

**TOWN OF HARVARD
CONSERVATION COMMISSION AGENDA
THURSDAY AUGUST 18, 2022 @7:00PM**

Pursuant to Chapter 22 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on July 14, 2022, this meeting will be conducted via remote participation. Interested individuals can listen in and participate by phone and/or online by following the link and phone number below.

UpperTH ProWebinar is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/83432708738?pwd=ROFGTVpDMllrQig0RW90aVNGY1JEZz09>

Meeting ID: 834 3270 8738

Passcode: 912589

One tap mobile

+13126266799,,83432708738# US (Chicago)

+16469313860,,83432708738# US

Dial by your location

+1 312 626 6799 US (Chicago)

+1 646 931 3860 US

+1 929 436 2866 US (New York)

Meeting ID: 834 3270 8738

Find your local number: <https://us02web.zoom.us/j/83432708738>

New Business:

1. Harvard Conservation Trust – Request to use Dean’s Hill as part of the Run for the Hills Event on October 30th
2. Land Stewardship Subcommittee Update
3. Request for a *De Minimus* Change to the Site Plan for 171/175 Littleton County Road, DEP#177-712
4. ZBA Request for Comments – 31 Glenview Drive & 110 Warren Avenue
5. Approve Minutes

Public Hearings:

- 7:30pm **Continuation of a Notice of Intent Hearing – Yvonne Chern, 203 Ayer Road, DEP#177-711, Harvard#0322-01**, for the construction of commercial structures with associated parking, grading and drainage within the 100’ wetland buffer zone
- 8:00pm **Notice of Intent Hearing – Nathan Bailey, 131 Bolton Road, DEP#177-714, Harvard#0622-02**, for the construction of a pool, patio, deck, pool house and landscaping within the 100’ wetland buffer zone -*Request for a Continuance to September 1, 2022 @ 7:30pm*
- 8:30pm **Request for Determination of Applicability Hearing - Nathan Bailey, 131 Bolton Road, DEP#177-714, Harvard#0822-01**, for the repair, re-surface and topcoat of an existing asphalt driveway within the 100’ wetland buffer zone
- 8:45pm **Continuation of a Determination of Applicability Hearing - Richard Fellows, 328 Still River Road, Harvard#0522-01**, for the restoration of an open meadow and removal of invasive plants within the 100’ wetland buffer zone

Old Business:

1. Update to the Wetland Violation – 41 Pinnacle Road

The listing of matters are those reasonably anticipated by the chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

2. Ayer Road Meadow Access Improvements Update
3. Pine Hill Village Update

**NEXT MEETING:
SEPTEMBER 1, 2022**

The listing of matters are those reasonably anticipated by the chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

Run For The Hills 2022

Will Kemeza <wkemeza@gmail.com>

Wed 08/03/22 1:11 PM

To: Liz Allard <lallard@harvard-ma.gov>

Hi Liz,

Hope you're doing well.

It's that time again; the Harvard Conservation Trust would like to make use of the Prospect Hill Trails for our annual trail race (which would start and end near the PHCO barn).

Our proposed date is Sunday, 10/30.

As always, we'll walk the trail a few weeks before the event - but, beyond clearing the occasional blowdown, we wouldn't plan to alter anything.

Same course as always; the map's attached.

Let me know if you have any questions - and thanks!

Will

RFTH_GECourseImage.JPG

8/16/22, 10:11 AM

Mail - Liz Allard - Outlook

171 & 175 Littleton County Road 177-0712

Bruce D. Ringwall <BRingwall@gpr-inc.com>

Mon 08/15/22 5:03 PM

To: Liz Allard <lallard@harvard-ma.gov>

 1 attachments (2 MB)

171 & 175 LCR MINOR MOD (2022.08.15-DRAFT).pdf;

Good afternoon Liz,

I had planned to send this to you last Thursday. So much for well laid out plans. Per our discussion last week on site at 171 & 175 Littleton County Road and on behalf of the property owner, Luciano Manganella, GPR respectfully requests a minor amendment to the Order #177-0712 to allow the installation of a foundation drain just up gradient of the wetlands as flagged in the field and shown on the attached plan. The foundation drain is currently just below the stone retaining wall up near the house. The foundation drain flows during the high groundwater seasons. Rather than possibly creating erosion or wear across this portion of the meadow we suggest the pipe be extended to just above the edge of wetlands and discharge into a four foot by four foot by two foot deep recharge pit. Allowing the water to recharge and also to have an overland flow into the meadow wetland up gradient to the intermittent stream channel.

As discussed the access for installation would be over the newly installed utility lines. Erosion control of wattles will be installed prior to installing the line and recharge stone apron.

I'm not sure if I missed your timing for this Thursday or not. Whenever you can get it on an agenda. I can bring in as many paper copies as you need (colored and folded).

Thank you,

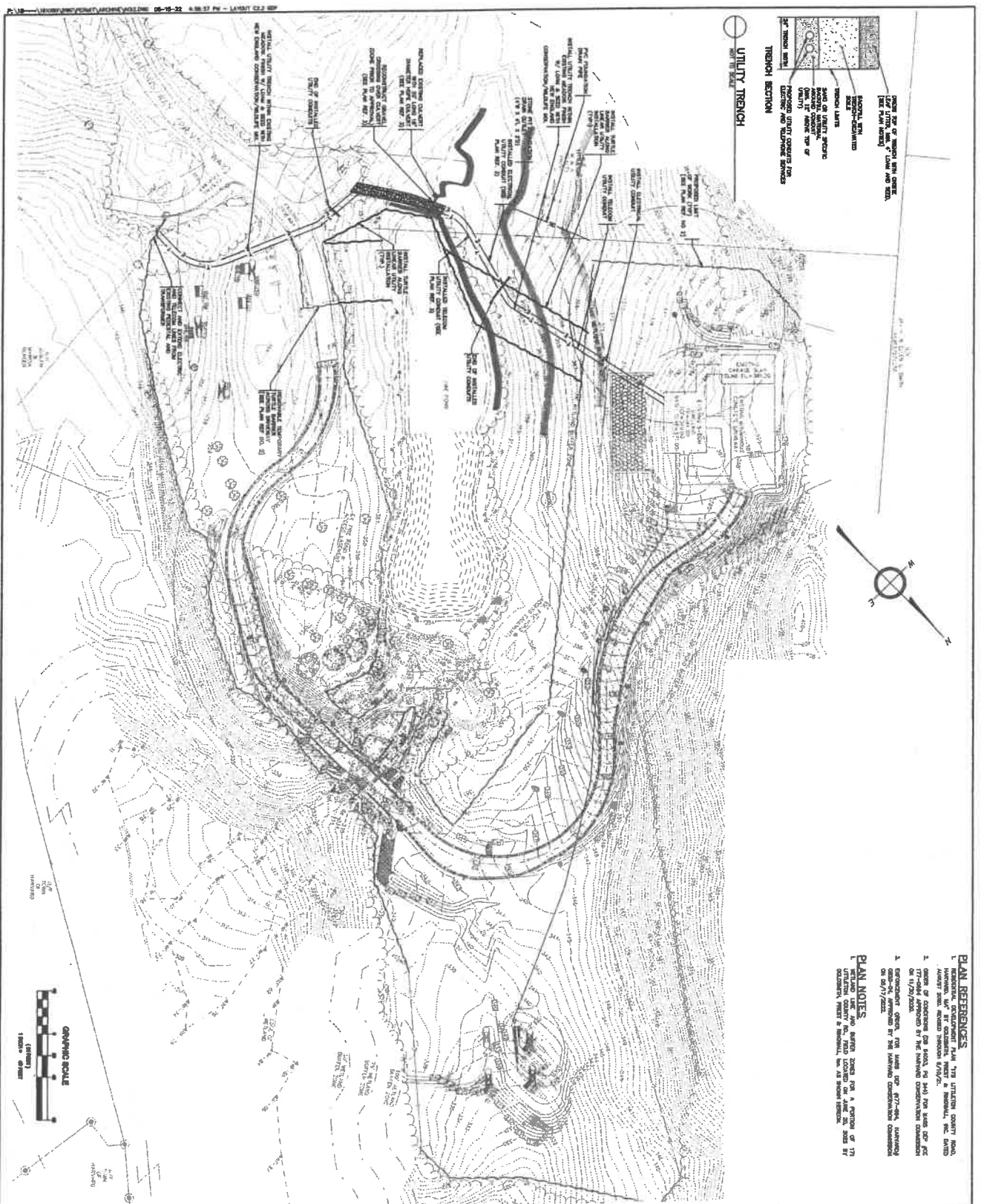
Bruce

Bruce D. Ringwall, President
Goldsmith, Prest & Ringwall, Inc.
39 Main Street, Suite 301
Ayer, MA 01432
P 978-772-1590 F 978-772-1591
<mailto:bringwall@gpr-inc.com>
www.gpr-inc.com



This transmission is only for the addressee and may contain information that is privileged and confidential. Unauthorized use, modification, copying, distribution or other disclosure of this transmission and its attachments is strictly prohibited. If you have received this in error, please notify us immediately by phone; then destroy the original. Thank you.

Goldsmith, Prest & Ringwall, Inc.



PLAN REFERENCES

1. RESIDENTIAL DEVELOPMENT PLAN FOR LITTLETON COUNTY ROAD, HAVENWOOD, MA, BY EXCELSIOR, PIERCE & REMBEK, INC. DATED 11/23/2016
2. LAYOUT PLAN FOR THE SCHEDULED UTILITY TRENCHES, EXCISED THROUGH PROPERTY, HAVENWOOD, MA, DATED 08/17/2016
3. UTILIZATION APPROVED BY THE HAVENWOOD ZONING COMMISSION ON 11/23/2016
4. DEVELOPMENT OPTION FOR LOTS 607, 607-A, 607-B, 607-C, 607-D, 607-E, 607-F, 607-G, 607-H, 607-I, 607-J, 607-K, 607-L, 607-M, 607-N, 607-O, 607-P, 607-Q, 607-R, 607-S, 607-T, 607-U, 607-V, 607-W, 607-X, 607-Y, 607-Z, HAVENWOOD, MA, DATED 08/17/2016

PLAN NOTES

1. UTILIZATION APPROVED BY THE HAVENWOOD ZONING COMMISSION ON 11/23/2016

LEGEND

---	BOUNDARY LINE	---	RESIDENTIAL UTILITY TRENCH
---	CONCEPT	---	RESIDENTIAL UTILITY TRENCH - 18" DIA. PER FOR
---	PERMIT	---	RESIDENTIAL UTILITY TRENCH - 12" DIA. PER FOR
---	RECORD	---	RESIDENTIAL UTILITY TRENCH - 6" DIA. PER FOR
---	CONSTRUCTION	---	RESIDENTIAL UTILITY TRENCH - 18" DIA. PER FOR
---	PERMIT	---	RESIDENTIAL UTILITY TRENCH - 12" DIA. PER FOR
---	RECORD	---	RESIDENTIAL UTILITY TRENCH - 6" DIA. PER FOR
---	CONSTRUCTION	---	RESIDENTIAL UTILITY TRENCH - 18" DIA. PER FOR
---	PERMIT	---	RESIDENTIAL UTILITY TRENCH - 12" DIA. PER FOR
---	RECORD	---	RESIDENTIAL UTILITY TRENCH - 6" DIA. PER FOR
---	CONSTRUCTION	---	RESIDENTIAL UTILITY TRENCH - 18" DIA. PER FOR
---	PERMIT	---	RESIDENTIAL UTILITY TRENCH - 12" DIA. PER FOR
---	RECORD	---	RESIDENTIAL UTILITY TRENCH - 6" DIA. PER FOR
---	CONSTRUCTION	---	RESIDENTIAL UTILITY TRENCH - 18" DIA. PER FOR
---	PERMIT	---	RESIDENTIAL UTILITY TRENCH - 12" DIA. PER FOR
---	RECORD	---	RESIDENTIAL UTILITY TRENCH - 6" DIA. PER FOR
---	CONSTRUCTION	---	RESIDENTIAL UTILITY TRENCH - 18" DIA. PER FOR
---	PERMIT	---	RESIDENTIAL UTILITY TRENCH - 12" DIA. PER FOR
---	RECORD	---	RESIDENTIAL UTILITY TRENCH - 6" DIA. PER FOR
---	CONSTRUCTION	---	RESIDENTIAL UTILITY TRENCH - 18" DIA. PER FOR

ABBREVIATIONS

DI	DIAMETER	NOT QUANTITY PAST
EA	EACH	NOT QUANTITY PAST
FT	FOOT	NOT QUANTITY PAST
IN	INCH	NOT QUANTITY PAST
AS	AS SHOWN	NOT QUANTITY PAST
BY	BY	NOT QUANTITY PAST
TO	TO	NOT QUANTITY PAST
UN	UNITS	NOT QUANTITY PAST
UP	UP	NOT QUANTITY PAST
LN	LINE	NOT QUANTITY PAST
PT	POINT	NOT QUANTITY PAST
PR	PER	NOT QUANTITY PAST
PL	PLANS	NOT QUANTITY PAST
PLN	PLAN	NOT QUANTITY PAST
SEC	SECTION	NOT QUANTITY PAST
SI	SIDE	NOT QUANTITY PAST
ST	STRAIN	NOT QUANTITY PAST
STR	STRAIN	NOT QUANTITY PAST
STR	STRAIN	NOT QUANTITY PAST
STR	STRAIN	NOT QUANTITY PAST
STR	STRAIN	NOT QUANTITY PAST
STR	STRAIN	NOT QUANTITY PAST
STR	STRAIN	NOT QUANTITY PAST

DRAWING ISSUED FOR:

- CONCEPT
- CONSTRUCTION
- PERMIT
- RECORD

THIS DRAWING HAS BEEN REVIEWED FOR CONSTRUCTION PERMITTING AND SHALL BE USED BY THE CONTRACTOR AS A GUIDE ONLY. ALL DIMENSIONS AND NOTES SHALL BE REFERENCED TO THE DRAWING AND SHALL BE USED AS A GUIDE ONLY. ALL DIMENSIONS AND NOTES SHALL BE REFERENCED TO THE DRAWING AND SHALL BE USED AS A GUIDE ONLY. ALL DIMENSIONS AND NOTES SHALL BE REFERENCED TO THE DRAWING AND SHALL BE USED AS A GUIDE ONLY.

PREPARED FOR:
LITTLETON COUNTY ROAD
HAVENWOOD, MA 02451

DATE: MAY 2022 JOB 18108C

ENGINEERING, PLANNING & ARCHITECTURE
30 WILSON STREET, SUITE 300, HAVENWOOD, MA 02451
(508) 861-1000
www.gprinc.com

**RESIDENTIAL DEVELOPMENT
NOTICE OF INTENT
UTILITY PLAN**

178 LITTLETON COUNTY ROAD
HAVENWOOD, MA

DRAFT
HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
JUNE 2, 2022

1
2
3
4
5
6 Acting Chair Wendy Sisson called the meeting to order at 7:03pm, virtually, pursuant to Chapter 22 of the
7 Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of
8 Emergency, and signed into law on February 15, 2022, under MGL Chapter 131 §40 Wetland Protection
9 Act and Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw

10
11 **Members Present:** Paul Willard, Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and
12 Eve Wittenberg (Associate Member)

13
14 **Others Present:** Liz Allard (Land Use Boards Administrator/Conservation Agent), Jim Lee (Harvard
15 Conservation Trust), Bruce Ringwall (GPR, Inc.), Carol Hanlon, Richard Fellows, Greg Roy (Dilis & Roy Civil
16 Design Group), Greg Fiori, Carolyn Porter, Libby Levison, Wendy Gendron (Aquatic Restoration Consulting,
17 LLC), Brian Cook (Planning Board liaison to the Commission), Carl Sciple, The Bilodeau's and Jessie Panek
18

19 **Executive Session with Harvard Conservation Trust**

20 On a motion made by Jaye Waldron and seconded by Joanne Ward the Conservation went into executive
21 session with a member of the Harvard Conservation Trust to discuss the purchase, exchange, lease or
22 value of real property because a public discussion of this matter could have detrimental effects on the
23 negotiating position, only to return to the open session of the public meeting. The vote was unanimously
24 in favor of the motion by a roll call, Paul Willard, aye; Wendy Sisson, aye; Jaye Waldron, aye; Joanne
25 Ward, aye; Jim Burns, aye; and Mark Shaw, aye. (Paul Willard joined the meeting during the executive
26 session)

27
28 At the end of the executive session a motion was made by Jaye Waldron and seconded by Joanne Ward to
29 return to the open session of the public meeting. The vote was unanimously in favor of the motion by a
30 roll call, Paul Willard, aye; Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; and
31 Mark Shaw, aye.

32
33 **Request for Determination of Applicability Hearing – Richard Fellows, 328 Still River Road,**
34 **Harvard#0522-01.** Opened at 7:35pm.

35
36 **Notice of Intent Hearing – Christine DeGuglielmo, 37 Pine Ridge Drive, Harvard#0522-02.** Opened at
37 7:55pm.

38
39 **Request for Determination of Applicability Hearing - Girl Scouts of Central & Western Massachusetts,**
40 **Inc., 69 Still River Road, Harvard#0522-03.** Opened at 8:18pm.

41
42 **Notice of Intent – Luciano Mangarella, 175 Littleton County Road, Harvard#0522-04.** Opened at 8:28pm.

43
44 **Bare Hill Pond Watershed Management Committee Update – Algal Bloom**

45 Bruce Leicher, chair of the Bare Hill Pond watershed Management Committee, along with Wendy
46 Gendron, of Aquatic Restoration Consulting, LLC, were present to discuss with the Commission the
47 potential of allowing the Committee to run the pump at Bare Hill Pond in an effort to avoid an algal bloom
48 this summer. By running the pump at a low speed (15Hz) it would draw the water that would normally
49 follow over the dam. The loading of phosphorus at the bottom of the pond is a trigger for algal blooms.
50 Mr. Leicher is suggesting the pump be turned on in late June and allowed to run for about six weeks to
51 remove some of the anoxia water. The Committee will monitor the level of the pond along with the
52 temperature of the water to make sure there are no changes. Mr. Leicher is confident this will work and

53 can be allowed under the current Order of Conditions for the draw downs, which is for the reduction of
54 invasives plant species and nutrients.

55
56 Wendy Gendron explained the layers of lake water during the different seasons. Iron, that in typical
57 conditions is released into the water instead of binding to phosphorus, is causing more phosphorus for
58 the algae. Ms. Gendron detailed the options available to assist in the potential avoidance of an algal
59 bloom. Those options include dredging, oxygenation, phosphorus inactivation or selective withdrawal,
60 with selective withdrawal being the recommended option.

61
62 Wendy Sisson asked about any potential downstream impacts. Ms. Gendron stated the selective
63 withdrawal of water from the pond will result on a small amount of phosphorus being flushed through a
64 large path of wetlands. Paul Willard asked if there were to be extended periods of rain would there be
65 more pumping necessary to achieve this goal. Mr. Leicher stated the goal is not to increase the speed of
66 the pump in order to maintain no effect to the downstream wetland.

67
68 The Commission was agreeable the request in theory and is willing to approve a formal written request
69 detailing the process, including timeframes. Mr. Leicher will provide that information for approval at the
70 next meeting of the Commission.

71
72 **Discuss Recommendations for Vacancy on the Conservation Commission**

73 With Eve Wittenberg expressing interest in being appointed to replace the seat being vacated by Wendy
74 Sisson, Paul Willard made a motion to recommend to the Select Board the appointment of Eve
75 Wittenberg as a voting member of the Commission. Jaye Waldron seconded the motion. The vote was
76 unanimously in favor of the motion by a roll call, Paul Willard; aye; Wendy Sisson, aye; Jaye Waldron, aye;
77 Joanne Ward, aye; Jim Burns, aye; and Mark Shaw, aye.

78
79 After both Eve Wittenberg and Wendy Sisson advocated for Dan Tracey to be recommend to the Select
80 Board for the associate member seat, Paul Willard made a motion to recommend John Iacomini to the
81 associate member seat. Jaye Waldron seconded the motion. The vote was 5-1 in favor of the motion by a
82 roll call, Paul Willard; aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; Mark Shaw, aye; and
83 Wendy Sisson, nay.

84
85 **Discuss Japanese Knotweed on Harvard's Roadside & Town-Owned Land**

86 Wendy Sisson stated Japanese Knotweed continues to expand along the roadways and wetlands including
87 conservation land. Currently the only management of this invasive is mowing by the Department of
88 Public Works (DPW) for line-of-sight safety. The DPW Director, Tim Kilhart, has stated a plan developed
89 for the management of invasives needs to be completed town-wide as opposed to a site-by-site plan.
90 However, is it Ms. Sisson's impression that if you focus on a single invasive you do not have to a town-
91 wide plan. Ms. Sisson suggested the Commission write a letter to the Select Board detailing the spread of
92 this invasive and how it will become an issue for the Town if it is not dealt with. Ms. Sisson further
93 suggest the DPW be the lead on this effort as is affecting more roadways.

94
95 Libby Levison suggested the Harvard Press and the public be made aware of this issue. Jessie Panek was
96 grateful the Commission was talking about this and that is critical the Town address this issue sooner
97 rather than later.

98
99 Ms. Sisson will draft a letter for review by the Commission at the next meeting.

100
101 **Approve Minutes**

102 Jim Burns made a motion to approve the minutes of April 4 and May 19 as amended. Jaye Waldron
103 seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul Willard; aye;
104 Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; and Mark Shaw, aye.

105

106 **Approve Invoices**
107 Jim Burns made a motion to approve the invoice for Bare Hill Pond Homeowners Association \$200.00.
108 Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul
109 Willard; aye; Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; and Mark Shaw,
110 aye.

111
112 **Pine Hill Village Update**
113 Liz Allard stated she is continuing to gather the appropriate information detailing the outstanding items
114 on the site.

115
116 **Wetland Violation Update – 41 Pinnacle Road**
117 Liz Allard stated the property owner has indicated she is trying to schedule Matthew S. Marro,
118 Environmental Consulting from Leominster for the delineation of the wetland.

119
120 **Adjournment**
121 Mark Shaw made a motion to adjourn the meeting at 9:49pm. Paul Willard seconded the motion. The
122 vote was unanimously in favor of the motion by a roll call, Paul Willard; aye; Wendy Sisson, aye; Jaye
123 Waldron, aye; Joanne Ward, aye; Jim Burns, aye; and Mark Shaw, aye.

124
125 Respectfully submitted,

126
127
128 Liz Allard,
129 Land Use Administrator/
130 Conservation Agent

131
132 **EXHIBITS & OTHER DOCUMENTS**

- 133
134 • Conservation Commission Agenda, dated June 2, 2022
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158

159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211

Harvard Conservation Commission
Request for Determination of Applicability Hearing
Richard Fellows, 328 Still River Road, Harvard#0522-01
June 2, 2022

The public hearing was opened at 7:35pm by Acting Chair Wendy Sisson under MGL Chapter 131 §40 Wetland Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw virtually, pursuant to Chapter 22 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on February 15, 2022.

Members Present: Paul Willard, Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and Eve Wittenberg (Associate Member)

Others Present: Liz Allard (Land Use Administrator/Conservation Agent) and Richard Fellows

This hearing is for a Request for Determination of Applicability filed on behalf of Richard Fellows for the restoration of an open meadow and removal of invasive plants within the 100' wetland buffer zone at 328 Still River Road, Harvard.

Richard fellows stated after discussing his proposed project with Wendy Sisson he understands that what he wants to do would be a multi-year project. The area in question is so over grown that it is difficult to access. The wetland area is part of the Oxbow Wildlife Refuge. Mr. Fellows intent is to clear the area of invasives and other undesirable vegetation which would allow him the ability to access the area as he did when he first developed the property. Ms. Sisson has suggested he engage a wetland scientist to delineate the wetland to determine where the proposed work will take place. Jaye Waldron asked if the intent was to clear all of the trees. Mr. Fellows stated it was not; just seeking access to the area.

With a wetland delineation necessary to determine what could potential be done on the site, Jim Burns made a motion to continue the hearing to July 7, 2022 at 7:30pm. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul Willard; aye; Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; and Mark Shaw, aye.

Respectfully submitted,

Liz Allard,
Land Use Administrator/
Conservation Agent

212 **Harvard Conservation Commission**
213 **Notice of Intent Hearing**
214 **Christine DeGuglielmo, 37 Pine Ridge Drive, Harvard#0522-02**
215 **June 2, 2022**
216

217 The public hearing was opened at 7:55pm by Acting Chair Wendy Sisson under MGL Chapter 131 §40
218 Wetland Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw
219 virtually, pursuant to Chapter 22 of the Acts of 2022, An Act Relative to Extending Certain COVID-19
220 Measures Adopted during the State of Emergency, and signed into law on February 15, 2022.
221

222 **Members Present:** Paul Willard, Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and
223 Eve Wittenberg (Associate Member)
224

225 **Others Present:** Liz Allard (Land Use Administrator/Conservation Agent) and Greg Roy (Dillis & Roy Civil
226 Design Group)
227

228 This hearing is for a Notice of Intent filed on behalf of Christine DeGuglielmo for the removal and
229 reconstruction of a single-family dwelling within the 200' wetland buffer zone of Bare Hill Pond at
230 37 Pine Ridge Drive, Harvard.
231

232 Greg Roy, of Dillis & Roy Civil Design Group, detailed the property and proposed plan to remove the
233 existing structure and rebuild within the same footprint. The plan details a walking path to the pond that
234 will not require the removal of any trees to do so, just saplings. The plan does show the removal of three
235 trees, 2 oaks and 1 hemlock, to allow for a deck on the pond side of the structure. The driveway will
236 remain the same and the septic system was recently upgraded. An application is before the Zoning Board
237 of Appeals (ZBA) as a pre-existing non-conforming structure, with the public hearing opening later this
238 month. Comments and a file number have not yet been received from the Department of Environmental
239 Protection (DEP).
240

241 Liz Allard request additional language pertaining to the require inspections for the erosion control barrier
242 be added to the plan. The comments provided by the Bare Hill Pond Watershed Management Committee
243 (BHPWMC) were discussed. With no proposed change in drainage patterns Mr. Roy did not see a need to
244 include a rain garden on the site. In regards to the walking path the Commission would like to see a
245 meandering path as opposed to the proposed. Mr. Roy noted that depending on whether or not ledge is
246 encountered during construction will determine if the structure will have a full basement or a crawl space.
247 Mr. Roy also noted the structure is intended for seasonal use.
248

249 Wendy Sisson asked about the comment from BHPWMC pertaining to the septic system. Mr. Roy
250 explained new septic systems do not require a Title V inspection within the first two years. The capacity
251 has been limited to one-bedroom by the Board of Health, which is intended to be maintained.
252

253 Wanting to know what the ZBA has to say about the application and without comments from DEP or a file
254 number, Mr. Roy agreed to continue the hearing.
255

256 Paul Willard made a motion to continue the hearing to July 7, 2022 at 7:35pm. Jim Burns seconded the
257 motion. The vote was unanimously in favor of the motion by a roll call, Paul Willard; aye; Wendy Sisson,
258 aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; and Mark Shaw, aye.
259

260 Respectfully submitted,
261

262
263 Liz Allard,
264 Land Use Administrator/Conservation Agent

Harvard Conservation Commission
Request for Determination of Applicability Hearing
Girl Scouts of Central & Western Massachusetts, Inc.,
69 Still River Road, Harvard#0522-03
June 2, 2022

The public hearing was opened at 8:18pm by Acting Chair Wendy Sisson under MGL Chapter 131 §40 Wetland Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw virtually, pursuant to Chapter 22 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on February 15, 2022.

Members Present: Paul Willard, Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and Eve Wittenberg (Associate Member)

Others Present: Liz Allard (Land Use Administrator/Conservation Agent) and Carolyn Porter

This hearing is for a Request for Determination of Applicability Hearing filed on behalf of the Girl Scouts of Central & Western Massachusetts, Inc., for the installation of a changing room within 200' of Bare Hill Pond 69 Still River Road, Harvard.

Carolyn Porter, a representative from the Girl Scouts of Central & Western Massachusetts, Inc., apologized to the Commission for moving forward with this project without the proper permits. There has been no work since being notified an application was necessary. The changing room will be a simple construction of decking and walls on posts with an opened air top. The location is within 200' of Bare Hill Pond, but outside the 75' no structure buffer zone. Liz Allard has reviewed the site and recommended a Negative #2 Determination be issued.

Without confirmation of notification to the abutters Jim Burns made a motion to continue the hearing to June 16, 2022 at 7:25pm. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul Willard; aye; Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; and Mark Shaw, aye.

Respectfully submitted,

Liz Allard,
Land Use Administrator/
Conservation Agent

318 **Harvard Conservation Commission**
319 **Notice of Intent Hearing**
320 **Luciano Manganella, 175 Littleton County Road, Harvard#0522-04**
321 **June 2, 2022**

322
323 The public hearing was opened at 8:28pm by Acting Chair Wendy Sisson under MGL Chapter 131 §40
324 Wetland Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw
325 virtually, pursuant to Chapter 22 of the Acts of 2022, An Act Relative to Extending Certain COVID-19
326 Measures Adopted during the State of Emergency, and signed into law on February 15, 2022.

327
328 **Members Present:** Paul Willard, Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and
329 Eve Wittenberg (Associate Member)

330
331 **Others Present:** Liz Allard (Land Use Administrator/Conservation Agent) and Bruce Ringwall (GPR, Inc.)

332
333 This hearing is for a Notice of Intent filed on behalf of Luciano Manganella for the replacement of the
334 existing 12" culvert with an 18" culvert, including the reconstruction of the gravel crossing, and the
335 installation of utility connections to the single-family residence within the wetland resource area and its
336 associated buffer zone at 175 Littleton County Road, Harvard.

337
338 Brice Ringwall, of GPR, Inc., explained the site contractor had gone ahead with the installation of the new
339 culvert and utilities line before the existing Order of Conditions (OOC) were amended by this Commission.
340 That amendment request has been withdrawn and this application serves to satisfy the Enforcement
341 Order issued for this unpermitted activity. Liz Allard noted that although the previously requested
342 amendment to the OOC for the installation of utilities within the resource area and the buffer zone was to
343 be conducted for and on the property at 175 Littleton County Road, the culvert is actually located on 171
344 Littleton County Road, which is also owned by Mr. Manganella. The legal notice only stated 175 Littleton
345 County Road. Therefore, a new notice will need to be advertised at the applicant's expense.

346
347 With that said Jim Burns made a motion to continue the hearing to June 16, 2022 at 7:45pm. Jaye
348 Waldron seconded the motion The vote was unanimously in favor of the motion by a roll call, Paul
349 Willard; aye; Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; and Mark Shaw,
350 aye.

351
352 Respectfully submitted,

353
354
355 Liz Allard,
356 Land Use Administrator/
357 Conservation Agent
358
359

DRAFT
HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
JUNE 2, 2022

1
2
3
4
5
6 Acting Chair Wendy Sisson called the meeting to order at 7:03pm, virtually, pursuant to Chapter 22 of the
7 Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of
8 Emergency, and signed into law on February 15, 2022, under MGL Chapter 131 §40 Wetland Protection
9 Act and Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw

10
11 **Members Present:** Paul Willard, Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and
12 Eve Wittenberg (Associate Member)

13
14 **Others Present:** Liz Allard (Land Use Boards Administrator/Conservation Agent), Jim Lee (Harvard
15 Conservation Trust), Bruce Ringwall (GPR, Inc.), Carol Hanlon, Richard Fellows, Greg Roy (Dilis & Roy Civil
16 Design Group), Greg Fiori, Carolyn Porter, Libby Levison, Wendy Gendron (Aquatic Restoration Consulting,
17 LLC), Brian Cook (Planning Board liaison to the Commission), Carl Sciple, The Bilodeau's and Jessie Panek
18

19 **Executive Session with Harvard Conservation Trust**

20 On a motion made by Jaye Waldron and seconded by Joanne Ward the Conservation went into executive
21 session with a member of the Harvard Conservation Trust to discuss the purchase, exchange, lease or
22 value of real property because a public discussion of this matter could have detrimental effects on the
23 negotiating position, only to return to the open session of the public meeting. The vote was unanimously
24 in favor of the motion by a roll call, Paul Willard, aye; Wendy Sisson, aye; Jaye Waldron, aye; Joanne
25 Ward, aye; Jim Burns, aye; and Mark Shaw, aye. (Paul Willard joined the meeting during the executive
26 session)

27
28 At the end of the executive session a motion was made by Jaye Waldron and seconded by Joanne Ward to
29 return to the open session of the public meeting. The vote was unanimously in favor of the motion by a
30 roll call, Paul Willard, aye; Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; and
31 Mark Shaw, aye.

32
33 **Request for Determination of Applicability Hearing – Richard Fellows, 328 Still River Road,**
34 **Harvard#0522-01.** Opened at 7:35pm.

35
36 **Notice of Intent Hearing – Christine DeGuglielmo, 37 Pine Ridge Drive, Harvard#0522-02.** Opened at
37 7:55pm.

38
39 **Request for Determination of Applicability Hearing - Girl Scouts of Central & Western Massachusetts,**
40 **Inc., 69 Still River Road, Harvard#0522-03.** Opened at 8:18pm.

41
42 **Notice of Intent – Luciano Manganella, 175 Littleton County Road, Harvard#0522-04.** Opened at 8:28pm.

43
44 **Bare Hill Pond Watershed Management Committee Update – Algal Bloom**

45 Bruce Leicher, chair of the Bare Hill Pond watershed Management Committee, along with Wendy
46 Gendron, of Aquatic Restoration Consulting, LLC, were present to discuss with the Commission the
47 potential of allowing the Committee to run the pump at Bare Hill Pond in an effort to avoid an algal bloom
48 this summer. By running the pump at a low speed (15Hz) it would draw the water that would normally
49 follow over the dam. The loading of phosphorus at the bottom of the pond is a trigger for algal blooms.
50 Mr. Leicher is suggesting the pump be turned on in late June and allowed to run for about six weeks to
51 remove some of the anoxia water. The Committee will monitor the level of the pond along with the
52 temperature of the water to make sure there are no changes. Mr. Leicher is confident this will work and

53 can be allowed under the current Order of Conditions for the draw downs, which is for the reduction of
54 invasives plant species and nutrients.

55
56 Wendy Gendron explained the layers of lake water during the different seasons. Iron, that in typical
57 conditions is released into the water instead of binding to phosphorus, is causing more phosphorus for
58 the algae. Ms. Gendron detailed the options available to assist in the potential avoidance of an algal
59 bloom. Those options include dredging, oxygenation, phosphorus inactivation or selective withdrawal,
60 with selective withdrawal being the recommended option.

61
62 Wendy Sisson asked about any potential downstream impacts. Ms. Gendron stated the selective
63 withdrawal of water from the pond will result on a small amount of phosphorus being flushed through a
64 large path of wetlands. Paul Willard asked if there were to be extended periods of rain would there be
65 more pumping necessary to achieve this goal. Mr. Leicher stated the goal is not to increase the speed of
66 the pump in order to maintain no effect to the downstream wetland.

67
68 The Commission was agreeable the request in theory and is willing to approve a formal written request
69 detailing the process, including timeframes. Mr. Leicher will provide that information for approval at the
70 next meeting of the Commission.

71
72 **Discuss Recommendations for Vacancy on the Conservation Commission**

73 With Eve Wittenberg expressing interest in being appointed to replace the seat being vacated by Wendy
74 Sisson, Paul Willard made a motion to recommend to the Select Board the appointment of Eve
75 Wittenberg as a voting member of the Commission. Jaye Waldron seconded the motion. The vote was
76 unanimously in favor of the motion by a roll call, Paul Willard; aye; Wendy Sisson, aye; Jaye Waldron, aye;
77 Joanne Ward, aye; Jim Burns, aye; and Mark Shaw, aye.

78
79 After both Eve Wittenberg and Wendy Sisson advocated for Dan Tracey to be recommend to the Select
80 Board for the associate member seat, Paul Willard made a motion to recommend John Iacomini to the
81 associate member seat. Jaye Waldron seconded the motion. The vote was 5-1 in favor of the motion by a
82 roll call, Paul Willard; aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; Mark Shaw, aye; and
83 Wendy Sisson, nay.

84
85 **Discuss Japanese Knotweed on Harvard's Roadside & Town-Owned Land**

86 Wendy Sisson stated Japanese Knotweed continues to expand along the roadways and wetlands including
87 conservation land. Currently the only management of this invasive is mowing by the Department of
88 Public Works (DPW) for line-of-sight safety. The DPW Director, Tim Kilhart, has stated a plan developed
89 for the management of invasives needs to be completed town-wide as opposed to a site-by-site plan.
90 However, is it Ms. Sisson's impression that if you focus on a single invasive you do not have to a town-
91 wide plan. Ms. Sisson suggested the Commission write a letter to the Select Board detailing the spread of
92 this invasive and how it will become an issue for the Town if it is not dealt with. Ms. Sisson further
93 suggest the DPW be the lead on this effort as is affecting more roadways.

94
95 Libby Levison suggested the Harvard Press and the public be made aware of this issue. Jessie Panek was
96 grateful the Commission was talking about this and that is critical the Town address this issue sooner
97 rather than later.

98
99 Ms. Sisson will draft a letter for review by the Commission at the next meeting.

100
101 **Approve Minutes**

102 Jim Burns made a motion to approve the minutes of April 4 and May 19 as amended. Jaye Waldron
103 seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul Willard; aye;
104 Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; and Mark Shaw, aye.

105

106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158

Approve Invoices

Jim Burns made a motion to approve the invoice for Bare Hill Pond Homeowners Association \$200.00. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul Willard; aye; Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; and Mark Shaw, aye.

Pine Hill Village Update

Liz Allard stated she is continuing to gather the appropriate information detailing the outstanding items on the site.

Wetland Violation Update – 41 Pinnacle Road

Liz Allard stated the property owner has indicated she is trying to schedule Matthew S. Marro, Environmental Consulting from Leominster for the delineation of the wetland.

Adjournment

Mark Shaw made a motion to adjourn the meeting at 9:49pm. Paul Willard seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul Willard; aye; Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; and Mark Shaw, aye.

Respectfully submitted,

Liz Allard,
Land Use Administrator/
Conservation Agent

EXHIBITS & OTHER DOCUMENTS

- Conservation Commission Agenda, dated June 2, 2022

Harvard Conservation Commission
Request for Determination of Applicability Hearing
Richard Fellows, 328 Still River Road, Harvard#0522-01
June 2, 2022

The public hearing was opened at 7:35pm by Acting Chair Wendy Sisson under MGL Chapter 131 §40 Wetland Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw virtually, pursuant to Chapter 22 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on February 15, 2022.

Members Present: Paul Willard, Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and Eve Wittenberg (Associate Member)

Others Present: Liz Allard (Land Use Administrator/Conservation Agent) and Richard Fellows

This hearing is for a Request for Determination of Applicability filed on behalf of Richard Fellows for the restoration of an open meadow and removal of invasive plants within the 100' wetland buffer zone at 328 Still River Road, Harvard.

Richard fellows stated after discussing his proposed project with Wendy Sisson he understands that what he wants to do would be a multi-year project. The area in question is so over grown that it is difficult to access. The wetland area is part of the Oxbow Wildlife Refuge. Mr. Fellows intent is to clear the area of invasives and other undesirable vegetation which would allow him the ability to access the area as he did when he first developed the property. Ms. Sisson has suggested he engage a wetland scientist to delineate the wetland to determine where the proposed work will take place. Jaye Waldron asked if the intent was to clear all of the trees. Mr. Fellows stated it was not; just seeking access to the area.

With a wetland delineation necessary to determine what could potential be done on the site, Jim Burns made a motion to continue the hearing to July 7, 2022 at 7:30pm. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul Willard; aye; Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; and Mark Shaw, aye.

Respectfully submitted,

Liz Allard,
Land Use Administrator/
Conservation Agent

Harvard Conservation Commission
Notice of Intent Hearing
Christine DeGuglielmo, 37 Pine Ridge Drive, Harvard#0522-02
June 2, 2022

The public hearing was opened at 7:55pm by Acting Chair Wendy Sisson under MGL Chapter 131 §40 Wetland Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw virtually, pursuant to Chapter 22 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on February 15, 2022.

Members Present: Paul Willard, Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and Eve Wittenberg (Associate Member)

Others Present: Liz Allard (Land Use Administrator/Conservation Agent) and Greg Roy (Dillis & Roy Civil Design Group)

This hearing is for a Notice of Intent filed on behalf of Christine DeGuglielmo for the removal and reconstruction of a single-family dwelling within the 200' wetland buffer zone of Bare Hill Pond at 37 Pine Ridge Drive, Harvard.

Greg Roy, of Dillis & Roy Civil Design Group, detailed the property and proposed plan to remove the existing structure and rebuild within the same footprint. The plan details a walking path to the pond that will not require the removal of any trees to do so, just saplings. The plan does show the removal of three trees, 2 oaks and 1 hemlock, to allow for a deck on the pond side of the structure. The driveway will remain the same and the septic system was recently upgraded. An application is before the Zoning Board of Appeals (ZBA) as a pre-existing non-conforming structure, with the public hearing opening later this month. Comments and a file number have not yet been received from the Department of Environmental Protection (DEP).

Liz Allard request additional language pertaining to the require inspections for the erosion control barrier be added to the plan. The comments provided by the Bare Hill Pond Watershed Management Committee (BHPWMC) were discussed. With no proposed change in drainage patterns Mr. Roy did not see a need to include a rain garden on the site. In regards to the walking path the Commission would like to see a meandering path as opposed to the proposed. Mr. Roy noted that depending on whether or not ledge is encountered during construction will determine if the structure will have a full basement or a crawl space. Mr. Roy also noted the structure is intended for seasonal use.

Wendy Sisson asked about the comment from BHPWMC pertaining to the septic system. Mr. Roy explained new septic systems do not require a Title V inspection within the first two years. The capacity has been limited to one-bedroom by the Board of Health, which is intended to be maintained.

Wanting to know what the ZBA has to say about the application and without comments from DEP or a file number, Mr. Roy agreed to continue the hearing.

Paul Willard made a motion to continue the hearing to July 7, 2022 at 7:35pm. Jim Burns seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul Willard; aye; Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; and Mark Shaw, aye.

Respectfully submitted,

Liz Allard,
Land Use Administrator/Conservation Agent

**Harvard Conservation Commission
Request for Determination of Applicability Hearing
Girl Scouts of Central & Western Massachusetts, Inc.,
69 Still River Road, Harvard#0522-03
June 2, 2022**

The public hearing was opened at 8:18pm by Acting Chair Wendy Sisson under MGL Chapter 131 §40 Wetland Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw virtually, pursuant to Chapter 22 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on February 15, 2022.

Members Present: Paul Willard, Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and Eve Wittenberg (Associate Member)

Others Present: Liz Allard (Land Use Administrator/Conservation Agent) and Carolyn Porter

This hearing is for a Request for Determination of Applicability Hearing filed on behalf of the Girl Scouts of Central & Western Massachusetts, Inc., for the installation of a changing room within 200' of Bare Hill Pond 69 Still River Road, Harvard.

Carolyn Porter, a representative from the Girl Scouts of Central & Western Massachusetts, Inc., apologized to the Commission for moving forward with this project without the proper permits. There has been no work since being notified an application was necessary. The changing room will be a simple construction of decking and walls on posts with an opened air top. The location is within 200' of Bare Hill Pond, but outside the 75' no structure buffer zone. Liz Allard has reviewed the site and recommended a Negative #2 Determination be issued.

Without confirmation of notification to the abutters Jim Burns made a motion to continue the hearing to June 16, 2022 at 7:25pm. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul Willard; aye; Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; and Mark Shaw, aye.

Respectfully submitted,

Liz Allard,
Land Use Administrator/
Conservation Agent

318 **Harvard Conservation Commission**
319 **Notice of Intent Hearing**
320 **Luciano Manganella, 175 Littleton County Road, Harvard#0522-04**
321 **June 2, 2022**

322
323 The public hearing was opened at 8:28pm by Acting Chair Wendy Sisson under MGL Chapter 131 §40
324 Wetland Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw
325 virtually, pursuant to Chapter 22 of the Acts of 2022, An Act Relative to Extending Certain COVID-19
326 Measures Adopted during the State of Emergency, and signed into law on February 15, 2022.

327
328 **Members Present:** Paul Willard, Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and
329 Eve Wittenberg (Associate Member)

330
331 **Others Present:** Liz Allard (Land Use Administrator/Conservation Agent) and Bruce Ringwall (GPR, Inc.)

332
333 This hearing is for a Notice of Intent filed on behalf of Luciano Manganella for the replacement of the
334 existing 12" culvert with an 18" culvert, including the reconstruction of the gravel crossing, and the
335 installation of utility connections to the single-family residence within the wetland resource area and its
336 associated buffer zone at 175 Littleton County Road, Harvard.

337
338 Brice Ringwall, of GPR, Inc., explained the site contractor had gone ahead with the installation of the new
339 culvert and utilities line before the existing Order of Conditions (OOC) were amended by this Commission.
340 That amendment request has been withdrawn and this application serves to satisfy the Enforcement
341 Order issued for this unpermitted activity. Liz Allard noted that although the previously requested
342 amendment to the OOC for the installation of utilities within the resource area and the buffer zone was to
343 be conducted for and on the property at 175 Littleton County Road, the culvert is actually located on 171
344 Littleton County Road, which is also owned by Mr. Manganella. The legal notice only stated 175 Littleton
345 County Road. Therefore, a new notice will need to be advertised at the applicant's expense.

346
347 With that said Jim Burns made a motion to continue the hearing to June 16, 2022 at 7:45pm. Jaye
348 Waldron seconded the motion The vote was unanimously in favor of the motion by a roll call, Paul
349 Willard; aye; Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; and Mark Shaw,
350 aye.

351
352 Respectfully submitted,

353
354
355 Liz Allard,
356 Land Use Administrator/
357 Conservation Agent

