

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING**

February 1, 2007

Chairman Paul Willard called the meeting to order 7:00pm at pm in the Town Hall Meeting Room.

Members Present: Paul Willard, Wendy Sisson, Charlie Gorss, Don Ritchie, Otto Solbrig, George Watkins and George Moberly (Associate Member)

Others Present: Steve Rowse, Robert Porter, George Morton, Michele Girard, Lucy Wallace, Brad Taylor, Keith Cheveralls, Jack Guswa, William McCurdy, Lisa Karanikolas, George Dimakarakos (Stamski & McNary), Gerry Welch (MHOC), Adam Costa, Dan Provencher (Provencher Engineering), Kathy Fricchione, Anthony Marolda, John Drummey, Chris Tracey, Crystal Burek, Josh, Burek, Phil Campaigne and Terry Gensel (Ross Assoc.)

ZBA Request – MHOC, 15 Littleton Road

The ZBA has requested comments from the Commission in regards to a Chapter 40B application before them. Paul Willard recommended members review the site prior to making any comments on the project. Members will review the site and make recommendations at the next meeting.

Woodside Road Land Purchase

Members have looked at the site available for purchase on Woodside Road. They would like to see a plan with the wetland flags on it before making a decision to purchase the property. Until they know the total area of wetlands on the property they do not know how much to offer for the property.

Land Stewardship Committee Update

Steve Rowse was present to update the Commission on the Land Stewardship Committee. An annual report was submitted for the Town's annual report. Mr. Rowse reviewed the report with the members.

At one time the Committee was developing a plan of management of the entire Town owned Conservation Land. At the Commission's request the Committee decided to focus on a few of the many parcels owned by Conservation. Preliminary goals were established for each of the chosen properties.

In an attempt to get things going the Committee solicited Antioch for an intern to obtain some free help. This effort has not turned up anyone. A member of the Committee knows some individuals who they could get for fairly short money. Pam Durrant, another member of the Committee, was able to obtain some wildlife resource trackers who will walk the parcels and see what types of animals are walking around out there. A group in town began a bird survey last year. They got rained out last year. They are going to try again this year.

It is the Committee's goal to have this data done by July 4th. Mr. Rowse believes by then they will have enough information to develop goals and strategies for the parcels. The goal is to develop a final plan by the end of the year.

Notice of Intent Hearing – Stephen Porter, Lot 10B-17 West Bare Hill Road, DEP#177-532, Harvard#107-3. Opened at 7:30pm

Notice of Intent Hearing – Massachusetts Housing Opportunity Corporation, 262/264 Ayer Road, DEP#177-530, Harvard# 1206-2. Opened at 8:00pm

Continuation of Amendments to the Rules and Regulations for the Administration of the Harvard Wetland Bylaw Hearing. Opened at 8:35pm

Preliminary Review – Josh & Crystal Burek, Cleaves Hill Road (Map 18 Parcel 46.2)

Crystal Burek explained to the members her and her husband are looking at purchasing a piece of property in Town, but would like to know the limitations of the parcel before making an offer. A plan was developed a few years ago that places the house within five to ten feet of the reserve area for the abutting properties septic system. The Burek's would like to push the house further back on the site making it closer to the wetland.

The Burek's questioned the removal of dead white ash within the buffer zone. They were informed any work within the buffer zone would require a filing with the Commission. A vegetated management plan would be needed to determine the work that would be done. Paul Willard explained this is a tuff sight from an engineering point of view. Wendy Sisson stated anything within the wetlands we would be hard press to allow the removal of. Mr. Willard added the site has been for sale for a long time because it is a difficult site and the Burek's should weigh all of the options available before making an offer.

Conservation Restrictions – Dean's Hill, Locke, Hosking Point and Stone Land

Wendy Sisson reported to the members that progress is being made on getting the information together need for the Conservation Restrictions of the above mentioned properties.

Extension Permit – Pachyderm Contracting, Old Mill Road, DEP#177-449/450/451

Don Ritchie made a motion to issue Extension Orders for Lots 1, 2 & 3 Old Mill Road for one year. George Watkins seconded the motion. The vote was unanimously in favor of the motion.

Adjournment

Otto Solbrig made a motion to adjourn the meeting at 9:20pm. Charlie Gorss seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard, Administrative Assistant

Harvard Conservation Commission
Notice of Intent Hearing Meeting Minutes
Stephen Porter, Lot 10B-17 West Bare Hill Road, DEP#177-532, Harvard#107-3
February 1, 2007

The public hearing was opened at 7:30pm by Chairman Paul Willard under the Massachusetts Wetland Protection Act, Ch. 131 §40 and the Harvard Wetlands Bylaw.

Members Present: Paul Willard, Wendy Sisson, Charlie Gorss, Don Ritchie, Otto Solbrig, George Watkins and George Moberly (Associate Member)

Others Present: Michele Girard, Terry Gensel (Ross Associates) and Robert Porter

This hearing is for a Notice of Intent filed on behalf of Stephen Porter for the construction of a single-family house within the 100' wetland buffer zone on Lot 10B-17 West Bare Hill Road, Harvard.

Terry Gensel submitted revised plans, which were requested after a discussion at the site walk on Monday, January 29th. Mr. Gensel explained invasive species on the edge of the 100' buffer zone will be removed. Charlie Gorss asked if the reserve area for the septic system was in two sections. Mr. Gensel stated yes due to the set backs. Mr. Gensel further explained stone retaining walls will be used. Paul Willard asked what the closest distance is to the wetlands. Mr. Gensel stated about 76' from the house, from the walls about 56' and from the wall to the septic system grading limit will be 102'. Mr. Willard asked if it would make sense to put silt fence around the septic system outside the buffer zone. Mr. Gensel suggested wrapping the erosion barrier to the stone wall and to the 75' contour.

Mr. Gensel explained the applicant would like to remove trees within the buffer zone that are dead or dying along with several others to be able to have a view. The trees that are staying have been flagged and the hillside is ash of various sizes, maples and cherries. Otto Solbrig stated he is not happy with the removal of trees within the buffer zone just to establish a view, this is not acceptable. Some of the members agreed the dead trees would be suitable for removal. Wendy Sission was not on the site walk, but stated even dead tree are valuable habitat. George Watkins stated most of these ashes were of a diameter that would not make for good habitat. Mr. Willard stated the area is predominantly dying ash trees. Ms. Sisson stated the plan of work seems to be perfect for a difficult site, by keeping the buffer zone preserved as much as possible and keeping the grading outside the buffer zone as well, but I can not see clearing for a view. Mr. Solbrig still does not see a good reason to change his opinion on cutting within the buffer zone for a view. Charlie Gorss noted this subject is not part of the filing, it is just for discussion. Mr. Gensel explained this was not determined on the plan because we wanted to see how it would be accepted. Michele Girard suggested a vegetated management plan.

Mr. Willard suggested that Don Ritchie and Wendy Sisson review the site before making a decision. Mr. Watkins stated it was discussed on the site walk of just removing the ash trees that are not contributing to ground cover. Mr. Solbrig stated if anything is going to be allowed he would like to see a little bit more information. Ms. Sisson stated if the view is the priority here then you may want to re-evaluate the location of the house. Robert Porter, the brother of the Applicant, explained the reserve area for the septic system limited the location of the house.

The Commission requested a vegetated management plan be submitted for their review. Don Ritchie made a motion to continue the hearing until February 15th at 7:30pm. Wendy Sisson seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Administrative Assistant

Harvard Conservation Commission
Continuation of a Notice of Intent Hearing Meeting Minutes
Massachusetts Housing Opportunity Corporation, 262/264 Ayer Road,
DEP#177-530 Harvard #1206-2
January 18, 2007

The public hearing was opened at 8:00pm by Chairman Paul Willard under the Massachusetts Wetland Protection Act, Ch. 131 §40

Members Present: Paul Willard, Wendy Sisson, Don Ritchie, Charlie Gorss, Otto Solbrig, George Watkins and George Moberly (Associate Member)

Others Present: George Morton, Michele Girard, Lucy Wallace, Brad Taylor, Keith Cheveralls, Jack Guswa, William McCurdy, Lisa Karanikolas, George Dimakarakos (Stamski & McNary), Gerry Welch (MHOC), Adam Costa, Dan Provencher (Provencher Engineering), Kathy Fricchione, Anthony Marolda and John Drummey

This hearing was continued from January 18, 2007 on a Notice of Intent filed on behalf of Massachusetts Housing Opportunity Corporation for site preparation, well installation and pump testing within the bordering vegetated wetland at 262/264 Ayer Road, Harvard.

