

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
March 1, 2007**

Chairman Paul Willard called the meeting to order 7:08pm at pm in the Town Hall Meeting Room.

Members Present: Paul Willard, Wendy Sisson, Jim Breslauer, Charlie Gorss, Don Ritchie, Otto Solbrig and George Watkins

Others Present: William McCurdy, Kathy Fricchione, Gerry Welch (MHOC), David Crossman (B&C Assoc.), Adam Costa, George Dimakarakos (Stamski & McNary), Paula Johnson, Anne Ferguson, Mike Molinao, Meg Bagdonas, John Drummey, Stanley Murphy, Vicary Maxant, Lucy Wallace (Board of Selectmen), Keith Cheveralls, Terry Gensel (Ross Assoc.) and Jim O'Brien.

Park & Recreation Commission – Septic System at Public Beach

Goldsmith, Prest and Ringwall have been in contact with the Commission to determine what type of application they should submit for the installation of the septic system at the Town beach. The system will be located 130 feet from the edge of Bare Hill Pond. The members agreed a Notice of Intent under the Bylaw will need to be applied for.

Minutes

Don Ritchie made a motion to accept the minutes of November 2, 2006 as amended. Otto Solbrig seconded the motion. The vote was unanimously in favor of the motion.

Jim Breslauer made a motion to accept the minutes of February 15, 2007 as amended. George Watkins seconded the motion. The vote was unanimously in favor of the motion.

ZBA Request

The ZBA has asked for comments to several projects in front of them. As to a Comprehensive Permit filed on behalf of MHOC at 15 Littleton Road, the Commission would caution them about run off and the steepness of the slope. As to a Special Permit filed on behalf of Scott Hayward and Deborah Suave, at 5 Elm Street, the Commission had no comments. As to a Special Permit filed on behalf of Richard and Roxanne Mace at 38 Peninsula Road, the Commission will send a copy of the recently amended Order of Conditions.

Continuation of a Notice of Intent Hearing – Massachusetts Housing Opportunities Corporation, 262/264 Ayer Road, DEP#177-530, Harvard#1206-2. Opened at 7:30pm

Notice of Intent Hearing – Jim O'Brien, Lot 102 Prospect Hill Road, DEP#177-533, Harvard#207-1. Opened at 8:06pm

Amendments to the Rules and Regulations for the Administration of the Harvard Wetland Bylaw Hearing. Opened at 8:30pm

Adjournment

George Watkins made a motion to adjourn the meeting at 8:45pm. 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 a Notice of Intent Hearing Meeting Minutes
Massachusetts Housing Opportunities Corporation, DEP#177-530, Harvard#1206-2
March 1, 2007

The public hearing was opened at 7:30pm by Chairman Paul Willard under the Massachusetts Wetland Protection Act, Ch. 131 S40.

Members Present: Paul Willard, Wendy Sisson, Jim Breslauer, Charlie Gorss, Don Ritchie, Otto Solbrig and George Watkins

Others Present: William McCurdy, Kathy Fricchione, George Dimakarakos (Stamski & McNary), Gerry Welch (MHOC), Adam Costa, David Crossman (B&C Assoc.), Paula Johnson, Anne Ferguson, Mike Molinao, Meg Bagdonas, John Drummey, Stanley Murphy, Vicary Maxant, Lucy Wallace (Board of Selectmen) and Keith Cheveralls

This hearing was continued from February 1, 2007 on a Notice of Intent filed on behalf of Massachusetts Housing Opportunities Corporation for the installation of a public water supply well within the bordering vegetated wetland at 262/264 Ayer Road, Harvard.

An alternative analysis was submitted by Stamski & McNary on February 28, 2007 which contained the preferred plan and two alternatives. George Dimakarakos, from Stamski & McNary, explained poor soils on the site have made it difficult to find a suitable location for the septic system. The detention basin is located at the lowest elevation of the project site. Alternative 1 contains three wells which makes the Zone 1 smaller, as long as the wells are fifty feet apart. This alternative calls for the movement of the sewage disposal system to the center of the property. The movement of the wells creates a reduction in the allowable sewage on the property. By reducing the sewage it would require reduction in the number of units or limiting commercial area to all retail. The septic system in this analysis would create a mounded system four feet higher than the preferred system. The soil absorption site would be moved to an area that contains two buildings on the preferred plan. These buildings would be relocated in Alternative 1 to the southerly portion of the site. This places the buildings closer to the abutters on Glenview Drive, along with additional impervious surface for the driveway. In addition increased fees would be required for maintaining the wells to the home owners.

Alternative 2 has a similar layout for the sewage disposal system as shown in the preferred plan, but utilizes three wells as in Alternative 1. This alternative has the same constraints for sewage flow and additional cost for maintaining the wells.

Mr. Dimakarakos noted there could be an additional alternative to build a 32 unit building in the middle of the project location. This would not be consistent with the goals of the Town for the Ayer Road Village area, nor would it be feasible from an economic perspective.

Jim Breslauer asked if Alternatives 1 & 2 would get the well outside the bordering vegetated wetland, but they would still be within the buffer zone. Mr. Dimakarakos stated yes and showed all three plans. Paul Willard asked if with the preferred plan there would be retail and commercial space, but not with the other two plans. Mr. Dimakarakos stated this was correct, the space would be limited to all retail. Wendy Sisson asked how many residential units are proposed on the preferred plan. She was informed there will be 32 units. Ms. Sisson asked what the reduction would be if either Alternative was developed. Mr. Dimakarakos stated two units would be reduced from two bedrooms to one bedroom. These would be the market rate units. Otto Solbrig asked about the difference between having commercial and retail space. Mr. Dimakarakos stated there are different design flows for commercial and retail. Both Ms. Sisson and Mr. Solbrig asked for additional information in regards to the required reduction in allowable sewage flow with the three well alternatives. Mr. Breslauer asked if the spaces within the commercial building were small could you have office space. Mr. Dimakarakos stated you could, but the building has been designed for a mix of uses. Don Ritchie asked if Mr. Dimakarakos was saying office space is more desirable. Mr. Dimakarakos stated it could be, but the applicant would like the Town to have more options.

Mr. Solbrig asked for more details on how the wells will be constructed within the buffer zone. Mr. Dimakarakos stated that information is not available since that is not our preferred plan.

Adam Costa submitted a letter for the Commission to review which addresses the financial impacts of selecting the alternatives. Meg Bagdonas asked if the northeast corner is where the retention pond is located and is the elevation of the lot driving the location of the retention pond. Mr. Dimakarakos explained the topography of the lot drives the location of the retention pond; which is the lowest point on the lot. Where the wells are located is higher than the retention pond by 2-3 feet. The retention pond can not be within Zone 1 for the wells. John Drummey asked why the pond has to be in that location. Mr. Dimakarakos stated the water will be gravity feed to the pond, so this is the only place it could be located due to the elevation. Mr. Drummey would like the wells and the pond locations reversed, which would remove the well from the bordering vegetated wetland and eliminate some of the fill and retaining wall for the retention pond

Mr. Willard stated the Commission will still need to hear from then Board of Health and the ZBA consultant before proceeding much further.

Otto Solbrig made a motion to continue the hearing to March 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

Harvard Conservation Commission
Notice of Intent Hearing Meeting Minutes
Jim O'Brien Lot 102 Prospect Hill Road, DEP#177-533, Harvard#207-1
March 1, 2007

The public hearing was opened at 8:06pm by Chairman Paul Willard under the Massachusetts Wetland Protection Act M.G.L. ch. 131 S40 and the Harvard Wetlands Bylaw.

Members Present: Paul Willard, Wendy Sisson, Jim Breslauer, Don Ritchie, Otto Solbrig and George Watkins

Others Present: Terry Gensel (Ross Assoc.) and Jim O'Brien.

This hearing is for a Notice of Intent filed on behalf of Jim O'Brien for a proposed house within the 100' wetland buffer zone at Lot 102 (46) Prospect Hill Road, Harvard.

Due to snow cover a site walk has not been conducted for this application. A previous Notice of Intent on the lot prior to its division was reviewed. The previous Notice of Intent and sub sequential Order of Conditions, DEP#177-502, was the result of an Enforcement Order. The previous plan and the current plan were compared to determine the no touch zone that had been established.

Don Ritchie asked if the house box is proposed at 100 feet long. Terry Gensel stated it is. Jim O'Brien stated the house would most likely not be that big. Wendy Sisson would recommend the house box be reduced to 80 feet, which would reduce the grading. The house is 74' from the wetland and the retaining wall will be 56'. The retaining wall will be made of boulders. Paul Willard asked where the application stands with Board of Health. Mr. O'Brien believes there would be an arsenic test performed before the permit was issued for the well. Also the Commission had asked the permit not be issued until they had an opportunity to discuss the previous Order of Conditions with Mr. O'Brien. As for the size of the house box, Mr. Gensel suggested it be conditioned that if the house is smaller than the 100' box shown on the plan, the reduction is taken off the wetland side of the building. Jim Breslauer added if any portion of the house is built within the buffer zone it will have to come back to the Commission to determine what will be done to remediate the drainage.

A site walk was scheduled for Monday March 5, 2007 at 5:00pm.

Jim Breslauer made a motion to continue the hearing until March 15, 2007 at 9:00pm. George Watkins seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,
Liz Allard, Administrative Assistant

**Harvard Conservation Commission
Amendments to the Rules and Regulations for the Administration of the Harvard
Wetland Bylaw Meeting Minutes
February 15, 2007**

The public hearing was opened at 8:30pm by Chairman Paul Willard under the Massachusetts Wetland Protection Act M.G.L. ch. 131 S40 and the Harvard Wetlands Bylaw.

Members Present: Paul Willard, Wendy Sisson, Jim Breslauer, Don Ritchie, Otto Solbrig and George Watkins

Others Present: Liz Allard

This hearing is for amendments to Chapter 147, the Wetland Protection Bylaw Rules.

Jim Breslauer found two omissions from the rules when the final version was approved. The Commission needs to amend Article IV to put the public hearing and appeals sections back in. Also Form E was changed to fill in the blank for the newspaper to bill the applicant directly.

Jim Breslauer made a motion to accept the amendments to Chapter 147 the Harvard Wetland Bylaw Regulations. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Administrative Assistant