

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
JANUARY 16, 2014
APPROVED: March 6, 2014**

Chairman Paul Willard called the meeting to order at 7:03pm in the Hildreth House

Members Present: Paul Willard, Jim Breslauer, Charlie Gorss, Jaye Waldron, Joanne Ward and Jim Saalfield (Associate Member)

Others Present: Liz Allard (LUB Admin), Dan Wolfe (Ross Assoc.), Joe Hutchinson (MPSC) and Sidney Blackwell (Harvard Press)

Request for *De Minimus* Change, 55 Turner Lane, DEP#177-625

Dan Wolfe, of Ross Associates, explained the work that has been completed thus far at 55 Turner Lane under the Order of Conditions, DEP#177-625. In the spring the road and driveway will be compacted and landscaping will be completed. Mr. Wolfe explained the property owner converted a small wooden structure on the property from a changing room to a shower stall shortly after purchasing the property. The owner is aware that such a use should not be taking place five to seven feet from the pond's edge and is suggesting it be moved to the south side of the house, at 50' wetland buffer zone mark and will connect it to the existing septic system. The structure will be moved with the use of a small bobcat. Jim Breslauer asked what is planned for the existing site of the structure. Mr. Wolfe stated the owner will let it re-vegetate natural.

With no further questions or comments, Jim Breslauer made a motion to accept the change as *De Minimus* under the existing Order of Conditions for 55 Turner Lane, DEP#177-625. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Master Plan Steering Committee Stakeholders Questions

Jaye Waldron, as the Commission's liaison to the Master Plan Steering Committee (MPSC), explained the Master Plan process to this point. Joe Hutchinson, chairman of the MPSC, was also present and was seeking input from the Commission on the five priority issues/focus areas for Phase II of the Master Plan and how they may fit into the Commission's long term goals. Those five areas are Devens, Ayer Road Commercial District, Housing, Town Center and Conservation.

Paul Willard stated he is concerned with the clean up that has not been completed at Devens and making sure the aquifer is protected. Jim Breslauer stated he is interested in how affordable housing in Devens will reduce the need for affordable housing here in Harvard. Jaye Waldron stated there is a cap on housing in Devens under the Chapter 498 agreement. Jim Saalfield would want to see the Master Plan indicating conservation as a priority, which would expand the responsibilities of the Commission. Mr. Breslauer stated he would like there to be a process that would co-ordinate the building permit process to include other boards and commissions' ability to comment before a building permit is issued.

In general, the Commission's long term goals include the preservation and management of open space (existing and future), wildlife habitats, management of invasive plant species, all with the appropriate staff. Mr. Hutchinson thanked the members for their time and stated this is only the beginning of discussions with boards and commissions on these matters.

Request for Determination of Applicability Hearing – Jeffrey & Patricia Shaw, 37 Woodside Road, Harvard#0114-01. Opened at 7:50pm

Discuss Snowmobile Club Use of Trails

Liz Allard stated she and Marylynn Gentry, Director at the Harvard Conservation Trust, reviewed the Horne land adjacent to Dean's Hill and have seen clear evidence of snowmobile use on the

Horne Land. The evidence indicates cutting of wetland vegetation to access the site, as well as the destruction of other wetland vegetation to get across the existing wetland. A letter had been sent to the Harvard Snowmobile Club (HSC) in November 2012 disallowing the use of the Horne Land for a snowmobile trail. Members agreed that a follow up letter should be sent to the HSC stating that any further use of the Horne Land as a snowmobile trail may result in discontinued use of conservation land and/or fines.

2014 Annual Town Meeting Warrant Articles – Chapter 125-54 Floodplain Districts

Liz Allard explained to the members she had been contacted by Colleen Bailey, of the Department of Conservation & Recreation Flood Hazard Management Program, in regards to the new Federal Flood Hazard Maps that have been revised. These revisions require amendments to the existing zoning provision within the Town's Protective Bylaw, Chapter 125-54. Ms. Allard stated all of the changes are in response to the revised maps and no new language is being proposed. A draft of the changes had previously been circulated to the members for their review. Jaye Waldron asked about the date, July 16, 2014, indicated within the revisions. Ms. Allard stated that is the date in which the maps are set to be released and similar to the previous version of the provision in 2011. With no further questions or comments, Jaye Waldron made a motion to support the recommended changes to Chapter 125-54 Floodplain Districts as submitted. Joanne Ward seconded the motion. The vote was 4-0-1 with Jim Breslauer abstaining as a member of the Planning Board.

Review & Approve 2013 Annual Report

Liz Allard had previously distributed the 2013 Annual Report to the members for their review and comment. With no further comments, Jim Breslauer made a motion to approve the 2013 Annual Report as drafted. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Devens Open Space & Recreation Advisory Committee

Liz Allard had previously circulated a memo from MassDevelopment in regards to the Devens Open Space & Recreation Advisory Committee (DOSRAC), which indicates each town should have two residents as participants on the Committee. Ms. Allard followed up with the Board of Selectmen office and found that there are no representatives from Harvard currently. Jaye Waldron stated she may be interested in being one of the representatives. Ms. Allard suggested Ms. Waldron contact Heidi Ricci, the current chair of the DOSRAC, to determine the time commitment for the committee.

Follow-up to Encroachment on Prospect Hill Conservation Area

With Wendy Sisson absent this evening this item was delayed until the next meeting.

Approve Minutes

Jaye Waldron made a motion to approve the minutes of November 7th and 21st and December 19, 2013 as amended. Joanne Ward Seconded the motion. The vote was unanimously in favor of the motion.

Approve Invoices

Liz Allard stated the following invoices have been received and need to be approved for payment to be included on the next bill warrant:

- ❖ Mark J. Lanza - \$756.20
- ❖ Nitch Engineering - &67.73

Joanne Ward made a motion to approve the above mentioned invoices for payment. Charlie Gorss seconded the motion. The vote was unanimously in favor of the motion.

Community Preservation Committee Request for Funding Update

Joanne Ward informed the members that the Community Preservation Committee has approved the funding of \$100,000 for the Conservation Fund for fiscal year 2015. This request will be part of the articles at the annual town meeting on April 1st.

Massachusetts Association of Conservation Commissioner (MACC) Annual Environmental Conference (AEC)

Liz Allard stated the MACC AEC will be held on March 1st at Holy Cross with cost of \$115 per participant. Jim Breslauer made a motion to approve the expenditure of funds for those who would like to attend the MACC AEC. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Adjournment

Jaye Waldron made a motion to adjourn the meeting at 8:37pm. Jim Breslauer 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
Jeffrey & Patricia Shaw, 37 Woodside Road, Harvard#0114-01
January 16, 2014**

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

Members Present: Paul Willard, Jim Breslauer, Charlie Gorss, Jaye Waldron, Joanne Ward and Jim Saalfield (Associate Member)

Others Present: Liz Allard (LUB Admin)

This hearing is for a Request for Determination of Applicability filed on behalf of Jeffrey & Patricia Shaw for the replacement of an existing septic tank within the 100' wetland buffer zone at 37 Woodside Road, Harvard.

Liz Allard explained the representative failed to notify the abutter's properly and has requested an extension of the hearing. Jim Breslauer made a motion to continue the hearing to February 6, 2014 at 7:30pm. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

