

**TOWN OF HARVARD
CONSERVATION COMMISSION AGENDA
THURSDAY APRIL 1, 2021 @7:00PM**

The Conservation Commission meeting is being held virtually in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, G.L.c.30A. S.20. Interested individuals can listen in and participate by phone and/or online by following the link and phone # below:

UpperTH ProWebinar is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/87285664593?pwd=RFFNTzdxOTJrZ1M1N2dHbWx5UjhQdz09>

Meeting ID: 872 8566 4593

Passcode: 152141

One tap mobile

+13017158592,,87285664593# US (Washington DC)

+13126266799,,87285664593# US (Chicago)

Dial by your location

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

Meeting ID: 872 8566 4593

Find your local number: <https://us02web.zoom.us/u/kcvvv7ms4S>

New Business:

1. Request for Certificates of Compliance – Department of Public Works, Pond Road, DEP#177-663 and Stow/Codman Hill Roads, DEP#177-664
2. Approve MACC Invoices for Annual Conference
3. Land Stewardship Subcommittee Request to Allocate Funds for Trail Maintenance

Public Hearings:

7:25pm **Continuation of a Notice of Intent Hearing – Parks & Recreation Commission Harvard#0221-02**, for the generalized operation and maintenance of parks and recreation fields and trails within 100' of a wetland resource area at the following locations: 19 & 34 Lancaster County Rd, 55 & 71 Depot Rd, Ann Lees Rd, 14 & 27 Mass Ave, and 4 & 15 Pond Rd, Harvard - **Requested Waiver**

7:30pm **Continuation of a Request for Determination of Applicability Hearing – Marc Seigny, 74 Shaker Road, Harvard#0221-01**, the installation of a 96' boardwalk within a wetland resource area to access an upland area - **Requested Waiver**

7:45pm **Request for Determination of Applicability Hearing, Pan Am Railway, Harvard#0321-02**, for verification of wetland boundaries in preparation of for rights-of-way management along the existing railroad track within Harvard

8:00pm **Notice of Intent Hearing – Thayer Family Farm, 92 South Shaker Road, Harvard#0321-03** for the construction of fencing around an agricultural field within the 100' wetland buffer zone – **Requested Waiver**

8:15pm **Notice of Intent Hearing – Harvard Department of Public Works, Harvard#0321-04**, the bridge crossing of Bower's Brook between 6 and 22 Old Mill Road for the replacement of traffic safety features and minor patching along the substructure within the resource area and its 100' riverfront area at

Old Business:

1. Discuss Warilla Land as a potential area to be included in the Forest Legacy Program
2. Review 310 CMR 10.03(3) - Presumption Concerning 310 CMR 15.000: The State Environmental Code, Title 5
3. Pine Hill Village Update

NEXT MEETING: APRIL 15, 2021



WPA Form 8A – Request for Certificate of Compliance
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. Project Information

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

Town of Harvard DPW

Name

47 Depot Rd.

Mailing Address

Harvard

City/Town

MA

State

01451

Zip Code

978-456-4130

Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:

Timothy B Kilhart

Applicant

6/7/2018

Dated

177-0663

DEP File Number

3. The project site is located at:

Pond Rd.

Street Address

N/A

Assessors Map/Plat Number

Harvard

City/Town

N/A

Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

N/A

Property Owner (if different)

Worcester

County

N/A

Book

N/A

Page

N/A

Certificate (if registered land)

5. This request is for certification that (check one):

- the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.
 the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

- the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

Yes If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

POND RD. - EXISTING CULVERTS



POND RD. / WHITMAN RD. - NEW CATCH BASIN COVER



POND RD. - NEW GUARDRAIL



POND RD. - NEW CULVERT INLET



POND RD. - OUTLET NEW CULVERT



POND RD. - NEW CATCH BASIN





Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 8A – Request for Certificate of Compliance
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

177-0664
 Provided by DEP

A. Project Information

Important:
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

Town of Harvard DPW
 Name
 47 Depot Rd.
 Mailing Address
 Harvard MA 01451
 City/Town State Zip Code
 978-456-4130
 Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:

Timothy B Kilhart
 Applicant
 5/22/2018
 Dated
 177-0664
 DEP File Number

3. The project site is located at:

Stow Rd. Harvard
 Street Address City/Town
 N/A N/A
 Assessors Map/Plat Number Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

N/A
 Property Owner (if different)
 Worcester N/A N/A
 County Book Page
 N/A
 Certificate (if registered land)

5. This request is for certification that (check one):

- the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.
 the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

- the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

Yes If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

CODMAN HILL RD. - OUTLET



CODMAN HILL RD. - INLET



**Massachusetts Association of
Conservation Commissions**

Invoice

**10 Juniper Road
Belmont, MA 02478
617-489-3930**

Date	Invoice #
3/24/2021	200008089

Bill To
Harvard Conservation Commission Harvard Conservation Commission 13 Ayer Road Harvard, MA 01451 United States

Ship To
Joanne Ward Harvard Conservation Commission 19 Eldridge Road Harvard, MA 01451 United States

PO Number	Terms	Due Date
	Due in 30 days	4/23/2021

Qty	Description	Price	Totals
1	Virtual Annual Conference 2021: "Workshop Bundle" Registration - MEMBERS RATE - Joanne Ward	\$150.00	\$150.00
Sub-Total			\$150.00
Total			\$150.00
Balance Due			\$150.00

Massachusetts Association of Conservation Commissions

Invoice

**10 Juniper Road
Belmont, MA 02478
617-489-3930**

Date	Invoice #
3/29/2021	200008159

Bill To
Harvard Conservation Commission
Harvard Conservation Commission
13 Ayer Road
Harvard, MA 01451
United States

Ship To
Janet Waldron
Harvard Conservation Commission
13 AyerRd
Harvard, MA 01451
United States

PO Number	Terms	Due Date
	Due in 30 days	4/28/2021

Qty	Description	Price	Totals
1	MACC AEC 2021 - Session J1-A - Janet Waldron	\$25.00	\$25.00
1	MACC AEC 2021 - Session J2 - Janet Waldron	\$25.00	\$25.00
1	MACC AEC 2021 - Session J3 - Janet Waldron	\$25.00	\$25.00
1	MACC AEC 2021 - Session K4 - Janet Waldron	\$25.00	\$25.00
Sub-Total			\$100.00
Total			\$100.00
Balance Due			\$100.00

Massachusetts Association of Conservation Commissions

Invoice

**10 Juniper Road
Belmont, MA 02478
617-489-3930**

Date	Invoice #
3/24/2021	200008083

Bill To
Harvard Conservation Commission
Harvard Conservation Commission
13 Ayer Road
Harvard, MA 01451
United States

Ship To
Eve Wittenberg
Harvard Conservation Commission
NA
NA, MA 01451
United States

PO Number	Terms	Due Date
	Due in 30 days	4/23/2021

Qty	Description	Price	Totals
1	Fundamentals Unit 105: Wednesday, April 7, 2021 - AEC WEEK - Eve Wittenberg	\$55.00	\$55.00
1	Fundamentals UNIT 103: Saturday April 10th, 2021 - AEC WEEK - Eve Wittenberg	\$55.00	\$55.00
Sub-Total			\$110.00
Total			\$110.00
Balance Due			\$110.00

310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

10.03(3) Presumption Concerning 310 CMR 15.000: *The State Environmental Code, Title 5: Standard Requirements for the Siting, Construction, Inspection, Upgrade and Expansion of On-site Sewage Treatment and Disposal Systems and for the Transport and Disposal of Septage.*

A subsurface sewage disposal system that is to be constructed in compliance with the requirements of 310 CMR 15.000: *The State Environmental Code, Title 5: Standard Requirements for the Siting, Construction, Inspection, Upgrade and Expansion of On-site Sewage Treatment and Disposal Systems and for the Transport and Disposal of Septage*, or more stringent local board of health requirements, shall be presumed to protect the eight interests identified in M.G.L. c. 131, § 40, but only if none of the components of said system is located within the following resource areas:

(a) Coastal.

1. coastal bank;
2. coastal beach;
3. coastal dune;
4. salt marsh.

(b) Inland.

- | | | |
|----------------|-----------|---------|
| 1. wet meadows | | creek; |
| 2. marsh | bordering | river; |
| 3. swamp | on any | stream; |
| 4. bog | | pond; |
| | | lake. |

and only if the soil absorption system of said system is set back at least 50 feet horizontally from the boundary of said areas, as required by 310 CMR 15.211: *Minimum Setback Distances*, or a greater distance as may be required by more stringent local ordinance, by-law or regulation. To protect wildlife habitat within riverfront areas, the soil absorption system shall not be located within 100 feet of the mean annual high-water line unless there is no alternative location on the lot which conforms to 310 CMR 15.000: *The State Environmental Code, Title 5: Standard Requirements for the Siting, Construction, Inspection, Upgrade and Expansion of On-site Sewage Treatment and Disposal Systems and for the Transport and Disposal of Septage* without requiring a variance as determined by the local Board of Health, with less adverse effects on resource areas.

This presumption, however, shall apply only to impacts of the discharge from a sewage disposal system, and not to the impacts from construction of that system, such as erosion and siltation from the excavation, placement of fill, or removal of vegetation. Impacts from construction shall be minimized by the placement of erosion and sedimentation controls during excavation, limiting the placement of fill, confining the removal of vegetation to that necessary for the footprint of the system, and taking other measures deemed necessary by the issuing authority.

