

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
JULY 7, 2016
APPROVED: SEPTEMBER 1, 2016**

Chairman Paul Willard called the meeting to order at 7:02pm in the Town Hall Meeting Room under MGL Chapter 131 §40 The Wetland Protection Act and The Code of the Town of Harvard Chapter 119 the Wetland Protection Bylaw

Members Present: Paul Willard, Jim Breslauer, Charlie Gorss, Joanne Ward, Jaye Waldron and Jim Burns (Associate Member)

Others Present: Liz Allard (LUB Admin), Colleen Noon, Neil Gorman (Ross Assoc.), Michael & Lucille Lee, Jim Lee (HCT), Peter Dorward (HCT), David Outman (HCT), Molly Obendorf (Stamski & McNary, Inc.), Justin Baer and Garry Baer

Community Preservation Committee FY2018 Application

Liz Allard stated notification has been received for the community preservation funding for fiscal year 2018. Funding again this year will be limited and applicants are encouraged to limit request to \$100,000 or less. Joanne Ward stated that both Boston and Worcester have adopted the Community Preservation Act, which will greatly reduce the availability of matching State funds. After a brief discussion, the members agreed to apply for \$100,000 in funding for the preservation of open space.

Approve Invoices

Liz Allard stated the following invoices have been received and require approval for inclusion on the next bill warrant:

- Mark J. Lanza - \$542.50
- Harvard Press - \$80.00
- Foster Appraisal - \$1400.00

Jim Breslauer made a motion to approve the above mentioned invoices. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Land Stewardship Subcommittee Request for the Allocation of Funds for Equipment

After a brief discussion, Jim Breslauer made a motion to approve the allocation of funding for the bow saw as requested. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Members will further research for alternative equipment as requested by the Land Stewardship Subcommittee.

Approve Draft Open Space & Recreation Plan

Jim Breslauer stated the public hearing for the Open Space and Recreation Plan on June 30th was attended by one resident; others in attendance were either a member of the Conservation Commission or on the Open Space and Recreation Plan Update Committee (OSRPUC).

Without a quorum of the Commission at the hearing on June 30th the draft was not approved. With that said, Jim Breslauer made a motion to approve the Open Space & Recreation Plan as drafted by the OSRPUC. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Discuss Letter sent to the Board of Selectmen

After a brief discussion of the recent meeting of the Board of Selectmen, members agreed the matter has been resolved by the motion made at the June 16, 2016 meeting.

Ayer Road Rotary Proposal

Members discussed the additional information provided to the Commission from the traffic consultant for the proposed roundabout on Ayer Road. Seeing no value in the request to swap conservation land with other land along Ayer Road for the construction of this roundabout without addressing more serious traffic concerns along Ayer Road, Joanne Ward made a motion to not allow the land swap of conservation land as requested by the Traffic Safety Committee. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Update on Gifts of Land

- Stone Cutter's Path – Nothing new to report
- 100 Shaker Road – Jim Burns stated the site work has been completed and the area has been re-graded. The contractor did a good job clearing the site of the debris.

Request for the Determination of Applicability Hearing – Michael & Lucille Lee, 77 Massachusetts Avenue, Harvard#0616-01. Opened at 7:30pm

Notice of Intent Hearing – Matthew & Colleen Noon, 90 Warren Avenue, Harvard#0616-02. Opened at 7:45pm

Notice of Intent Hearing – Garry Baer, 111 Clinton Shore Drive, Harvard#0616-03. Opened at 8:07pm

LAND Grant Update – Approve Application

Liz Allard had previously distributed the draft LAND grant application for the Commissions review. With no questions or comments Jim Breslauer made a motion to approve the LAND grant for submittal to the State as drafted. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Bylaw Amendment – Land Subject to Flooding

Jim Breslauer had no new information on this matter.

Adjournment

Jim Breslauer made a motion at 8:51pm to adjourn the meeting. 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 Meeting Minutes
Michael & Lucille Lee, 77 Massachusetts Avenue, Harvard#0616-01
July 7, 2016**

The public hearing was opened at 7:30pm by Chairman Paul Willard under the Massachusetts Wetland Protection Act, Ch. 131 §40 and the Harvard Wetland Protection Bylaw, Chapter 119 of the Code of the Town of Harvard in the Town Hall Meeting Room at 13 Ayer Road, Harvard

Members Present: Paul Willard, Charlie Gorss, Wendy Sisson, Jim Breslauer, Jaye Waldron, Joanne Ward and Jim Burns (Associate Member)

Others Present: Liz Allard (LUB Admin),

This hearing is for a Request for Determination of Applicability filed on behalf of Michael & Lucille Lee for the construction of a garage with proposed grading within the 100' wetland buffer zone at 77 Massachusetts Avenue, Harvard.

Michael Lee explained the project and the site to the Commission. The wetland is approximately 85' from the location of the proposed garage and is separated by earthen barriers on each side of an existing cart path. Improvements to be made to the cart path do not include any paving.

With no questions or comments, Joanne Ward made a motion to issue a Negative#3 Determination of Applicability with the condition that the erosion control is inspected prior to the start of work. 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 Meeting Minutes
Matthew & Colleen Noon, 90 Warren Avenue, Harvard#0616-02
July 7, 2016**

The public hearing was opened at 7:45pm by Chairman Paul Willard under the Massachusetts Wetland Protection Act, Ch. 131 §40 and the Harvard Wetland Protection Bylaw, Chapter 119 of the Code of the Town of Harvard in the Town Hall Meeting Room at 13 Ayer Road, Harvard

Members Present: Paul Willard, Charlie Gorss, Wendy Sisson, Jim Breslauer, Jaye Waldron, Joanne Ward and Jim Burns (Associate Member)

Others Present: Liz Allard (LUB Admin), Neil Gorman (Ross Associates) and Colleen Noon

This hearing is for a Notice of Intent filed on behalf of Matthew & Colleen Noon for the demolition and reconstruction of a single family dwelling, driveway and bridge within the 100' wetland buffer zone of a bordering vegetated wetland and the 200' of Bare Hill Pond at 90 Warren Avenue, Harvard.

Neil Gorman, of Ross Associates, was present to represent the applicants. Mr. Gorman reviewed the site plan and changes made from the previously approved plan under DEP#177-635. As with the previous application the applicant's will remove the existing house and build a new one in the same general location. A significant change in this plan is the location of the proposed driveway. The existing driveway sits close to the wetland at its access point, therefore a new proposed location for the driveway moves it 75' from the wetland, which makes it compliant to the setbacks under the Wetland Protection Bylaw regulations. This also reduces the sharp turn on the existing driveway.

In order to gain access to the proposed house an aluminum bridge will span the wetland, with footings outside the wetland area. The first 75' of driveway will have a boulder wall along it from Warren Avenue to help eliminate future disturbance of the wetland. A small amount of fill will be required for the new curve of driveway. The old driveway location will be replanted with native vegetation. The force main, as part of the septic system, will be along the driveway and across the bridge to the leaching area along Warren Ave. The driveway will be paved and include recharge trenches, with an additional recharge trench to the north of the new house for runoff from the driveway. Additional recharge trenches were requested along the driveway near the proposed house.

A waiver request to allow the house within 75' of the wetland buffer zone was granted. With fees submitted previously, the Commission agreed on a filing fee of \$900.

Jim Breslauer made a motion to close the hearing and issue an Order of Conditions, which will include the special conditions from DEP#177-635, there is to be no salt used as a de-icer on the driveway and the abandoned driveway location will be planted with native plant species as detailed in Appendix B of the Massachusetts Buffer Manual. 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
Notice of Intent Hearing Meeting Minutes
Garry Baer, 111 Clinton Shore Drive, Harvard#0616-03
July 7, 2016**

The public hearing was opened at 8:07pm by Chairman Paul Willard under the Massachusetts Wetland Protection Act, Ch. 131 §40 and the Harvard Wetland Protection Bylaw, Chapter 119 of the Code of the Town of Harvard in the Town Hall Meeting Room at 13 Ayer Road, Harvard

Members Present: Paul Willard, Charlie Gorss, Wendy Sisson, Jim Breslauer, Jaye Waldron, Joanne Ward and Jim Burns (Associate Member)

Others Present: Liz Allard (LUB Admin), Molly Obendorf (Stamski & McNary, Inc.), Justin Baer and Garry Baer

This hearing is for a Noticed of Intent filed on behalf of Garry Baer for the demolition and reconstruction of a single family dwelling, to include a new deck and stairway within 200' of Bare Hill Pond at 111 Clinton Shore Drive, Harvard.

Molly Obendorf, from Stamski & McNary, was present to represent the applicant. Ms. Obendorf explained the existing house will be removed and a new house will be constructed in the same foot print with the exception of an addition on east side of the structure. Members discussed the addition of new access down to Bare Hill Pond in an area that is already disturbed and will not create additional disturbance to the buffer zone. During construction the proposed erosion control barrier should be tied into the existing landscape timber wall to limit erosion from entering the pond.

Jaye Waldron made a motion to close the hearing and issue an Order of Conditions with the standard conditions. Charlie Gorss seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent