

**HARVARD CONSERVATION COMMISSION  
MINUTES OF MEETING  
MAY 17, 2018  
APPROVED: JUNE 7, 2018**

Vice 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, Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns and Carl Sciple

**Others Present:** Liz Allard (LUB Admin), Tim Kilhart (DPW Director), Jin Qian, Wendy Eldridge, Michael Eldridge, Robert Cummings and Blake Randolph (Boston Solar)

**Notice of Intent Hearing – Department of Public Works, Stow & Codman Hill Road, Harvard#0418-02.** Opened at 7:00pm

**Continuation of a Notice of Intent Hearing – Department of Public Works, Pond Road, Harvard#0318-02.** Opened at 7:11pm

**Approve Minutes**

Carl Sciple made a motion to approve the minutes of April 19 and May 5, 2018 as amended. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

**Approve Invoices**

Joanne Ward made a motion to approve the following invoices:

- Moore Lumber - \$18.54
- Barnstable County (Tick Talk) - \$50.00

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

**Request for Determination of Applicability Hearing – Wendy Eldredge, 12 Mill Road, Harvard#0418-01.** Opened at 7:15pm

**Continuation of a Request for Determination of Applicability Hearing – Boston Solar, 36 Brown Road, Harvard#0317-01.** Opened at 7:32pm

**Request for Determination of Applicability Hearing – Robert Cummins, 1125 Clinton Shore Drive, Harvard#0518-01.** Opened at 7:49pm

**Review Tree Policy**

The members discussed revisions to the current tree policy which would allow the Conservation Agent to make determinations as to whether or not an application would be required for the removal of a tree(s) within the wetland buffer zone. Proposed revisions will be circulated for further review at the June 7<sup>th</sup> meeting.

**Request to Declare Parcel Undevelopable under the Wetland Protection Bylaw**

After a brief discussion, Wendy Sisson made a motion that the Conservation Commission agrees with the information provide by Ross Associates in that the property at 189 Stow Road could not be further developed due to the presence of wetlands and the setbacks for development established within Chapter 147 Wetland Protection Bylaw Rules. Jim Burns seconded the motion. The vote was unanimously in favor of the motion.

**Approve Use of William's Land for Baltimore Checkerspot Butterfly Research**

Joanne Ward made a motion to approve the use of the William's Land for continued research of the Baltimore Checkerspot Butterfly by Elizabeth Crone of Tufts University. Carl Sciple seconded the motion. The vote was unanimously in favor of the motion.

**Pine Hill Village Update**

The previous contract with Nitsch Engineering for the monitoring that was completed for the development known as Harvard Common Condominiums has been circulated to the members. to assist in determining the scope of work for Pine Hill Village,

Ms. Allard was tasked with following up with Nitsch Engineering to identify the most dangerous points that the Commission should be aware of during development; monitor the site at least once a week; doubling up on weeks that something particular is taking place; determine how many site inspections were done for Harvard Common Condos by Nitsch; and could Nitsch recommend someone local to be the clerk-of-the-works.

**Review Letter re: fill in the riverfront area of Bower's Brook**

Wendy Sisson made a motion approving the revised letter to the property owners at 127 Poor Farm Road in regards to the removal of the mattress located within the riverfront area on that property. Joanne seconded the motion. The vote was unanimously in favor of the motion.

**Review Letter to Abutter of Perini Land, Stow Road**

Joanne Ward made a motion approving the revised letter to the property owners at 188 Stow Road in regards to encroachment by them onto the abutting conservation land. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

**The following items appeared on the agenda under "Pending Business" and nothing new report at this time unless otherwise noted:**

- Preservation of open space along Willard
- Discuss Potential Gift of Land – Brown Road
- Smith Land – Littleton County Road (Map 14 Parcel 56)
- Deer Management Update
- Potential Open Space – Woodside Road, Map 30 Parcel 14
- Update from the State Service Forester – Cruft Lane
- Chapter 147 Wetland Protection Bylaw Regulations
- Open Space Committee

**Adjournment**

Jim Burns made a motion to adjourn the meeting at 9:21pm. Carl Sciple 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  
Department of Public Works, Stow & Codman Hill Road, Harvard#0418-02  
May 17, 2018**

The public hearing was opened at 7:00pm by Vice Chairman 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, 13 Ayer Road, Harvard

**Members Present:** Don Ritchie, Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns and Carl Sciple

**Others Present:** Liz Allard (LUB Admin) and Tim Kilhart (DPW Director)

This hearing for a Notice of Intent was filed on behalf of the Harvard Department of Public Works for the replacement of an existing culvert within 100' of a resource area at the intersection of Stow Road, Harvard and Codman Hill Road, in both Boxborough and Harvard.

Tim Kilhart, Department of Public Works Director, was present to discuss the application for the replacement of an existing culvert at the top of Codman Hill Road. The existing culvert is crushed, causing roadway failure over the last few years. The plan calls for an in-kind replacement of the existing culvert.

