

HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
April 19, 2007

Chairman Paul Willard called the meeting to order 7:04pm at pm in the Town Hall Meeting Room.

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

Others Present: Phil Knoettner, Terry Gensel (Ross Assoc.), Connie Larrabee, Larry Finnegan, Marie Finnegan, Pam Gordon, Jeff Tingle and Bruce Ringwall (GPR, Inc.)

Trail Keeper's Update

Phil Knoettner was present to update the Commission on the conditions of the Trails. Mr. Knoettner stated the Abbott Land has erosion due to horse traffic. The solution could be the Commission could write a letter to the horse owners in town asking them to be aware of trail conditions. If it is too wet, then they may not want to use the trails. Paul Willard suggested making use of the newly created Agricultural Commission; this would be something right up their alley. A letter should also be sent to the local papers expressing the concerns the Commission has with horse traffic on damp trails.

Mr. Knoettner informed the members the watering trough on Eastview needs to be cleaned up, there are trees growing in and around it. The Commission gave Mr. Knoettner permission to clean the watering trough.

Mr. Willard informed the members the Fire Department would like to go in the back of Eastview and remove some scrub trees. The Commission agreed this work was allowable.

Mr. Knoettner explained the Small Nature trail needs work. The Harvard Conservation Trust (HCT) has a work day set up for May 20th. Mr. Knoettner explained they are going to try and reuse as much of the wood as possible. They may need more material for the work, but Mr. Knoettner has not been able to determine how much more they will need as of yet. Mr. Knoettner stated they would be using pressure treated wood for the project. Jim Breslauer stated he had concerns with using pressure treated wood. Mr. Knoettner explained he has researched the subject and has some information in regards to this type of wood being used for boardwalks within the National Parks systems. Studies have shown there are no effects to the fauna from the pressure treated wood. Mr. Knoettner also explained there is a brook on this property in which a tree has fallen into and is causing flooding. George Richmond is willing to go in and remove the tree. The Commissioners agreed to allow Mr. Richmond to do so.

Mr. Knoettner stated the trails between Ryan's Land and Dean's Hill need a sign to determine the direction of trail. A sign can be made for \$35.00. The Commission agreed to allow Mr. Knoettner to get a sign for that purpose.

Notice of Intent Hearing – Bryce Larrabee, 15 Under Pin Hill Road, DEP#177-536, Harvard#407-1. Opened at 7:32pm

Continuation of a Request to Amend the Order of Conditions Hearing – Jeffery & Cynthia Tingle, 19 Tahanto Trail, DEP#177-475. Opened at 7:47pm

Continuation of a Notice of Intent Hearing – Colin Dangel, 9 Old Schoolhouse Road, DEP#177-534, Harvard#307-2. Opened at 8:10pm

Notice of Intent Hearing- Massachusetts Housing Opportunity Corporation, 15 Littleton Road, DEP#177-535, Harvard#307-1. Opened at 8:43pm

Notice of Intent Hearing – Town of Harvard, Park & Recreation Department, Pond Road, Harvard#407-2. Opened at 9:00pm

Election of Officers

Jim Breslauer made a motion to maintain the current officers, Paul Willard as Chairman, Wendy Sisson as Vice Chair and Don Ritchie as Treasure. George Watkins seconded the motion. The vote was unanimously in favor of the motion.

Minutes

Jim Breslauer made a motion to accept the minutes of April 5, 2007 as amended. Otto Solbrig seconded the motion. The vote was unanimously in favor of the motion.

ZBA Request

A request for comments has been received from the Zoning Board of Appeals for a Special Permit applications filed on behalf of Alice Schmidt at 58 Bolton Road. The Commission had no comments in regards to the application as submitted.

Planning Board Request

A request for comment has been received from the Planning Board for a Scenic Road Consent application filed on behalf of Theodore Shasta. The Commission had no comments in regards to this application as submitted.

