

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
AUGUST 7, 2014
APPROVED: SEPTEMBER 18, 2014**

Chairman Paul Willard called the meeting to order at 7:00pm in the Town Hall Meeting Room

Members Present: Paul Willard, Charlie Gorss, Wendy Sisson, Don Ritchie, Jaye Waldron, and Jim Saalfield (Associate Member)

Others Present: Liz Allard (LUB Admin), Dan Wolfe (Ross Assoc.), Peter Dorward (Harvard Conservation Trust (HCT)), Molly Cutler (HCT), Marylynn Gentry (HCT), Margaret Nessler (HCT), Christa Collins (Sudbury Valley Trustees), Pam Durrant (HCT), Laura Andrews (HCT), Jim Lee, Will Stevenson, Weber Hsiao

Meet with Harvard Conservation Trust Re: Case & Lawton

Marylynn Gentry, the Director of the Harvard Conservation Trust (HCT), introduced Christa Collins, from Sudbury Valley Trustees (SVT). Ms. Collins is working with HCT on a land deal on Bolton Road with the Case bothers who own land that abuts Bare Hill Wildlife Sanctuary. Ms. Collins stated Harvard falls within the watershed the SVT protect. Currently, the Case bothers are having perk testing completed in order to determine the number of available house lots. The HCT and SVT are seeking to protect the whole piece or some parts of it. The Case's would be willing to gift some of the land to Open Space in exchange for the Town expediting the right of first refusal in a timely manner when the time comes. At this point in time only one of the two brothers is interested in preserving the land, while the other will retain his part as private land. This is a great opportunity for the HCT and the Conservation Commission (Concom) to work together for a larger parcel of land. If the Concom is interested then the HCT would come back in September to further discuss. Members expressed an interest in further discussing this potential partnership with the HCT in September.

Molly Cutler and Peter Dorward, from the HCT, were present to discuss the on going negotiations for the Lawton land at 121 Old Littleton Road. The Board of Selectmen assigned the right of first refusal over to the HCT on Tuesday evening. Mr. Dorward stated the lots have been re-configured to show a few options that may occur due to placement of the septic system. Testing so far has only located a suitable location for a primary system; a reserve area will need to be located. The existing subdivision plan shows house lots in a strange configuration believed to be because of the septic systems. Additional, perking testing will be conducted next week. Charlie Gorss asked about the possible gas tank near the garage. Ms. Cutler stated an environmental impact analysis will be conducted on the site as part of the process.

Wendy Sisson reiterated her comment from the previous meeting in regards to the property lines stating the simpler the lot lines the easier it is to monitor and reduce encroachment. Mr. Gorss stated this land really does not do much for the Commission; we could do without it.

Should the house lot need to be increased in size to accommodate the septic system the land area the Commission will be obtaining will be reduced in size. The HCT is hoping the Commission would re-consider the vote from the previous meeting, which stated the would "authorize the allocation of up to \$150,000 for up to 6.2 acres of land at 121 Old Littleton Road, should the house lot size increase and the remaining land decrease so to will the amount the Commission will pay for the parcel". The funds to be collected and obtained by the HCT were detailed.

This discussion was paused to open the public hearings.

Request for Determination of Applicability Hearing – William Stevenson, 105 Stow Road, Harvard#0714-04. Opened at 7:38pm

Notice of Intent Hearing – Weber and Rebecca Hsiao, DEP#177-631, Harvard#0714-05.
Opened at 7:45pm

Meet with Harvard Conservation Trust Re: Case & Lawton, Continued

The discussion in regards to the funding continued. Ms. Cutler explained that the HCT will have some out of pocket cost for this transaction and in an effort to keep those cost low the HCT is hoping the Commission will be willing to allocate the entire \$150,000. Don Ritchie made a motion to rescind the July 17th vote of the Commission in regards to the property at 121 Old Littleton Road and to take a new vote that allows for the allocation of \$150,000 toward a trail easement and an undetermined amount of land at 121 Old Littleton Road for the purpose of open space from the Harvard Conservation Trust. Jaye Waldron seconded the motion. Ms. Sisson stated this is a great opportunity to work together with the HCT on a partnership; the Commission could contribute additional funds at a later date to the HCT if the unknowns begin to add up; although this is not a high priority project for the Conservation Commission. Paul Willard stated there are two pluses that will come out of this endeavor; one the Commission will get the trail easement and two working in collaboration with the HCT. Charlie Gorss stated the Commission does not need to take as much land as presented. Ms. Sisson stated she would again encourage the HCT to maximize the house lot. With no more comments or discussion, the vote was unanimously in favor of the motion.

Request for a Certificate of Compliance – Porter, 55 Turner Lane, DEP#177-625

Liz Allard stated she has reviewed 55 Turner Lane for compliance with the Order of Conditions (OOC) the Commission issued last year. Ms. Allard has found the work to be complete and in compliance with the OOC and recommends the issuance of a Certificate of Compliance.

Jaye Waldron made a motion to issue a Certificate of Compliance to Sarah Porter at 55 Turner Lane, DEP#177-625. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

Request for Comments – Scenic Road Consent, Lichtman, 10 South Shaker Road

Liz Allard stated the Commission has received a request for comments from the Planning Board in regards to a Scenic Road Consent application. The application is for the rebuilding of an existing stone wall within the right-of-way at 10 South Shaker Road. There are no wetlands within the area of the stone wall. Members agreed they had no comments on this application as presented.

FY2016 Warrant Articles

Liz Allard explained to the Commission she has researched the cost associated with obtaining ArchGIS to create property maps of the existing Conservation Lands. Her intent was to ask this be a warrant article for the 2015 annual town meeting, but after a discussion with the Finance Director she was advised to request a reserve fund transfer for the funds. The cost for a single-desktop user would be \$1224.00 with an annual maintenance cost of \$400.00. The reason for this request is because the GIS program that was developed for the Assessing Department does not include a key or legend to the data layers applied to the maps once they are created and printed. The members express frustration with the inability to move forward with the most current and appropriate technology. Don Ritchie stated he would discuss the matter with members of the Board of Selectmen and report back to the Commission at the next meeting.

Ms. Allard stated the Open Space & Recreation Plan (OSRP) will need to be updated in 2015. This update may require the appropriation of funds, which Ms. Allard suggested the Commission request from Town Meeting if necessary. The members agreed that the OSRP should only need to be “tuned-up” and therefore can most likely be completed in house.

On a final note, Ms. Allard stated the Planning Board may be moving forward with the creation of a full time position for the Town Planner. The creation of this position may allow for some of Ms.

Allard's time to be freed up from Planning/Zoning activities and allow for more time to be spent on Conservation activities. Ms. Allard will keep the Commission posted on the actions of the Planning Board.

FY2016 Community Preservation Act Application

Liz Allard stated the Community Preservation Committee will be accepting applications for fiscal year 2016 until September 26th. After a discussion the members agreed to request \$250,000 for open space and \$50,000 for invasive species control. Wendy Sisson will prepare the application for the invasive species control to be reviewed at the September 18th meeting of the Commission.

Master Plan Steering Committee Update

Jaye Waldron updated the members on the Master Plan progress. The consultants have agreed to submit all working papers by September 1st. The Committee will be seeking to have two public meetings in October and November, on Devens and the Commercial District.

Adjournment

Don Ritchie made motion to adjourn the meeting at 8:53pm. 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
Request for Determination of Applicability Hearing Meeting Minutes
William Stevenson, 105 Stow Road, Harvard#0714-04
August 7, 2014**

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

Members Present: Paul Willard, Wendy Sisson, Don Ritchie, Jaye Waldron, Charlie Gorss and Jim Saalfield (Associate Member)

Others Present: Liz Allard (LUB Admin) and Will Stevenson

This hearing is for a Request for Determination of Applicability filed on behalf of William Stevenson for the removal of an existing barn within the 200' riverfront area at 105 Stow Road, Harvard.

Will Stevenson was present to discuss the removal of the barn at The Elm property on Stow Road to make way for an affordable housing project. Since the structure has lead paint it will need to be dismantled properly, as well as disposed of properly. The barn will be reconstructed at Mr. Stevenson's home at 18 South Shaker Road.

With no further comments or questions, Don Ritchie made a motion to close the hearing and issuer a Negative 2 Determination of Applicability. 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
Weber & Rebecca Hsiao, 70 Westcott Road, DEP#177-631, Harvard#0714-05
August 7, 2014**

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

Members Present: Paul Willard, Wendy Sisson, Don Ritchie, Jaye Waldron, Charlie Gorss and Jim Saalfield (Associate Member)

Others Present: Liz Allard (LUB Admin), Dan Wolfe (Ross Assoc.) and Weber Hsiao

This hearing is for a Notice of Intent filed on behalf of Weber and Rebecca Hsiao for the replacement of an existing front porch and walkway, a rear walkway, and driveway and the installation of a pathway and stepping stones within the 100' wetland buffer zone at 70 Westcott Road, Harvard.

Dan Wolfe, from Ross Associates, Inc., was present to represent the applicant, Weber Hsiao, who was also present. Mr. Wolfe explained the application proposes the repair of the driveway, existing walkway in the front of the house and the installation of a stone path way around the side of the house. The existing stairs at the front door are rotting and needs to be replaced. The proposed plan submitted detailed a brick walkway in the rear of the property; the Hsiao's have since decided not to install that walkway. The wetland comes fairly close to the east side of the house, which has become overgrown. The Hsiao's would like to have access around the entire house and have proposed creating a walkway on the east side of the house with steppingstones and pea stone. During the site walk members suggested landscape edging around the pea stone; another good suggestion is a split rail fence along the easterly pathway to keep activity out of the wetland. There shall be no heavy equipment to be used to for the installation of the walkway. Wendy Sisson noted this property has been before the Commission in the past for much more extensive work (i.e. additions to the house); the working being proposed in this application is considered up keep and maintenance. Don Ritchie does not understand why there needs to be a path. Jaye Waldron had the same concern. It was explained that the Hsiao's have young children and would like to able to access around the entire house. Ms. Sisson suggested the pathway be relocated closer to the house. Ms. Sisson noted the area in question along the edge of the house consists primarily of fill. Mr. Hsiao agreed to that suggestion. Charlie Gorss stated he thought there was a drainage easement on the property. Mr. Wolfe was not sure about it specifically, but believes it had been established in the 1950's.

Don Ritchie made a motion to close the hearing and issue an Order of Conditions with a new plan submitted to show the modifications made to the path along the side of the house as detailed above and work is to be completed in dry conditions. Charlie Gorss seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

EXHIBITS & OTHER DOCUMENTS

Meet with Harvard Conservation Trust Re: Case & Lawton

- Case Property, Bolton Rd., Harvard, 2013 Ortho Photo and wetlands, prepared by Sudbury Valley Trustees, dated July, 2013
- Case Property, Bolton Rd., Harvard, Open Space Context, Sudbury Valley Trustees, dated July, 2013
- Untitled document detailing the breakdown of proposed lots for 121 Old Littleton Road, Parcels A – E, undated

Notice of Intent Hearing – Weber and Rebecca Hsiao, DEP#177-631, Harvard#0714-05

- Site Plan of Land in Harvard, Massachusetts, prepared for Weber & Rebecca Hsiao, prepared by David E, Ross Associates, Inc., Job No. 27553, Plan No. L-11843, dated July 2014