After a brief discussion, Carl Sciple conditionally approved the issuance of an Order of Conditions pending the receipt of the DEP file number and there being no additional requirements from DEP. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

With no DEP file number, Joanne Ward made a motion to continue the hearing to June 7, 2018 at 7:25pm. 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**  
**Continuation of a Notice of Intent Hearing Meeting Minutes**  
**Department of Public Works, Pond Road, DEP#177-663, Harvard#0318-02**  
**May 17, 2018**

The public hearing was opened at 7:11pm by Vice Chairman Don Ritchie under MGL Chapter 131 §40 Wetland Protection Act and Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw 13 Ayer Road, Harvard.

**Members Present:** Don Ritchie, Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns and Carl Sciple

**Others Present:** Liz Allard (LUB Admin) and Tim Kilhart (DPW Director)

This hearing was continued from May 3, 2018 on a Notice of Intent that was filed on behalf of the Harvard Department of Public Works for the replacement of an existing culvert and the addition of a gas catcher style catch basin within 100 of an intermittent stream along Pond Road, Harvard. The Commission asked for a device to slow down water as is discharged out of the pipe. Existing stone can be used to create a headwall and slow the water.

After a brief discussion of the additional information received, Wendy Sisson made a motion to close the hearing and issue an Order of Conditions with the additional special conditions that the site is reviewed in the spring of 2019 to determine if the proposed solution is satisfactory. 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  
Request for Determination of Applicability Hearing Meeting Minutes  
Wendy Eldredge, 12 Mill Road, Harvard#0418-01  
May 17, 2018**

The public hearing was opened at 7:15pm by Vice Chairman 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, 13 Ayer Road, Harvard

**Members Present:** Don Ritchie, Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns and Carl Sciple

**Others Present:** Liz Allard (LUB Admin), Wendy Eldridge and Michael Eldridge

This Request for Determination of Applicability, was filed on behalf Wendy Eldredge for the replacement of stairs, walkway, lamppost and mailbox post, as well as repairs to a stone wall within the 100' buffer zone of a pond at 12 Mill Road, Harvard

The work at this location has been completed and inspected by the Conservation Agent, who recommends the erosion control barrier remain at the toe of the driveway until improvements are made in that area.

Jaye Waldron made a motion to close the hearing and issue a Negative #3 Determination of Applicability with the condition that the Conservation Agent be notification prior to improvements to the driveway. Carl Sciple 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 Request for Determination of Applicability  
Hearing Meeting Minutes  
Boston Solar, 36 Brown Road, Harvard#0318-01  
May 17, 2018**

The public hearing was opened at 7:32pm by Vice Chairman 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, 13 Ayer Road, Harvard

**Members Present:** Don Ritchie, Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns and Carl Sciple

**Others Present:** Liz Allard (LUB Admin) Jin Qian and Blake Randolph (Boston Solar)

This Request for Determination of Applicability, which was continued from May 3, 2018, was filed on behalf of Boston Solar for the installation of a ground mounted solar array with the 100' wetland buffer zone at 36 Brown Road, Harvard.

Blake Randolph, of Boston Solar, was present to discuss the application, which calls for the installation of a ground-mounted solar array system. Approximately nine trees will need to be removed in order to install the array, which has been located on a mounded upland area between two wetland resource areas. The arrays will be installed on piers. The application includes the request for a waiver to Chapter 147-17 setbacks for the disturbance of natural vegetation within 50' of a wetland and the installation of a structure with 75' of a wetland. All trees recommended for removal would be cut to grade and the surrounding area would remain vegetated naturally which would keep erosion at bay.

Wendy Sisson made a motion to allow the requested waivers. Carl Sciple seconded the motion. The vote was 4-0, with Jaye Waldron and Jim Burns abstaining from the vote.

Carl Sciple made a motion to close the hearing and issue a Negative Determination #3 with the conditions that the proposed erosion control to be inspected by the Conservation Agent prior to activity on the site and that woody vegetation shall be planted around the solar array. Joanne Ward seconded the motion. The vote was 5-0, with Jaye Waldron abstaining from the vote.

Respectfully submitted,

Liz Allard  
Land Use Administrator/  
Conservation Agent

**Harvard Conservation Commission  
Request for Determination of Applicability Hearing Meeting Minutes  
Robert Cummins, 112 Clinton Shore Drive, Harvard#0518-01  
May 17, 2018**

The public hearing was opened at 7:49pm by Vice Chairman 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, 13 Ayer Road, Harvard

**Members Present:** Don Ritchie, Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns and Carl Sciple

**Others Present:** Liz Allard (LUB Admin) and Robert Cummings

This Request for Determination of Applicability was filed on behalf of Robert Cummins for the removal of a dead tree within 200' of Bare Hill Pond at 112 Clinton Shore Drive, Harvard.

Robert Cummings was present to present his request to remove a tree that is causing a threat to human health and safety from his property. Mr. Cummings explained that in order to safely remove the tree in question an adjoining tree and an additional tree will need to be removed.

After a brief discussion, Jim Burns made a motion to close the hearing and issue a Negative #3 Determination of Applicability with the conditions that a new in-kind tree shall be planted in the location of the additional tree to be removed and the Conservation Agent will be notified prior to activity on the site. Carl Sciple 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 May 17, 2018**

#### **Approve Minutes**

- Draft minutes of April 19 and May 3, 2018 prepared by Liz Allard

#### **Approve Invoices**

- Moore Lumber & Hardware Invoice:
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