

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
JUNE 3, 2021
APPROVED: OCTOBER 14, 2021**

Chair Don Ritchie called the meeting to order at 7:02pm, 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 (7:15pm), Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns (7:20pm) and Eve Wittenberg (Associate Member)

Others Present: Liz Allard (Land Use Boards Administrator/Conservation Agent), Carol Hoffman, Jason Cole, Rebecca Dilthey, Stevie Carvalio (Farland Corp.), Bruce Ringwall (GPR, Inc.), Gigi Saltonstall (G2 Collaborative), Kristiina Sorensen and Pat Nato (G2 Collaborative).

Discuss Haskell Land Management

Wendy Sisson explained she and Rob Traver had a good meeting with the Natural Resources Conservation Services (NRCS) recently, at which advice was provided on how funding can be applied for by a private farmer to restore areas such as the Haskell land. Ms. Sisson and Mr. Traver sought advice from NRCS about growing pasture grasses where Paul Willard had been growing squash & pumpkins. NRCS has suggested the existing cover crop of buckwheat should be tilled in at end of the year and then plant a winter rye or oat in the fall. This provides a good base for whatever you are planning on growing.

Ms. Sisson explained the current licensee of the Haskell land, Rob Duzan, has sold the cows and fencing; his plans for the future are not clear. Mr. Traver will plant the buckwheat; Ms. Sisson is recommending the Commission pay \$400.00 for the seed. Mr. Traver would also like funding for gas to run the tractor. Ms. Sisson stated this could be a pilot project to demonstrate sustainability of crop land. In addition, pollinator type plants could be planted along the edge of the field.

Ms. Sisson stated to date the Commission has not received the license fee of \$350.00 from Mr. Duzan; due to expenses, Mr. Duzan was not using the entire field, Ms. Sisson is requesting the annual license fee be reduced to \$125.00. Mr. Traver is willing to take on the license for FY2022, which would allow for funding from NRCS; NRSC will not provide funding to a municipality. Paul Willard made mention of another proposal on the table. Ms. Sisson explained the Land Stewardship Subcommittee has spent a considerable amount of time to work with NRSC to get to this point to now pivot in a different direction would end up losing the momentum toward rehabbing the field. NRCS has recommended that it is best to get the organics into the soil this year and determine its best use next year. Mr. Willard stated buckwheat is not good for honey bees, stating there are other options to the buckwheat.

After discussing and clarifying that the recommended amount is \$400.00 and not the previously mentioned \$350.00, Wendy Sisson made a motion to allocate \$400.00 for seed, other than buckwheat, for the Haskell land, and gas for the equipment to prepare and plant the Haskell field. Jim Burns seconded the motion. The vote was 5-1 in favor of the motion by a roll call, Paul Willard, nay; Wendy Sisson, aye, Jaye Waldron, aye; Jim Burns, aye; and Don Ritchie, aye.

Continuation of a Notice of Intent Hearing – Harvard Department of Public Works, DEP#177-704, Harvard#0321-04. Opened at 7:27pm

Request for Determination of Applicability Hearing –Rebecca Dilthey, 124 Depot Road Harvard#0521-01. Opened at 7:30pm

Continuation of a Notice of Intent Hearing - of Alma Gregory & Kristiina Sorensen, 23 Peninsula Road, DEP#177-703, Harvard#0421-03. Opened at 7:45pm

Discuss Letter Received from Jason Cole re: Deer Management Report

Eve Wittenberg expressed her feelings in regard to how Jason Cole has treated her as a member of the Commission, how his actions towards her have been inappropriate and it needs to stop. Wendy Sisson has drafted a response letter to Mr. Cole's letter, which has not yet been seen by all of the Commission members. Ms. Sisson explained the report provided by Ms. Wittenberg to the Commission earlier this year was her interpretation of the hunter's log data. The Commission did not accept Ms. Wittenberg's report, which still remains as a draft document for the Commission's information. In her letter Ms. Sisson explains the discrepancies in deer pellets surveys. Ms. Sisson stated the point is that the Commission supports Ms. Wittenberg as a member of the Commission. Ms. Sisson also in turn thanked Mr. Cole for all of the research he has done for deer management. Joanne Ward thinks the letter drafted by Ms. Sisson is very good and explains the situation well. Jim Burns made a motion to send the response letter to Jason Cole as drafted by Wendy Sisson. 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; and Don Ritchie, aye.

Jason Cole stated he was sorry for the drama. Mr. Cole noted the relationship between the Commission and Deer Management Subcommittee is not well, which he hopes he has not added to that. In regard to the spreadsheet and the numbers that he believes have been altered, Mr. Cole feels by not including data and changing numbers crosses the line for a Commission member. Mr. Cole hopes things can approve all around.

Jaye Waldron asked if the Commission would be receiving a report from the Deer Management Subcommittee (DMS) similar to the one prepared by Ms. Wittenberg. As Mr. Cole is no longer a member of DMS he was unable to answer that question.

Request for a Certificate of Compliance – 94 Tahanto Trail, Harvard#1112-03

Jim Burns made a motion to issue a Certificate of Compliance for 94 Tahanto Trail, Harvard#1112-03. 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 Don Ritchie, aye.

Approve Minutes

Paul Willard made a motion to approve the minutes of January 7, 2021 as amended. 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 Don Ritchie, aye.

Pump Bike Track Proposal – Pond Road

With so many unanswered questions about the proposed pump bike track along Pond Road, Wendy Sisson wondered why the Commission is the only group in Town that has concerns. Ms. Sisson believes a proposal such as this deserves some Town discussion. Don Ritchie had reviewed the site with Bob O'Shea, chair of the Parks & Recreation Commission, and determined the proposal is not within the jurisdiction of the Conservation Commission. Mr. O'Shea has offered to swap the Conservation's Stone land on Old Mill Road with the land on Pond Road for this track. Ms. Sisson thinks that may be suitable, but when there was discussion of swapping land for other purposes it did not go well with the Town a few years ago. Jim Burns thinks there are better places in Town in which the pump track could be located and perhaps not the Stone land. Mr. Burns, an avid bike rider himself, is very familiar with these types of facilities, adding that it should be located in a place where an ambulance can get in and a helicopter can land.

Wetland Violations:

- 96 Ayer Road – Awaiting Request for Determination of Applicability
- 71 Lancaster County Road – Awaiting Request for Determination of Applicability

- 232 Still River Road – The Conservation Agent has received communication from the land owner and has spoken with State Forester, Laura Dooley, who will conduct a site inspection tomorrow or Monday, with a follow-up with the Agent.
- 28 Shaker Road – Awaiting Notice of Intent
- 193 Old Littleton Road –Awaiting Request for Determination of Applicability
- Peninsula Road – Conservation Agent has not had an opportunity to investigate this violation as of yet

Update on Pine Hill Village Stow Road

The requested as-built plan to-date has been received; Don Ritchie will review the plan for accuracy. Wendy Sisson noted Japanese knotweed has been located on the site near the entrance and should addressed before it takes over the entire site.

Adjournment

Jim Burns made a motion to adjourn the meeting at 9:42pm. 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 Don Ritchie, aye.

Respectfully submitted,

Liz Allard,
Land Use Administrator/
Conservation Agent

EXHIBITS & OTHER DOCUMENTS

- Conservation Commission Agenda, dated May 20, 2021

**Harvard Conservation Commission
Continuation of a Notice of Intent Hearing
Department of Public Works,
Old Mill Road, DEP#177-704, Harvard#0321-04
June 3, 2021**

The public hearing was opened at 7:27pm 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, Joanne Ward, Jim Burns and Eve Wittenberg (Associate Member)

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

This hearing was continued from May 20, 2021 for a Notice of Intent filed on behalf of Harvard's Department of Public Works to replace traffic safety features and minor patching along the substructure within the resource area and its 100' riverfront area at the bridge crossing of Bower's Brook between 6 and 22 Old Mill Road, Harvard.

The Department of Environmental Protection file number has been received with no comments.

Jaye Waldron made a motion to close the hearing and issue a standard Order of Conditions. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion by a roll call, Wendy Sisson, aye, Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; and Don Ritchie, aye.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

**Harvard Conservation Commission
Request for Determination of Applicability
Rebecca Dilthey, 124 Depot Road Harvard#0521-01
June 3, 2021**

The public hearing was opened at 7:30pm 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, Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns and Eve Wittenberg (Associate Member)

Others Present: Liz Allard (Land Use Administrator/Conservation Agent), Rebecca Dilthey and Stevie Carvalio (Farland Corp.),

This hearing is for a Request for Determination of Applicability filed on behalf of Rebecca Dilthey for the expansion of an existing deck within the 100' buffer zone of a wetland resource at 124 Depot Road, Harvard.

Stevie Carvalio, from Farland Corp., stated the existing deck will be expanded to bring it in line with the existing corner of the house by expanding it by ten feet; the deck depth will also be expanded by four feet, bringing it closer to the wetland resource area. The area in which the activity is proposed is existing lawn. The Commission conducted a site walk earlier this week at which they noticed extensive wetness within the lawn area, which may indicate the wetland actually extends into the lawn area. The Commission requested additional soil borings be conducted within the lawn area between wetland flags 7 and 14.

Paul Willard made a motion to continue the hearing to June 17, 2021 at 7:30pm. 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 Don Ritchie, aye.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

**Harvard Conservation Commission
Continuation of a Notice of Intent Hearing
Alma Gregory & Kristiina Sorensen,
23 Peninsula Road, DEP#177-703, Harvard#0421-03
June 3, 2021**

The public hearing was opened at 7:45pm 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, Joanne Ward, Jim Burns and Eve Wittenberg (Associate Member)

Others Present: Liz Allard (Land Use Administrator/Conservation Agent), Carol Hoffman, Bruce Ringwall (GPR, Inc.), Gigi Saltonstall (G2 Collaborative), Kristiina Sorensen and Pat Nato (G2 Collaborative).

This hearing was continued from May 20, 2020 on a Notice of Intent filed on behalf of Alma Gregory & Kristiina Sorensen for the replacement of existing steps and railings with new stairs and deck platform, the addition of boulder steps, stone pavers, landscape walls, new landscaping throughout, extension of an existing shed, removal of nine trees and replacing the existing dock with a bigger prefab pier structure at 23 Peninsula Road, Harvard.

Bruce Ringwall, of GPR, Inc., stated revisions made to the plan include the agreement on the trees that are allowed to be removed as shown on the Site Preparation plan prepared by G2 Collaborative. The erosion control has been revised and a note added to the plan to remove debris behind the shed. Notes on the G2 Collaborative plan, including language about pruning at the water's edge, were reviewed, along with the comments from the Department of Environmental Protection. The trimming of the maple tree will be reviewed at the same time the vista pruning is reviewed. Wendy Sisson suggested not using hay scented fern as it tends to take over, especially in sites like this. Gigi Saltonstall stated it could be swapped out with another fern.

Wendy Sisson made a motion to close the hearing and issue an Order of Conditions with the added special condition that the removal of the lower limb of the 18" maple tree shall be determined by the Conservation Agent and/or a member of the Commission. Jim Burns seconded the motion. The vote was unanimously in favor of the motion by a roll call, Wendy Sisson, aye, Jaye Waldron, aye; Jim Burns, aye; Joanne Ward, aye; and Don Ritchie, aye.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent