

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
June 21, 2007**

Chairman Paul Willard called the meeting to order at 7:06pm in the Town Hall Meeting Room.

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

Others Present: Liz Allard, Sean Hale (Ross Assoc.), Darrell & Willie Wickman, Keith Cheveralls, Vicary Maxant, Stanley Murphy, Gerald Welch (MHOC), Brad Taylor and George Dimakarakos (Stamski & McNary)

Review New Setbacks

Sean Hale, of Ross Associates, was present to discuss the setbacks as established by the regulations. Mr. Hale wants to know about areas that are already disturbed with such things as a driveway or lawn. Mr. Hale further explained his client would like to remove an already impervious area and replace it with a driveway. Paul Willard stated the site in question, Wilson on Still River Road, has wood chips within the buffer zone that needs to be removed. The Commission had an Enforcement Order on this property. The Order was to stabilize the bank with natural vegetation and stop the clearing and a Notice of Intent had been filed and ultimately denied. Jim Breslauer asked how close the proposed driveway will be to the edge of the wetlands. Mr. Hale stated forty-five (45) feet. Mr. Breslauer suggested trying to move it to fifty-one (51) feet so that it would be outside the setback.

Mr. Hale asked about setbacks when it comes to an existing structure within the seventy-five (75) feet, would an addition be allowed. The Commission stated it could be denied. Mr. Hale asked what about an area that is now lawn and had to have trees removed to be created. The Commission stated it would be dependent as to what is asked for.

50 Westcott Road – Emergency Certification

Wendy Sisson and Don Ritchie have both been out to the site prior to the meeting. Silt fence has not been put in place and needs to be done. George Watkins is going to visit the site tomorrow. Ms. Sisson stated she could not determine where the water was being discharged or if it was clean. Paul Willard asked the members to get out there over the weekend individually to review the site. Mr. Ritchie stated if the area is going to be seeded we should encourage it to be done soon.

Notice of Intent Hearing – Darrell & Willie Wickman, 27 Willow Road, Harvard#607-1. Opened at 7:32pm

Continuation of a Notice of Intent hearing – Massachusetts Housing Opportunities Corporation, 262/264 Ayer Road, DEP#177-538, Harvard#407-4. Opened at 8:02pm

Continuation of a Notice of Intent Hearing, Massachusetts Housing Opportunities Corporation, 15 Littleton Road, DEP#177-535, Harvard#307-1. Opened at 8:27pm

Review Hay Bale Silt Fence Requirements

The members agreed that Chapter 147, Wetlands Protection Bylaw Rules Article IX Preconstruction Requirements clearly shows erosion and sedimentation control barrier with both hay bales and silt fence, so other wise unless specified and approved by the Commission both are required on every site.

Adjournment

George Watkins made a motion to adjourn the meeting at 8:52pm. Jim Breslauer seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Administrative Assistant

**Harvard Conservation Commission
Notice of Intent Meeting Minutes
Darrell & Willie Wickman, 27 Willow Road, DEP#607-1
June 21, 2007**

The public hearing was opened at 7:32pm by Chairman Paul Willard under the Harvard Wetland Bylaw, Chapter 119 of the Code of the Town of Harvard

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

Others Present: Liz Allard, Sean Hale (Ross Assoc.), Darrell and Willie Wickman

This hearing is for a Notice of Intent filed on behalf of Darrell & Willie Wickman for the construction of a terrace, associated landscaping and fieldstone retaining wall within 200' of Bare Hill Pond at 27 Willow Road, Harvard.

Site walk took place on June 11th prompting revisions to the plan. The new plan was submitted. Paul Willard asked if there is any need for siltation barrier. Sean Hale stated there is one there now that runs on the southwest side of the property and he does not think any more were needed. Wendy Sisson asked that silt fence be installed when the walkway is installed. Jim Breslauer asked if a swale will be needed to help establish the bank. Darrell Wickman was asked what vegetation he is hoping to get in this area. Mr. Wickman would keep it as low growing vegetation making access easy. The stag horn sumac, burning bush, Russian olive and cherry saplings will be removed. Mr. Willard stated the Commission would like to see an area of undisturbed vegetation at the edge of the water that is not mowed. Mr. Breslauer would like to see a row of hay bales at the top of the slope to help stop additional erosion while re-establishing the area. The Bare Hill Pond Watershed Management Committee has asked that no phosphorus fertilizers be used. A field change was made on the plan showing the hay bales to be installed during the construction path and signed by the members.

Jim Breslauer made a motion to close the hearing and issue an Order of Conditions to include the special condition of no phosphorus fertilizers are to be used within the buffer zone, hay bales be put on site per the plan dated 6/14/07, as well as hay bales to be installed prior to the re-configuration of path on the southern portion of site, any top soil need to help re-vegetated the site will be allowed, hay bales shall be in place before the soil is put in place and shrub discussed at hearing can be removed by hand. 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 Opportunities Corporation
262-264 Ayer Road, DEP#177-538, Harvard#407-4
June 21, 2007

The public hearing was opened at 8:02pm by Chairman Paul Willard under the Massachusetts Wetland Protection Act, Ch. 131 §40

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

Others Present: Liz Allard, Keith Cheveralls, Vicary Maxant, Stanley Murphy, Gerald Welch (MHOC), Brad Taylor and George Dimakarakos (Stamski & McNary)

This hearing was continued from June 7, 2007 on a Notice of Intent filed on behalf of Massachusetts Housing Opportunities Corporation for the construction of a 6-bedroom building, detention basin, retaining wall and associated utilities within the 100' wetland buffer zone at 262/264 Ayer Road, Harvard.

The financial consultant for the ZBA has concluded that the removal of the building within the buffer zone would be uneconomical. George Dimakarakos submitted an additional plan and letter dated June 21, 2007. Mr. Dimakarakos reviewed his letter. Plantings have been changed from hemlocks to Atlantic white cedar. Jim Breslauer asked what the size of the Atlantic white cedar will be at time of planting. Mr. Dimakarakos stated eight to ten (8-10) feet. Wendy Sisson asked at what point does the landscaping gets done. Gerry Welch stated all the work within the buffer zone will be done and stabilized at the same time as other work. Paul Willard asked that a construction sequence be submitted. Mr. Welch explained the plantings are responsibility of the contractor until the project is complete and then turned over to the condo association. Mr. Welch further explained the first growing season is the responsibility of the contractor and then the next year the developers and then turned over to the condo association.

George Watkins would like to see the maintenance of the storm management devices. Mr. Dimakarakos stated it is on the plans. An operational maintenance plan will be developed and managed by a management company.

Stan Murphy, a Harvard resident, asked if anyone has determined if any of the plants would be invasive. None of the members have heard anything that would be considered invasive.

Mr. Willard asked if Board of Health testing has been scheduled. Mr. Dimakarakos stated no. Jim Breslauer asked if the applicant would not object to a condition that requires the description on the maintenance is part of the condo documents. Mr. Welch stated this was acceptable.

Brad Taylor, an abutter, asked about the comment the Department of Environmental Protection has made in regards to the density of the project. Mr. Dimakarakos stated he took the comment as a general concern that it is a dense project and it needs a high level of scrutiny.

With testing still needed by the Board of Heath George Watkins made a motion to continue the hearing until August 2, 2007 at 7:30pm. 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
Massachusetts Housing Opportunities Corporation
15 Littleton Road, DEP#177-535, Harvard#307-1
June 21, 2007

The public hearing was opened at 8:27pm by Chairman Paul Willard under the Massachusetts Wetland Protection Act M.G.L. ch. 131 §40

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

Others Present: Liz Allard, Gerald Welch (MHOC) and George Dimakarakos (Stamski & McNary)

This hearing was continued from June 7, 2007 on 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.

George Dimakarakos stated there was nothing new to submit from Stamski & McNary. Nitsch Engineering sent a review letter in regards to the drainage. The letter requests additional sediment controls on Littleton Road to protect it and the wetland across the roadway. The Board of Health has not issued permits, but the initial review has been issued. Jim Breslauer has concerns with the septic system, he stated if it fails and leaks into the wetland then it would be in the Conservation Commission's jurisdiction. Mr. Dimakarakos would like to close the hearing because the septic system is not within the commission's jurisdiction. George Watkins feels we would not be delaying the project and the Commission should continue it to have time to look at the storm water and drainage plan and comments from Nitsch. Gerry Welch explained he is hoping that ZBA will close their hearing next week and funding has been received for the project so they would like to do site work sooner rather than later. Wendy Sisson agrees with the conclusion within the Nitsch letter that close site supervision needs to be conditioned. Mr. Welch will be the clerk of the works for this project. The retaining walls will be reviewed by a structural engineer.

In order to allow the Commission time to review the letter received today from Nitsch Engineering and the drainage report Wendy Sisson made a motion to continue the hearing until July 19, 2007 at 7:30pm. Jim Breslauer seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,
Liz Allard, Administrative Assistant