Adjournment

Don Ritchie made a motion to adjourn the meeting at 9:15pm. George Watkins 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
Bryce Larrabee, 15 Under Pin Hill, DEP#177-536, Harvard#407-1
April 19, 2007**

The public hearing was opened at 7:32pm 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, Jim Breslauer, Charlie Gorss, Don Ritchie, Otto Solbrig and George Watkins

Others Present: Terry Gensel (Ross Assoc.) and Connie Larrabee

This hearing is for a Notice of Intent filed on behalf of Bryce Larrabee for a septic system replacement within the 100' wetland buffer zone 15 Under Pin Hill Road, Harvard.

A site walk was conducted on April 9, 2007. The first question the Commission had is where did the garage come from? Terry Gensel, from Ross Associates, has no idea when the garage was constructed. Connie Larrabee, the property owner, was present and stated a building permit was issued as well as approval from the ZBA. The ZBA file will need to be reviewed to determine what happen since this structure is clearly within the buffer zone. Mr. Gensel suggested revising the Notice of Intent to include the garage. The Commission agreed this solution would be acceptable. Otto Solbrig asked what the applicant intends to do with the driveway since the mound of the septic system will be in the middle of it. Also the entire driveway is not shown on the plan. Mr. Gensel stated he would create a better detail of the location of the driveway on the plan and speak with others in his office to determine how the septic mound will be in the middle of the driveway. Mrs. Larrabee stated she was informed the system would be only a couple of feet in height and they where told they would still be able to drive in that area. Jim Breslauer suggested the stonewall be repaired behind the garage to slow down the water into the wetlands.

Jim Breslauer made a motion to continue the hearing until May 17, 2007 at 7:30pm. George Watkins seconded the motion. The vote was unanimously in favor motion.

Respectfully submitted,

Liz Allard
Administrative Assistant

Harvard Conservation Commission
Continuation of a Request to Amend the Order of Conditions
Hearing Meeting Minutes
Jeffery & Cynthia Tingle, 19 Tahanto Trail, DEP#177-475
April 19, 2007

The public hearing was opened at 7:47pm by Chairman Paul Willard under the Massachusetts Wetland Protection Act, Ch. 131 §40 and the Harvard Wetlands Bylaw.

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

Others Present: Jeff Tingle, Larry Finnegan, Marie Finnegan and Bruce Ringwall (GPR, Inc.)

This hearing was continued from April 5, 2007 for a Request to Amend the Order of Conditions, DEP#177-475 filed on behalf of Jeffery & Cynthia Tingle for additional disturbance within the 100' wetland buffer zone at 19 Tahanto Trail, Harvard.

The hearing was continued from April 5, 2007 because abutter notification had not been completed. The notices have now been sent and confirmed. A letter from Joe Theriault, an abutter, approving the project was received for the file. Mr. Theriault suggested a culvert be placed under the driveway to help with flooding on abutting properties. Jeff Tingle stated he would be acceptable to a culvert being installed. Paul Willard explained the Commission would be looking for a structure that would be at an elevation that, in times of rain it would allow the over flow to drain rather than pool on the abutting property, but would not be at an elevation that would drain the wetlands in the absence of any overflow.

Bruce Ringwall explained the amendment was submitted for a change in location of the house, which has been moved away from the wetlands. The changes have been filed with the Board of Health. A plan showing a detail of the culvert will need to be submitted.

George Watkins made a motion to continue the hearing until May 3, 2007 at 8:30pm. Jim Breslauer 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
Colin Dangel, 9 Old Schoolhouse Road, DEP#177-534, Harvard#307-2
April 19, 2007

The public hearing was opened at 8:10pm by Chairman Paul Willard under the Massachusetts Wetland Protection Act, Ch. 131 §40 and the Harvard Wetlands Bylaw.

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

Others Present: Bruce Ringwall (GPR, Inc.) and Pam Gordon

This hearing was continued from April 5, 2007 for a Notice of Intent filed on behalf of Colin Dangel for the partial demolition of an existing single family dwelling and construction of a new addition within the existing footprint and associated landscaping within the 100' wetland buffer zone at 9 Old Schoolhouse Road, Harvard

Site Walk was conducted on April 17, 2007 with Paul Willard and Jim Breslauer. Mr. Ringwall explained the channel was running clean and clear with no sediment flowing into the pond. The mounds of earth that have come out of the channel have been piled up in some areas and distributed in others. On the site walk it was recommend a five foot no disturbance zone from the wetland line be established. The current owners are intending to keep the lawn areas the way they are. Mr. Ringwall explained in a previous Order of Conditions a stone spill way was created for the pond. Grass has been allowed to grow over it. It was suggested that in a dry time the area be reclaimed in order to allow the spillway to work properly and allow for the natural flow to occur. The leaf and lawn clippings within the wetland area will need to be removed during a dry time. It will not be the practice of the current owners to dump this type material in that area. Mr. Ringwall explained if piping was used for the water flow in the channel it would create a mound to get a pipe of the right size in there and would starve off the wetland further down the channel.

Pablo Carbonell, the contractor, has snaked the pipe that flows into the pond to try and determine where it is coming from as requested by the Commission. Mr. Carbonell snaked about 25' up the pipe which then bends and it was not determined where it goes. It was determined that during the excavation for the foundation if a pipe is found the Commission would be contacted in order for them to make a determination as to what can be done. A sediment basin would be created next to the pipe to allow for sediments to settle out and not flow into the pond while waiting for review and approval by the Commission. Stock piles will be left next to the construction area around the foundation area rather than being piled up next to the channel as previously noted on the plan.

Jim Breslauer made a motion to close the hearing and write an Order of Conditions with the following special conditions:

1. Both sides of the wetland trench, from the north east to south east, will be a no disturb zone, the owner will be responsible for maintaining the channel in its current state;
2. there will be no further expansion of the lawn area, granite posts will be installed approximately every 20 feet with 6 –9”above ground to delineate the limit of disturbance from approximately wetland flag 9 to flag 11;
3. tree debris within the wetland will be removed by hand;
4. the spillway on the southern portion of the pond will be restored to be maintained as the major exit point of the pond, a letter will be submitted to the Commission stating the final plan of action of this work;
5. the lawn debris and other organic matter on the southeast portion be taken out of the buffer zone by hand; and
6. if during excavation, the location of the pipe discharging into the pond is established, work in that area will stop except for the settling basin; notification to the Commission will be made within 24 hours in order to make a determination as to how to move forward.

George Watkins seconded the motion. The vote was unanimously in favor of the motion, with the exception of Charlie Gorss who was not present at the initial opening of this hearing.

Respectfully submitted,

Liz Allard
Administrative Assistant

**Harvard Conservation Commission
Notice of Intent Hearing Meeting Minutes
Massachusetts Housing Opportunities Corporation
15 Littleton Road, DEP#177-535, Harvard#307-1
April 19, 2007**

The public hearing was opened at 8:43pm 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, Charlie Gorss, Jim Breslauer, Don Ritchie, Otto Solbrig and George Watkins

Others Present: None

This hearing was continued from April 5, 2007 for a Notice of Intent filed on behalf of Massachusetts Housing Opportunity Corporation for site preparation including removal of vegetation, excavation and grading and construction of a stone retaining wall within the 100' wetland buffer zone at 15 Littleton Road, Harvard.

A letter was received by the representative requesting the hearing be continued until May 3, 2007. Don Ritchie made a motion to continue the hearing until May 3, 2007 at 8:00pm. Otto Solbrig 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
Town of Harvard, Park & Recreation Department,
Pond Road, Harvard#407-2
April 19, 2007**

The public hearing was opened at 9:00pm by Chairman Paul Willard under the Harvard Wetlands Bylaw, Chapter 119.

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

Others Present: Bruce Ringwall (GPR, Inc.)

This hearing is for a Notice of Intent filed on behalf of the Town of Harvard, Park & Recreation for the installation of a subsurface sewage disposal system within the 200' of Bare Hill Pond at the Town Beach on Pond Road, Harvard.

Bruce Ringwall explained to the members the Town Beach currently has a septic system that is in failure. A new system has been designed outside the 100' wetland buffer zone, which falls under the state Wetland Protection Act, but is within the 200' buffer zone, which falls under the Harvard Wetland Protection Bylaw. The closest points of disturbance will be 140'. Erosion and sedimentation controls have been shown on the plan. The design is for a Presby system, which will limit the size of the mound and the grading.

Don Ritchie made a motion to close the hearing and write a standard Order of Conditions. Otto Solbrig seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Administrative Assistant

