

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
NOVEMBER 16, 2020
APPROVED: MARCH 18, 2021**

Chair Don Ritchie called the meeting to order at 7:02pm virtually in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A §20, under MGL Chapter 131 §40 Wetland Protection Act and Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw

Conservation Commission Members Present: Don Ritchie, Paul Willard, Wendy Sisson, Jim Burns, Mark Shaw and Eve Wittenberg (Associate Member)

Planning Board Members Present: Justin Brown, Fran Nickerson, Stacia Donahue, Gwen Leonard, Jane Biering and Rebecca Kelley (Associate Member)

Others Present: Christopher Ryan (Director of Community and Economic Development), Liz Allard (Land Use Administrator/Conservation Agent), Matt Flokos (Harvard Press), Bruce Ringwall (GPR, Inc.), Kyle Burchard (GPR, Inc.), Matt Cote (Beals & Thomas) and Stacey Minihane (Beals & Thomas)

Continuation of a Notice of Intent Hearing – Luciano Manganella, 175 Littleton County Road, DEP#177-692, Harvard#0820-04. Opened at 7:36pm

Adjournment

Paul Willard made a motion to adjourn the meeting at 8:44pm. Jim Burns seconded the motion. The vote was unanimously in favor of the motion by a roll call, Wendy Sisson, aye, Paul Willard, aye; Jim Burns, aye; Mark Shaw, aye and Don Ritchie, aye.

Respectfully submitted,

Liz Allard,
Land Use Administrator/
Conservation Agent

EXHIBITS & OTHER DOCUMENTS

- Conservation Commission Agenda November 19, 2020
- Residential Development, 175 Littleton County Road, Harvard, MA prepared for Luciano Manganella, JOB 181080, prepared by GPR, Inc., August 2020
- Beals & Thomas Review of Notice of Intent (MassDEP File No. 177-0694) & Special Permit Modification, 175 Littleton County Road, Harvard, Massachusetts, B+T Project No. 3241.00, October 27, 2020
- GPR, Inc Response to Peer Review Comments Notice of Intent (DEP CE# 177-0694) 175 Littleton County Road, Harvard, MA, November 11, 2020
- GPR, Inc Response to Peer Review Comments Notice of Intent (DEP CE# 177-0694) 175 Littleton County Road, Harvard, MA, November 13, 2020

**Harvard Conservation Commission
Joint meeting with Planning Board on the
Continuations of a Notice of Intent,
DEP#177-694, Harvard#0820-04
& a Modification of a Special Permit &
Driveway Site Plan Approval Hearing Minutes
Luciano Manganella, 175 Littleton County Road,
November 19, 2020**

The Conservation Commission public hearing was opened at 7:41pm by Chair Don Ritchie under MGL Chapter 131 §40 Wetland Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw virtually in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A §20.

The Planning Board public hearing was opened at 7:40pm by Chair Justin Brown under MGL Chapter 40A the Zoning Act and the Code of the Town of Harvard Chapter 125 the Protective Bylaw virtually in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A §20.

Conservation Commission Members Present: Don Ritchie, Paul Willard, Wendy Sisson, Jim Burns, Mark Shaw and Eve Wittenberg (Associate Member)

Planning Board Members Present: Justin Brown, Fran Nickerson, Stacia Donahue, Gwen Leonard, Jane Biering and Rebecca Kelley (Associate Member)

Others Present: Christopher Ryan (Director of Community and Economic Development), Liz Allard (Land Use Administrator/Conservation Agent), Matt Flokos (Harvard Press), Bruce Ringwall (GPR, Inc.), Kyle Burchard (GPR, Inc.), Matt Cote (Beals & Thomas), Stacey Minihane (Beals & Thomas)

The Planning Board (PB) hearing was continued from October 5, 2020 filed on behalf of Luciano Manganella for modification of the existing common driveway special permit, and the construction of a driveway more than 300' in center-line length, which will include the replacement of an existing culvert and stormwater facilities for the control of stormwater at 175 Littleton County Road, Harvard.

The Conservation Commission hearing was continued from November 5, 2020 for a Notice of Intent for the construction of a single-family dwelling, barn, driveway, culvert replacement and stormwater facilities for the control of stormwater, involving the alteration of an intermittent stream and bordering vegetated wetland and activity within their associated 100' wetland buffer zone at 175 Littleton County Road, Harvard.

Bruce Ringwall and Kyle Burchard, of GPR, Inc, were in attendance to represent the applicant. Mr. Ringwall presented an overview of the site, which included a Special Permit for common driveway in 2000. The application before the Conservation Commission (ConCom) is for activity within wetland resource areas, including the existing fire pond. Mr. Ringwall stated a small portion of a 34-acre parcel lot is proposed to be developed for a single-family dwelling. Mr. Ringwall explained in 2000 when the common driveway was approved the branch leading to this lot was located on the west end of the existing fire pond. However, the new owner is requesting the driveway be relocated to the east end of the fire pond. This will require a new crossing over

the existing intermittent stream. The site plan also details the construction of a barn for storage and a studio, which is intended for future development and will require a separate septic system. Grading for the septic system and the driveway for the proposed dwelling will be within the wetland buffer zones on the site. As for the proposed driveway, all of the requirements under Chapter 125-29B have been incorporated into the design.

Matt Cote, the Civil Engineer from Beals & Thomas (B&T), peer consultant for both Planning Board and ConCom, has reviewed the project in the aspect of the driveway. Mr. Cote stated he has no issues with the proposed slopes and comments in regards to curbing has been reconciled. Don Ritchie asked about the stormwater facilities and if Mr. Cote felt they were sufficient to contain the amount of water that will be coming off the driveway. Mr. Cote stated he is. Stacey Minihane, also from B&T, stated all comments provided with the first report have been addressed at this point.

Comments received from the Department of Environmental Protection (DEP) have also been responded to by GPR, Inc., with B&T agreeing with the proposed alternatives to file the application with ConCom as a Limited Project.

Mr. Ringwall reviewed GPR's response letter to B&T. Additional information in regards to the wetland replication has been provided to DEP.

Christopher Ryan stated the conditions within the 2000 Special Permit shall be incorporated into this new decision by the PB.

Mr. Ringwall stated comments received from the Harvard Fire Department are straight forward, with the easements for the fire pond and driveway covenant on file with the Registry of Deeds and at Town Hall.

A discussion in regards to the septic systems necessary for both the house and the barn was had. With the barn not being constructed in the near future and permits for the house not yet issued, Mr. Ringwall asked the Planning Board not tie the decision to the permits for septic.

Stacie Donahue made a motion to continue the Planning Board public hearing to December 7, 2020 at 9:00pm. Fran Nickerson seconded the motion. The vote was unanimously in favor of the motion by a roll call, Stacie Donahue, aye; Fran Nickerson, aye; Jane Biering, aye; Gwen Leonard, aye; Justin Brown, aye.

Jim Burns made a motion to continue the Conservation Commission hearing to November 19, 2020 at 7:45pm. Mark Shaw seconded the motion. The vote was unanimously in favor of the motion by roll call, Paul Willard, aye; Jim Burns, aye; Wendy Sisson, aye; Mark Shaw, aye; and Don Ritchie, aye.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent