

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
JUNE 7, 2018
APPROVED: AUGUST 2, 2018**

Chair Paul Willard called the meeting to order at 7:02pm 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: Paul Willard, Wendy Sisson, Jaye Waldron, Joanne Ward, Carl Sciple and Mark Shaw (Associate Member)

Others Present: Liz Allard (LUB Admin), Peter Dorward (HCT), David Outman (HCT), Andrea Hill, Andrew Morrison, Michael Quinn and Jesse Johnson (Bohler Engineering)

Election of Officers

With not all members present the Commission agreed to postpone this item.

Prepare for July 18th Community Preservation Committee Meeting with Harvard Conservation Trust

Peter Dorward and David Outman, of Harvard Conservation Trust (HCT), were present to discuss the upcoming joint meeting with the Community Preservation Committee (CPC). CPC is looking to understand the funding needs of both the Conservation Commission (ConCom) and Harvard Conservation Trust in context to their overall plans. With land purchases for open space becoming increasingly more expensive neither the ConCom, nor the HCT can complete a deal by themselves. A case for the funding of land acquisitions can easily be made through the 2016 open space survey and the 5-year open space protection plan, which has been sent to the chair of CPC. After discussing information to be presented, Peter Dorward agreed to draft a PowerPoint® presentation for review at the June 21, 2018 ConCom Meeting.

Annual Appointments – Paul Willard, Joanne Ward and Mark Shaw

Liz Allard reminded the above mentioned individuals that their terms are set to expire on June 30th. Paul Willard and Joanne Ward need to complete a new volunteer form and return it to the Select Board office.

Approve Minutes

Carl Sciple made a motion to approve the minutes of May 17, 2018 as amended. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Approve Use of the Stone Land for the 2018 Fall Cross Country Events

Wendy Sisson made a motion to allow the Harvard Cross-Country team the use of the Stone field on Old Mill Road for 2018 events as detailed in the email from Marisa Steel, dated May 19, 2018. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Request for Certificates of Compliance

Wendy Sisson made a motion to issue Certificates of Compliance for 70 Westcott Road, DEP#177-633 and 192 Littleton County Road, DEP#177-633. Carl Sciple seconded the motion. The vote was unanimously in favor of the motion.

Continuation of a Notice of Intent Hearing – Department of Public Works, Stow & Codman Hill Road, Harvard#0418-02. Opened at 7:25pm

Continuation of a Notice of Intent Hearing – YYT Harvard LLC, 166 Littleton Road, DEP#177-660, Harvard#0118-01. Opened at 7:30pm

Pine Hill Village Update

Nothing new to report under this item

Review Tree Policy

After a review of the proposed amendments to the Commission policy on tree removal within wetland resource areas or the wetland buffer zone, Joanne Ward made a motion to accept the revised Tree Policy as amended this evening. Carl Sciple seconded the motion. The vote was unanimously in favor of the motion.

Request for Determination of Applicability Hearing – Harvard Conservation Trust, Muller Land, Littleton County Road (Map 18 Parcel 14) Harvard#0518-02. Opened at 7:45pm

Request for Determination of Applicability Hearing - Global Partners LP, 28 Harvard Road, Ayer, Harvard#0518-03. Opened at 8:00pm

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) – A draft Memorandum of Understanding should state Sudbury Valley Trustees will be responsible for maintenance of the trail system; no off-road bikes are to be allowed; and dogs are to leashed. Wendy Sisson would like to establish a photographic baseline of the property this summer.
- 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

Wendy Sisson made a motion to adjourn the meeting at 9:00pm. 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 Notice of Intent Hearing Meeting Minutes
Department of Public Works, Stow & Codman Hill Road, DEP#177-664, Harvard#0418-02
June 7, 2018**

The public hearing was opened at 7:00pm by Chairman Paul Willard 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: Paul Willard, Wendy Sisson, Jaye Waldron, Joanne Ward, Carl Sciple and Mark Shaw (Associate Member)

Others Present: Liz Allard (LUB Admin)

This hearing was continued from May 17, 2018 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, Boxborough, Harvard.

With the DEP File Number received Wendy Sisson made a motion to close the hearing and issue an Order of Conditions with the additional special condition that erosion control barrier shall be installed along down gradient of limit 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
Continuation of a Notice of Intent Hearing Meeting Minutes
YYT Harvard LLC, 166 Littleton Road, DEP#177-660, Harvard#0118-01
June 7, 2018

The public hearing was opened at 7:30pm by Chairman Paul Willard 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: Paul Willard, Wendy Sisson, Jaye Waldron, Joanne Ward, Carl Sciple and Mark Shaw (Associate Member)

Others Present: Liz Allard (LUB Admin)

This Notice of Intent was continued from May 3, 2018, which was filed on behalf of YYT Harvard, LLC for the construction of a single-family dwelling, driveway, well and sewage disposal system, with a portion of the work within the 100' wetland buffer zone on Lot 1 166 Littleton Road, Harvard.

At the request of the applicant's representative Wendy Sisson made a motion to continue the hearing to July 19, 2018 at 7:45pm in the Town Hall. 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 Hearing Meeting Minutes
Harvard Conservation Trust, Muller Land, Littleton County Road (Map 18 Parcel 14)
Harvard#0518-02
June 7, 2018**

The public hearing was opened at 7:45pm by Chairman Paul Willard 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: Paul Willard, Wendy Sisson, Jaye Waldron, Joanne Ward, Carl Sciple and Mark Shaw (Associate Member)

Others Present: Liz Allard (LUB Admin) and David Outman (HCT)

This Request for Determination of Applicability was filed on behalf Harvard Conservation Trust for the control of the invasive plant tree of heaven within the wetland resource areas and the associated buffer zone on the Muller Land, on Littleton County Road (Map 18 Parcel 42), Harvard.

Dave Outman, Director of Harvard Conservation Trust, was present to present the application for the control of the invasive plant tree of heaven on the Muller land. The tree of heaven is clustered along the field edge with an abutting property. The proposal is to treat approximately 40 mature trees and the surrounding understory. Treatment methods proposed include foliar spraying during the height of the growing season for shrubs less than 5 feet and/or with steams less than 1 inch. Large plants will be semi-girdled using a chopping method that will result in loose flakes of bark and cambium material which will help to hold herbicide. A concentrated herbicide mix will be applied to those cuts. Mr. Outman stated comments have been received from Natural Heritage Endangered Species Program, which states the activity is exempt from review pursuant to 321 CMR 10.14. Those comments shall be provided for the record.

Carle Sciple made a motion to close the hearing and issue a Negative #2 Determination of Applicability for the area depicted as 6 on the plan titled Invasive Plant Inventory, Harvard Conservation Trust, Muller parcel – 31 ac., Harvard, Massachusetts, May 30, 2017. 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
Global Partners LP, 28 Harvard Road, Ayer, Harvard#0518-03
June 7, 2018**

The public hearing was opened at 8:00pm by Chairman Paul Willard 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: Paul Willard, Wendy Sisson, Jaye Waldron, Joanne Ward, Carl Sciple and Mark Shaw (Associate Member)

Others Present: Liz Allard (LUB Admin), Andrea Hill, Andrew Morrison, Michael Quinn and Jesse Johnson (Bohler Engineering)

This Request for Determination of Applicability was filed on behalf of Global Partners for the removal of impervious pavement encroaching on the subject site within the wetland buffer zone at 28 Harvard Road, Ayer

Jesse Johnson, of Bohler Engineering, was present to represent the applicant. Mr. Johnson explained the proposed project is for the removal of existing pavement that encroaches on to the abutting property in the Town of Harvard. The applicant is proposing the construction of a new fueling station at 28 Harvard Road, Ayer, which will be before the Ayer Conservation Commission soon. Upon removal of the existing pavement the area will be re-stabilized with loam and seed. Although all of the work to re-develop the site is outside the Harvard Conservation Commission jurisdiction, members discussed the proposed development of the site with Mr. Johnson.

Wendy Sisson made a motion to close the hearing and issue a Negative #3 Determination of Applicability with the conditions that the erosion controls to be inspected by the Conservation Agent prior to activity and once the disturbed area is stabilized it shall be inspected by the Conservation Agent to ensure there has been no introduction of invasive plant species. 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 June 7, 2018

Approve Minutes

- Draft minutes of May 17, 2018 prepared by Liz Allard

Approve Use of the Stone Land for the 2018 Fall Cross Country Events

- Email from Marisa Steel, to Liz Allard, Subject: Thanks!, dated May 19, 2018

Review Tree Policy

- Town of Harvard Conservation Commission Policy for cutting Trees in a Resource Area (wetland) or buffer zone, dated June 7, 2018

Request for Determination of Applicability Hearing – Harvard Conservation Trust, Muller Land, Littleton County Road (Map 18 Parcel 14) Harvard#0518-02.

- Invasive Plant Inventory, Harvard Conservation Trust, Muller parcel – 31 ac., Harvard, Massachusetts, May 30, 2017, prepared by Land Stewardship, Inc.

Request for Determination of Applicability Hearing - Global Partners LP, 28 Harvard Road, Ayer, Harvard#0518-03

- Demolition and Restoration Plan, for Global, Project No. W171228, prepared by Bohler Engineering, dated 05/24/2018