Waldron made a motion to approve the minutes of November 7, 2019 as amended. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

School Committee Outreach re: Ann Lees Playing Field, January 13th

Liz Allard stated she had received word from Dr. Linda Dwight, Superintendent of Harvard Public Schools, that a list of proposed improvements to bring the field up to a better standard is still in the works. Once this list is completed, Dr. Dwight will reach out to Ms. Allard to arrange a meeting with the Commission to discuss the improvements and necessary next steps.

Request to Remove Trees at 169 Littleton County Road, Harvard#0619-01

Liz Allard again reviewed the site with David Crossman today. Of the nine trees originally requested Ms. Allard is suggesting only six be removed. Instead of causing unnecessary disturbance within the 50' buffer zone Ms. Allard is recommending the trees to be replanted be done in areas outside the 50' buffer zone that could use additional vegetation. Paul Willard made a motion to allow the removal of the six marked trees within the 50' buffer zone at 169 Littleton County Road. Two new trees of similar type will be replanted in place of each tree removed in an area outside the 50' buffer zone. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Discuss Request for the use of the Haskell Land for Livestock

Liz Allard has spoken with Abbott Xavier Connelly at Saint Benedict's Abbey in regards to the license they hold for the Haskell land. Abbott Connelly confirmed the Abbey is no longer interested in being the holder of the license. The Abbey will not be seeking a refund of the fee they have paid for the use of the land in fiscal year 2020. Abbott Connelly will submit this information in writing for the file.

The Commission briefly discussed the use of the land currently by Paul Willard to grow pumpkins and Mike Hampson who hays a portion of the field and the requested use for grazing Dexter cows by Rob Duzan. Mark Shaw offered to discuss with Mr. Hampson whether or not he would like to continue haying the field.

Update Pine Hill Village

Trees within Phase 1 and 2 have been cut and are being removed from the site along with preparing the roadway for the bridge installation. Additional hay waddles have been added to the intermittent stream to reduce silt that is entering through the steel plates over the existing stone culvert. During a recent site visit it appeared the contractor was unaware of the phased cutting. Liz Allard followed up with the developer, Peter Cricones, who assured her the contractor has a copy of the Order of Conditions, construction sequence and the site plan. Ms. Allard will follow up with the contractor on Monday to ensure he has these documents and has read them.

Revised Driveway Easement for 98 Shaker Road

Attorney Gould stated she still has not had an opportunity to complete the revised deed. Liz Allard will continue to follow up with Attorney Gould on this matter.

Notice of Intent Hearing – Dariusz Lorenz-Kruk, 29, 35 and 39 Whitney Road, Harvard#1219-01. Opened at 7:30pm**Accepting Precipitation Frequency Statistics prepared by the Northeast Regional Climate Center at Cornell University**

This item will be discussed in January.

Allocation of Funding

Joanne Ward made a motion to approve \$30.00 to the Land Stewardship Subcommittee for signage at Black Pond. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Adjournment

Paul Willard made a motion to adjourn the meeting at 8:18pm. 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 December 19, 2019
- DRAFT HARVARD CONSERVATION COMMISSION MINUTES OF MEETING, November 7, 2019, prepared by Liz Allard
- **Notice of Intent Hearing – Dariusz Lorenz-Kruk, 29, 35 and 39 Whitney Road, Harvard#1219-01**
 - Residential Development, Notice of Intent, Site Plan, 35 Whitney Road, Harvard, MA prepared for Dariusz Lorenz-Kruk, 35 Whitney Road, Harvard, MA, 01451, JOB 191104, prepared by GPR, Inc., dated November 2019

**Harvard Conservation Commission
Notice of Intent Hearing Minutes
Dariusz Lorenz-Kruk, 29, 35 and 39 Whitney Road, Harvard#1219-01
December 19, 2019**

The public hearing was opened at 7:30pm 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 Hildreth House, 15 Elm Street, Harvard

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

Others Present: Liz Allard (Land Use Administrator/Conservation Agent), Michael Butler (GPR, Inc.), Bruce Ringwall (GPR, Inc.), Kathy Lorenz-Kruk, Dariusz Lorenz-Kruk, Mary & Rod Lorente and Tatja Hopman

This hearing is for a Notice of Intent filed on behalf of Dariusz Lorenz-Kruk the restoration of a wetland resource area and removal of trees within the 100' wetland buffer zone at 29, 35 & 39 Whitney Road, Harvard.

Bruce Ringwall and Mike Butler, from GPR, Inc., were present to represent the applicant, who was also present. Mr. Ringwall explained the activity of removing the trees on the property was in reaction to the damage sustained during the 2008 ice storm. The property owners at 35 and 39 Whitney Road were concerned another ice storm happening again; therefore they opted to have large pines along the driveway to 35 Whitney Road taken down along with six trees on property at 39 Whitney Road. Not only are these trees located next to the existing power lines for 35 Whitney Road, but an existing gas line runs under them along the length of the driveway. Trees on 29 and 35 Whitney Road had been removed without a permit from the Commission, which resulted in the issuance of an enforcement order. Mr. Ringwall detailed the plan, which shows tree stumps, which are trees that were cut down prior to the enforcement order and trees marked with an "X", which are requested to be removed. The trees removed in the area labeled "slash to be removed" on the east side of the driveway was done so in order to have an area to fell the trees along the driveway safely.

Mr. Ringwall further explained an existing culvert under the driveway had been repaired a number of years ago, but was not installed properly. The existing outflow pipe will be reduced in length in order to eliminate direct discharge into the wetland. The applicant is requesting to cut the existing stumps to 3-6" from grade. A majority of the slash will be removed by hand or grapple, allowing natural vegetation to reestablish, along with the addition of a conservation seed mix to be spread in the area. Paul Willard asked if there are any plans to mow to the area. Mr. Ringwall stated there was not. Derek Beard suggested ways to remove the trees without disturbing the wetland areas. Although rip rap is not currently proposed at end of outflow it will be monitored to ensure erosion is not taking place in the future.

After a brief discussion Mark Shaw made a motion to close the hearing and issue Order of Conditions to include the following additional special conditions:

- (1) The restoration area shall be monitored for five years from the time the wildflower mix is spread. A status report shall be submitted to the Conservation Commission in two six month intervals from the date of the planting of the wildflower mix and then annually for the remaining four years, and
- (2) Work to remove the slash, cut stumps and removal of additional trees shall be completed when the ground is either frozen or during dry conditions.

Paul Willard seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted
Liz Allard Land Use Administrator/Conservation Agent