Dan Provencher explained the impacts to the surrounding wells in regards to recharge of the well. Mr. Provencher reviewed the letter he submitted to the Commission on January 24th to address this issue. The water is all being recharged from the septic system so this is all a moot point. Mr. Provencher stated they are not going to be affecting the water in the region. Paul Willard asked what the confidence level is with obtaining water from this well. Due to the capacity needed, Mr. Provencher is confident they will get the proper yield.

George Dimakarakos stated after discussions with DEP it has been determined that more information will be needed in order to go forward. Mr. Dimakarakos understands he needs to document the constraints that have pushed them into the wetlands with the well. Mr. Willard stated DEP has asked they look into an alternative conventional system and comment on why that can not be used. Mr. Dimakarakos is aware of that and will get us those comments. Mr. Dimakarakos also agrees the Commission should have the entire project before them for their review rather than a piece meal the project.

Mr. Willard informed the public of the items DEP has recommended the Commission obtain before finalizing the plan. Wendy Sisson further explained putting the well within the wetlands is the last option.

John Drummey asked if DEP had any comments on the building within the buffer zone. It was explained the plan filed with DEP was for the well only and not the entire project. Michele Girard asked where things stand with the ZBA. Chris Tracey, the Chairman of the ZBA was present, he stated the ZBA is still hearing this application and it looks as if it will be closed within the next 30 – 60 days. Mr. Tracey added there are still wetland

and septic system issue that the ZBA is aware of. Mrs. Girard asked about the commercial use within the 40B projects. She added if the storm water is associated with the wetland then it would be your scope. Mr. Tracey explained the commercial portion of the project is allowed as a matter right and is not specifically a part of the 40B application.

Lucy Wallace commented on Mr. Willard's statement in regards to a conventional treatment system, what type is DEP recommending. Mr. Willard stated a small package treatment system. Mr. Willard further explained the law requires the applicant show why they need to do what they are proposing and why it is where it is, cost is not a factor.

Mr. Drummey asked what the criteria is that DEP uses that allows them to put the well within the wetland area, is there a profit margin in there that DEP takes a look at when reviewing. George Watkins thinks the term they use is a reasonable feasible alternative. Mr. Tracey explained the pro forma has not occurred as of yet. Mr. Tracey added in order for the numbers to work they would have to get the seller to reduce the price of the land to make it feasible for the buyer. Mr. Willard stated the Commission will rely on DEP for an answer to that issue. Mrs. Girard suggested when the Commission receives the revised application they may want to have an independent review of the application to determine some of these issues.

George Watkins made a motion to continue the hearing until March 1st at 7:30pm. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Administrative Assistant

Harvard Conservation Commission
Continuation of Amendments to the Rules and Regulations for the Administration
of the Harvard Wetland Bylaw Meeting Minutes
February 1, 2007

The public hearing was opened at 8:35pm by Chairman Paul Willard under the Massachusetts Wetland Protection Act M.G.L. ch. 131 §40 and the Harvard Wetlands Bylaw.

Members Present: Paul Willard, Wendy Sisson, Don Ritchie, Charlie Gorss and Otto Solbrig.

Others Present: Liz Allard

This hearing was continued from January 22, 2007 for Amendments to the Rules and Regulations for the Administration of the Harvard Wetland Bylaw.

Otto Solbrig informed the member he had made small changes and sent them to Jim Breslauer which has been incorporated. Wendy Sisson suggested the Commission look at cutting down on the amount of paper we get. Paul Willard suggested getting the opinion of some of our usual representatives. Ms. Sisson suggested receiving two full copies of the application and plan and a narrative and plan for the members. Charlie Gorss added they could print on both sides of the paper.

George Watkins stated the regulations still do not address ANRAD's. Ms. Sisson stated the section on replicating wetlands is very detailed, she suggested scaling it down and working out from there. Mr. Watkins stated the technical data for plans maybe a bit to much. Mr. Willard asked if the Commission decided on how to address the vernal pool setbacks. Mr. Solbrig stated he had made some suggestions which have been incorporated into the plan for a 100' setback.

George Watkins made a motion to continue the hearing until February 15, 2007 at 8:00pm. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Administrative Assistant