

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
JULY 20, 2017
APPROVED: AUGUST 17, 2017**

Vice Chairman Don Ritchie called the meeting to order at 7:01pm 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 and Jim Burns

Others Present: Liz Allard (LUB Admin), Mark Shaw, Joe Pettirossi, Peter Dorward, Peter Deng, Alice von Loesecke, Jim Maxwell, Mary Maxwell and Alissa Weiss

Review Landscape Plan for 64 Warren Avenue, DEP#177-640

Joe Pettirossi was present to discuss the landscape plan for his property at 64 Warren Avenue. Mr. Pettirossi stated the landscape plan calls for the installation of 450 plants and 8-10 red cedars. The "woodchips to remain" area depicted on the plan will have a portion that is planted with grasses that are low growing and low maintenance. Wendy Sisson suggested grasses be planted round the proposed walkway to as opposed to leaving the woodchips in those areas as well. Mr. Pettirossi stated the entire project should be completed in 2-3 days.

Wendy Sisson made a motion to approve the Landscape Concepts Plan for 64 Warren Ave, Harvard to include additional grasses within the woodchip area to remain and around the proposed walkway. The site will be reviewed in the fall of 2017 and the spring of 2018 to determine if the installation is suitable for the area. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Informal Discussion with Peter Deng re: Poor Farm Development

Peter Deng was present to discuss with the Commission the potential of locating a new dwelling within the 75' wetland buffer setback on the Poor Farm property along Littleton Road. Mr. Deng stated if he could shift all of the lots by 40' then he can save the Poor Farm itself, as opposed to having to remove it to make the parcel economically feasible. This shift however, would put the proposed dwelling on the last lot along Pinnacle Road within the 75' no build zone under the Wetland Protection Bylaw Rules.

Commission stated they would need a preliminary site plan in order to make an accurate determination on a waiver to the Rules. Commission suggested changing the location of the well and septic system in order to have sufficient enough space on the lot. Commission also suggested the lot all be slightly reduced in size in order to make the 40' difference, which can add additional area to the final lot.

Request for Determination of Applicability Hearing – Suzanne Johnston, 82 Warren Avenue, Harvard#0617-02. Opened at 7:33pm

DPW Proposed Tree Removal within the Right of Way on Stow, Ayer and Still River Road

Liz Allard stated she has reviewed the proposed tree marked for removal along the roads mentioned above. Recommendations have been sent to the Department of Public Works (DPW) Director. Members reviewed a letter drafted to the DPW Director thanking him for allowing the time to review the trees and a request to keep the lines of communication open when activity is planned in and around wetland resource areas. Wendy Sisson suggested adding the request to use flagging as opposed to paint when marking trees around resource areas.

Joanne Ward made a motion to approve the letter as amended this evening. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Potential Purchase of Open Space – 308 Old Littleton Road

Lynda Moulton, of 308 Old Littleton Road, is interested in selling a portion of her 11.51 acre property to Conservation as open space. Ms. Moulton's property abuts the Black Pond conservation land. Currently residents in the neighborhood use Ms. Moulton's property to access Black Pond, who may be amenable to an easement to allow that access to continue.

After a brief discussion, the members agreed there was not funding available for this purchase, nor would it provide suitable access to the Black Pond area. The Commission would be interested in a gift of an easement over the property to access the Black Pond area, if Mrs. Moulton was so inclined.

Request for Determination of Applicability Hearing – Alissa Weiss, Turner Land & Minister Island, Harvard#0717-01. Opened at 8:04pm

Open Space Protection Strategy & Plan

After a discussion on the scoring formula and how the document could be streamlined, members agreed to full review the document at the next meeting.

Executive Session

Joanne Ward made a motion to go into Executive Session to discuss the possible purchase of real property, the public discussion of which could have detrimental effects on the negotiating position, only to return to the public meeting once completed. Jaye Waldron seconded the motion. A roll call vote was taken: Wendy Sisson, aye; Jaye Waldron, aye; Jim Burns, aye; Joanne Ward, aye; and Don Ritchie, aye.

Approval for Town Counsel

Jim Burns made a motion to request the Town Administrator grant Town Counsel the authority to work together with the attorney representing Harvard Conservation Trust on the legal aspects of the Davis land purchase. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Finalize the Open Space & Recreation Plan

All required comments have been received, which completes the document. Members agreed to have ten copies made, five for distribution and five as office copy loaners. The maps will be done in an 8 ½ x 11 format for the printed copies, and a set of 11 x 17 will be available in the office. Cost estimates will be obtained for approval prior to making the final order of this document.

FY2017 4th Quarter Review of Conservation Funds

Liz Allard had previously distributed the excel spreadsheet for the final quarter of fiscal year 2017 for the members review. Members will review the information provided and bring up any issue at the next meeting.

Election of Officers

With Paul Willard absent this evening the members agreed to move this item to the next meeting.

Update on the Davis Land, Still River Road

Liz Allard stated she spoke with Suzanne Dutkewych, realtor for the Davis', last week to inform her that the Commission would not be able to make an offer on the land until there is evidence provided that the land can support a septic system. Wendy Sisson stated it is not only can the land perk for a septic system, but can a driveway be engineered and approved for the site.

Licensing of Conservation Land Update

Joanne Ward has nothing new to report as she is still compiling the information on the history of fees collected by the Commission for licensed land around town.

Town Beach Bon Fire

Jim Burns made a motion to approve the bon fire, from a Conservation Commission perspective, at the Town Beach on July 28th. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Adjournment

Joanne made a motion to adjourn the meeting at 9:41pm. 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
Suzanne Johnson, 82 Warren Avenue, Harvard#0617-02
July 20, 2017

The public hearing was opened at 7:33pm by Vice Chairman Don Ritchie under the Massachusetts Wetland Protection Act, Ch. 131 §40 and Harvard Wetland Protection Bylaw, Chapter 119 of the Code of the Town of Harvard in the Town Hall Meeting Room, 13 Ayer Road, Harvard

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

Others Present: Liz Allard (LUB Admin), Mark Saydah, Mark Shaw, Peter Dorward and Alice von Loesecke

The Request for Determination of Applicability was filed on behalf of Suzanne Johnson for landscape improvements within the 200' wetland buffer zone of Bare Hill Pond, at 82 Warren Avenue, Harvard.

Mark Saydah, of Whole Earth Landscape, was present to represent the applicant. Mr. Saydah described the existing area, the proposed renovations to the existing house and outside living areas. Renovations to the house are outside the 200' wetland buffer zone and not included in this application. The plans submitted with the application show existing elevations; in total there will be a four foot change in elevation to the areas associated with the house. There will be no change in elevation to the patio area proposed closest to the Bare Hill Pond.

After a brief discussion, Jim Burns made a motion to close the hearing and issue a Negative#3 Determination with the following conditions:

- 1) Vegetation, including the *Clethra alnifolia* (Sweet Pepperbush), shall be allowed to re-vegetate naturally along the shore of Bare Hill Pond from the existing boat ramp, south to the existing grasses, and shall extend 5 – 6 feet from the shores edge; and
- 2) To reduce disturbance along the slope, the applicant shall attempt to gain access to the lower portion of the site from the driveway of the abutting property.

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
Alissa Weiss, Turner Lane & Minister Island, Harvard#0717-01
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Members Present: Don Ritchie, Wendy Sisson, Jaye Waldron, Joanne Ward and Jim Burns

Others Present: Liz Allard (LUB Admin), Mark Shaw, Peter Dorward, Jim Maxwell, Mary Maxwell and Alissa Weiss

The Request for Determination of Applicability was filed on behalf of Alissa Weiss for the replacement of two docks and improvements of an existing boat house within the 200' wetland buffer zone of Bare Hill Pond, on Minister's Island, Harvard.

Alissa Weiss explained to the Commission the intent is to replace the existing docks that are in disrepair, with new docks. The property can only be accessed from the water therefore the docks integrity are essential to accessing the property. The docks will be removed in the fall and reinstalled in the spring of each year. In addition, an existing 10x12 boat house, which is also in disrepair, needs replacement. The new boat house will be of the same size as the existing boat house.

Ms. Weiss was advised that additional permits or permissions will be needed from the State and Harbor Master for the new docks.

Jaye Waldron made a motion to issue a Negative#2 Determination. Joanne Ward 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 July 6, 2017

Review Landscape Plan for 64 Warren Avenue, DEP#177-640

- 64 Warren Ave, Harvard, MA Landscape Concepts - V3 - July 06, 2017, prepared by offshoots Productive Landscapes

Informal Discussion with Peter Deng re: Poor Farm Development

- 166 Littleton Road Concept Plan, prepared by David E. Ross Associates, Inc., dated January 2013

Request for Determination of Applicability Hearing – Suzanne Johnston, 82 Warren Avenue, Harvard#0617-02

- Proposed Landscaping & Grading Plan, Daines/Johnston Residence, prepared by Whole Earth Landscape & Design, Inc., dated 6-26-17

DPW Proposed Tree Removal within the Right of Way on Stow, Ayer and Still River Road

- Letter from the Conservation Commission to Tim Kilhart, Director, Department of Public Works, RE: Dead Tree Removal along Stow, Still River and Ayer Road, July 20, 2017

Open Space Protection Strategy & Plan

- Harvard Open Space Protection Plan, rev 3 for CPC, dated 6/21/2017

Town Beach Bon Fire

- Letter from Town of Harvard Park and Recreation Commission, Beach Director, Alexandra Luck, undated