

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
DECEMBER 3, 2020
APPROVED: MARCH 18, 2021**

Chair Don Ritchie called the meeting to order at 7:08pm 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

Members Present: Don Ritchie, Paul Willard, Wendy Sisson, Jaye Waldron, Mark Shaw and Eve Wittenberg (Associate Member)

Others Present: Liz Allard (Land Use Boards Administrator/Conservation Agent), Matt Marro, Glenn Berger and Melissa Tracey

Request for a Certificate of Compliance – 327 Still River Road, DEP#177-265

Jaye Waldron made a motion to approve the Request for Certificate of Compliance for 327 Still River Road, DEP#177-265. Mark Shaw seconded the motion. The vote was unanimously in favor of the motion by a roll call, Wendy Sisson, aye, Paul Willard, aye; Jaye Waldron, aye; Mark Shaw, aye; and Don Ritchie, aye.

Approve Minutes

Paul Willard made a motion to approve the minutes of August 6, 2020 as amended. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Wendy Sisson, aye, Paul Willard, aye; Jaye Waldron, aye; Mark Shaw, aye; and Don Ritchie, aye.

Deer Management Subcommittee (DMS) Update

An update from the DMS chair, Bob Douglas, was previously distributed to the members. The members discussed the resignation of Jason Cole and the process of filling the vacancy on the DMS. Liz Allard will request the vacancy be listed on the Select Board's page of the website with other board and committee vacancies.

Review Amendments to Chapter 147 Wetland Bylaw Regulations

Jaye Waldron stated she has sent edits to Liz Allard, who will incorporate those in to the draft. Questions from Ms. Waldron included the Commission's ability to access a site and clarifying the submittal deadline.

Ms. Allard recommended additional information based on the Town of Lunenburg regulations as it pertains to the replacement of trees. Members agreed to include the language as recommended. The public hearing for these amendment will open on December 17, 2020.

Request to Amend the Order of Conditions, DEP#177-679, Harvard#0619-02, Matthew Ellis, 62 South Shaker Road. Opened at 7:32pm

Update on Pine Hill Village Stow Road

After the Commission briefly discussed the unauthorized paving and other violations of the Order of Conditions, DEP#177-586, that occurred on December 1, 2020, Paul Willard made a motion to fine the developer \$1200.00 for the violations detailed in the document "Pine Hill Village, Stow Road, DEP#177-586 Violations of the Order of Conditions, Violations Associated with Activity on December 1, 2020". Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Wendy Sisson, aye, Paul Willard, aye; Jaye Waldron, aye; Mark Shaw, aye; and Don Ritchie, aye.

Adjournment

Paul Willard made a motion to adjourn the meeting at 8:06pm. Mark Shaw seconded the motion. The vote was unanimously in favor of the motion by a roll call, Wendy Sisson, aye, Paul Willard, aye; Jaye Waldron, aye; Mark Shaw, aye; and Don Ritchie, aye.

Respectfully submitted,

Liz Allard,
Land Use Administrator/
Conservation Agent

EXHIBITS & OTHER DOCUMENTS

- Conservation Commission Agenda, dated December 3, 2020
- Harvard Conservation Commission Meeting Minutes, August 6, 2020 drafted by Liz Allard
- Email from Robert Douglas to Liz Allard Subject: Update Q, received Dec 1, 2020
- Lunenburg's Bylaw for General Wetland Protection, 10.4.1 Vegetation Removal and Replacement
- Plot Plan of Land in Harvard, Massachusetts at 62 South Shaker Road Prepared for the Acton Woodworks, Inc., by Summit Surveying Inc., 11-15-20
- Pine Hill Village, Stow Road, DEP#177-586 Violations of the Order of Conditions, Violations Associated with Activity on December 1, 2020.

**Harvard Conservation Commission
Request to Amend the Order of Conditions Hearing Minutes
Matthew Ellis, 62 South Shaker Road,
DEP#177-679, Harvard#0619-02
December 3, 2020**

The public hearing was opened at 7:32pm 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.

Members Present: Don Ritchie, Paul Willard, Wendy Sisson, Jaye Waldron, Mark Shaw and Eve Wittenberg (Associate Member)

Others Present: Liz Allard (Land Use Administrator/Conservation Agent), Matt Marro and Glenn Berger

This hearing is for a Request to Amend the Order of Conditions filed on behalf of Matthew Ellis for modifications to the existing driveway within the 100' wetland buffer zone at 62 South Shaker Road, Harvard.

Glenn Berger explained the request to amend the Order of Conditions is to allow for the regrading of the existing driveway up to wetland flag A3 and B4. The proposed turnout along the length of the driveway was requested by the Fire Department. Trees to be removed will be done by use of a crane to minimize disturbance to the wetland resource areas along the edges of the driveway. A siltation barrier with straw wattles have been proposed along both sides of the driveway. Mr. Berger is requesting a waiver to Chapter 147-17 Setback, as the existing driveway is within 75' of a resource area. In addition, the driveway will be extended to the previously permitted garage, which will also be within 75' of the resource area. The siltation barrier shall be tied into the existing barrier on the east side of the driveway.

Members discussed the value of trapping sediment prior to it entering the resource area. It was suggested and acceptable to the members to add woody vegetation on the east side of the driveway to reduce sedimentation. Members discussed the appropriate trees to be removed based on a recent site visit. Replacing trees to be removed was determined not to be favorable as it would cause more disturbance in the resource area that has the ability to naturally revegetate.

With some revisions needed to a final plan, Paul Willard made a motion to continue the hearing to December 17, 2020 at 8:00pm. Wendy Sisson seconded the motion. The vote was unanimously in favor of the motion by a roll call, Wendy Sisson, aye, Paul Willard, aye; Jaye Waldron, aye; Mark Shaw, aye; and Don Ritchie, aye.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent