

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
JULY 2, 2020
APPROVED: AUGUST 6, 2020**

Acting Chair Wendy Sisson 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: Wendy Sisson, Paul Willard, Jaye Waldron, Joanne Ward and Jim Burns

Others Present: Liz Allard (Land Use Boards Administrator/Conservation Agent), Mark Lavallee (GPR, Inc.), Bruce Ringwall (GPR, Inc.), Kelvin Wiebe, Eve Wittenberg and Dan Daley

Driveway Easement for 98 Shaker Road

At the request of the property owner's attorney this discussion has been rescheduled to the August 6, 2020 meeting.

Deer Management Subcommittee – Confirmation of Lands Approved for Bow Hunting

With a limited number of members present this evening this discussion was rescheduled to the July 16, 2020 meeting.

Update on Pine Hill Village Stow Road

Liz Allard stated two of the dwellings in the Pine Bank neighborhood have been framed; the constructed wetland ledge has been broken up slightly; and additional infrastructure was installed within the constructed wetland. The Commission's decision to require the foundation drains be connected into the drainage system and shown on the final as-built plan has been sent to Peter Cricones. A discussion with the outgoing Building Commissioner, Gabe Vellante, should be had in order to be on the same page when it comes to activity within 100' of the wetland resource area. Ms. Allard will follow up with Mr. Vellante.

Ms. Sisson would like Nitsch Engineering to be reminded that the Commission is seeking from them any deviations of construction sequence or the Order of Conditions, along with any recommendations Nitsch may have for those deviations. In addition, if the constructed wetland is only acting as a sedimentation basin currently, then when will it be completed? Members agreed as the oversight engineer Nitsch should be bring any and all deviations to the attention of the Commission.

Ms. Sisson was on the site today with Ms. Allard, at which she expressed concerns with the flow of water toward the wetland from the back of the dwellings in the Pine Bank neighborhood. Currently the area is covered with a hard pack of various fill; once covered with loam will the proper elevations be obtained. Ms. Allard will discuss this with Nitsch Engineering.

Approve Minutes – May 21, and June 4, 2020

Minutes were unavailable for approval.

Approve Invoices

- Turner Lane Association \$250.00
- Harvard Press \$96.00
- Harvard Press \$96.00
- MACC \$897.00
- Bare Hill Landscaping \$3,975.00

Joanne Ward made a motion to approve the above mentioned invoices. Jim Burns seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul Willard, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; and Wendy Sisson, aye.

Notice of Intent Hearing – Harvard Department of Public Works, Scott Road just before Harris Lane, Harvard#0620-02. Opened at 7:35pm.

Notice of Intent Hearing – Kelvin & Charlene Wiebe, 162 East Bare Hill Road, Harvard#0620-03. Opened at 7:46pm.

Continuation of a Notice of Intent Hearing, Harvard#0620-01, Nathan Bailey, 131 Bolton Road. Opened at 8:16pm.

Adjournment

Jim Burns made a motion to adjourn the meeting at 8:18pm. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul Willard, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; and Wendy Sisson, aye.

Respectfully submitted,

Liz Allard,
Land Use Administrator/
Conservation Agent

EXHIBITS & OTHER DOCUMENTS

- Conservation Commission Agenda, dated July 2, 2020
- Subsurface Sewage Disposal System Upgrade – Site Plan and Flow Profile, 162 East Bare Hill Road, Harvard, MA prepared for Kelvin & Charlene Wiebe, Job Mo. 201028, prepared by GPR, Inc., dated June 2020

**Harvard Conservation Commission
Notice of Intent Hearing Minutes
Harvard Department of Public Works, Harvard#0620-02,
Scott Road just before Harris Lane
July 2, 2020**

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 in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A §20.

Members Present: Wendy Sisson, Jaye Waldron, Joanne Ward and Jim Burns

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

This hearing is for a Notice of Intent filed on behalf of Harvard Department of Public Works for the replacement of an existing culvert within a wetland resource area along Scott Road just before Harris Lane, Harvard.

After receiving comments from the Department of Environmental Protection stating as designed the project does not meet performance standards for 310 CMR 10.54(4). Culvert replacements should be filed under 310 CMR 10.53(8)a and an analysis of the replacement should demonstrate that it meets the Massachusetts Stream Crossing Standards to the maximum extent practicable. DEP has requested a revised Notice of Intent, narrative, and updated plans to reflect a design that demonstratively meets the Stream Crossing Standards under 310 CMR 10.53(8)a. Therefore Tim Kilhart, Director of the Department of Public Works, has requested the hearing be continued to July 16, 2020 at 7:45pm.

Jim Burns made a motion to continue the hearing to July 16, 2020 at 7:45pm. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul Willard, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; and Wendy Sisson, aye.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

**Harvard Conservation Commission
Notice of Intent Hearing Minutes
Kelvin & Charlene Wiebe, 162 East Bare Hill Road,
Harvard#0620-03
July 2, 2020**

The public hearing was opened at 7:46pm 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 in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A §20.

Members Present: Wendy Sisson, Jaye Waldron, Joanne Ward and Jim Burns

Others Present: Liz Allard (Land Use Administrator/Conservation Agent), Mark Lavallee and Kelvin Wiebe

This hearing is for a Notice of Intent filed on behalf of Kelvin & Charlene Wiebe for the construction of an addition, new well and the pumping and filling of an existing cess pool all within 100' of a wetland resource area at 162 East Bare Hill Road, Harvard.

Mark Lavallee, of GPR, Inc., was present to represent the applicant, Kelvin Wiebe, who was also present. Mr. Lavallee detailed the property with an existing dwelling, barn, cess pool and well. The existing well is within the wetland boundary. The work within the 100' wetland buffer zone includes the installation of a new well, abandoning the cess pool, and an addition to the existing dwelling. As mentioned at the site walk Mr. Wiebe is seeking to use the existing well for irrigation. In addition, there is a large patch of bitter sweet and multi-flora rose between the 50' and 75' buffer zones, which the applicant would like to remove. Members agreed invasives could be removed and replanted with native plantings, with guidance from the Conservation Agent, to include the installation of the protected wetland signage along the 50' buffer zone line. Overall the site was well reviewed by the Conservation Agent prior to the filing of the Notice of Intent, simplifying the process for the Commissioners.

Although the Commission had no further comments, a file number has not been received by the Department of Environmental Protection; therefore Jim Burns made a motion to continue the hearing to July 16, 2020 at 7:25pm. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul Willard, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; and Wendy Sisson, aye.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

**Harvard Conservation Commission
Continuation of a Notice of Intent Hearing Minutes
Nathan Bailey, 131 Bolton Road,
DEP#177-687, Harvard#0620-01
July 2, 2020**

The public hearing was opened at 8:15pm 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 in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A §20.

Members Present: Wendy Sisson, Jaye Waldron, Joanne Ward and Jim Burns

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

This hearing was continued from June 18, 2020 for a Notice of Intent filed on behalf of Nathan Bailey for the restoration of disturbed wetland and buffer zone areas, the completion of walkway and patio to provide access to the existing house within the 100' wetland buffer zone at 131 Bolton Road, Harvard.

At the request of the applicant's representative Jaye Waldron made a motion to continue this hearing to July 16, 2020 at 7:30pm. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul Willard, aye Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; and Wendy Sisson, aye.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent