

**HARVARD CONSERVATION COMMISSION  
MINUTES OF MEETING  
JUNE 2, 2016  
APPROVED: AUGUST 4, 2016**

Chairman Paul Willard called the meeting to order at 7:02pm at the Hildreth House 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, Don Ritchie, Wendy Sisson, Jim Breslauer, Charlie Gorss, Joanne Ward and Jaye Waldron

**Others Present:** Liz Allard (LUB Admin), Fran Nickerson (Planning Board Liaison), Peter Dorward (HCT), David Margaretos, Diane Margaretos, Kevin Ritchie (Civil Solutions), Jim Lee (HCT), Frank Calmone, Jessie Panek, Brian McClain, Wyona Lynch-White, David Outman (HCT) and Tom Cotton

**Request to Extend the Order of Conditions**

Wendy Sisson made a motion to extend the Order of Conditions for Cindy Allen, 43 Under Pin Hill Road, DEP#177-620, for three years. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

**Land Stewardship Subcommittee Update**

Wendy Sisson stated the new bridge at William's land between the two hay fields has been installed by her and Phil Knoettner. Mr. Knoettner is working on mud trail on Clapp-Scorgie land. There is a big mess of downed wires on Clapp-Scorgie along the trail that heads to Hosking's Point; perhaps the Department of Public Works (DPW) could assist on their removal. Now is the time for the black swallow wart to be mowed along Still River Road; Paul Willard and Liz Allard will work with DPW to get this done. The Harvard Historical Commission met last night and approved the removal of the structures at 100 Shaker Road.

Ms. Sisson is meeting with Chris Politian of Politian Ecological Services next Thursday to go over the work that has been completed in regards to the invasive species control project. Ms. Sisson is proposing the mowing of the Japanese Knotweed on conservation land to be able to show how mowing can be an effective way of control of the invasive plant species.

**Approve Invoices**

Jim Breslauer made a motion to approve the following invoices for payment:

- Harvard Press \$180.00
- Beaver Solutions \$2330.00

Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Wendy Sisson made a motion to approve the following invoice for payment:

- Politian \$1564.85

Charlie Gorss seconded the motion. The vote was unanimously in favor of the motion.

**Requiring the use of Current Precipitation Data for Stormwater Management Calculations**

Wendy Sisson noted that the Commission can require the use of newer data for Stormwater Management calculations when they accompany a Notice of Intent. The Commission can include such a requirement within Chapter 147, the Wetland Protection Bylaw Rules and Regulations.

**Update on Gifts of Land**

- Stone Cutter's Path – Attorney Lanza is seeking to discuss some of the details with their attorney.

- 100 Shaker Road – The contractor is awaiting approval of the demolition permit before work can begin

### **Bylaw Amendment – Land Subject to Flooding**

Jim Breslauer has been in contact with Gene Benson, the Director of the Massachusetts Association of Conservation Commissioners, in regards to the Winchester bylaw, which would likely be upheld by the Appeals Court, as it recently received the Attorney Generals' approval. Members of the Commission stated they are interested in moving forward with such a provision within Harvard's Wetland Protection Bylaw.

### **Notice of Intent Hearing – David Margaretos, 54 Woodside Road, DEP#177-646, Harvard#0516-01. Opened at 7:30pm**

### **Open Space & Recreation Plan Update**

Members of the Open Space & Recreation Plan Update Committee (OSRPUC) were present to review the results from the survey. Peter Dorward gave an overview of those results. A sub-committee of the OSRPUC met Tuesday night and began the process of establishing the goals and action plan based on the survey results.

### **Request to Use Rubin Reed Land**

Use of the Wyona Lynch-White, the Chair of the Park and Recreation Commission, requested the use of the Reuben Reed land for porta-potties for the upcoming Apple Bloom Festival. After a brief discussion and explanation that the deed restricted the uses of the land when it was donated to the Town, the Commission stated it could not be used for locating the porta-potties for this or any future event on the Town Common.

### **LAND Grant Update – CPIC Application**

David Outman, the Director of the Harvard Conservation Trust (HCT), stated the HCT has an agreement with the sellers of the land along Sherry Road for a purchase price of \$800,000. This is just the first step in a long process. The HCT has asked the Commission apply for a LAND grant for the development rights of the property by way of a conservation restriction (CR). The following items and actions were discussed:

- HCT request cost-share for the CR appraisal, which has been quoted at \$2200 from Foster Appraisers. Don Ritchie made a motion to share the cost of the appraisal for the conservation restrict with the Harvard Conservation Trust. Jim Breslauer seconded the motion. The vote was unanimously in favor of the motion.
- Update/coordinate for upcoming Capital Planning and Improvement Committee (CPIC) meeting on 6/6 to discuss CPIC Application. The application will be for the entire amount, as required by the LAND grant, which would reimburse 58% of total cost. Members of HCT & Conservation Commission will attend meeting with CPIC.
- Discuss need/desire for formal agreement between Town and HCT (based on Mark Lanza's comments). All agreed HCT will send the Commission a letter laying out the details for review by Mark Lanza.
- Initiate discussion of draft CR for application. David Outman stated he could begin drafting the CR using the State template, which will be required for the LAND grant.
- Discuss timeline and the Commission's review/approval of application materials; will finalize at July 7<sup>th</sup> meeting.

### **Adjournment**

Jim Breslauer made a motion at 8:36pm to adjourn the meeting. Don Ritchie 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  
David Margaretos, 54 Woodside Road, DEP#177- 646, Harvard#0516-01  
June 2, 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 Hildreth House, 15 Elm Street, Harvard

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

**Others Present:** Liz Allard (LUB Admin), Kevin Ritchie (Civil Solutions), David & Diane Margaretos

This hearing is for a Notice of Intent filed on behalf of David Margaretos for the installation of a sewage disposal system within the 100' wetland buffer zone at 54 Woodside Road, Harvard.

Kevin Ritchie, from Civil Solutions, was present to represent the applicant. Mr. Ritchie stated the existing system is in failure, which was determined as part of current sale of the property. The existing wetland wraps the entire property. Soil testing with the Board of Health indicated high ground water and poor soils in the current system location. The best location to place the new system is within and existing side yard area. This will be an advanced treatment system due to the reduced offset to the existing well of 85 feet. A retaining wall is proposed for three sides of the septic mound; this will to keep fill out of the buffer zone and wetland area.

After a brief discussion of additional conditions for the site, Don Ritchie made a motion to close the hearing and issue an Order of Conditions to include the following special conditions:

- Additional vegetation will be added to the existing row of boxwoods up to wetland flag #6;
- Protected Wetland signage will installed once work is complete and shall remain in place in perpetuity; and
- There shall be no more dumping of yard waste at the rear or to the sides of the property.

Jim Breslauer seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard  
Land Use Administrator/  
Conservation Agent

## DOCUMENTS & OTHER EXHIBITS

### **Notice of Intent Hearing – David Margaretos, 54 Woodside Road, DEP#177-646, Harvard#0516-01**

- Sewage Disposal System Plan, 54 Woodside Road, Harvard, Massachusetts, April 15, 2016, prepared by Civil Solutions, Inc., Job No. 16-011, DWG. No. 16-011J, final revision date 5/03/2016