

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
September 6, 2007**

Vice Chair Wendy Sisson called the meeting to order at 7:00pm in the Town Hall Meeting Room.

Members Present: Wendy Sisson, Charlie Gorss, Jim Breslauer, Otto Solbrig and George Watkins

Others Present: Liz Allard (LUB Admin), Amy Blaker, Bruce Ringwall (GPR, Inc.), Bill Lewis, Sean Hale (Ross Assoc.), Bruce Leicher, Rita Lancaster, Joe Dzekevich, Chris Ready, Jeff Ritter and Ron Ricci.

Horses on Conservation Trails

Amy Blaker was present to discuss with the members the use of Conservation Trails by equestrians. Ms. Blaker has been informed that the Commission is considering the closing of certain trails to equestrians. Wendy Sisson stated she had had a previous conversation with Ms. Blaker in which she explained the Commission has considered the shutting down of certain trails during the spring thaw to reduce abuse on the trails.

Ms. Blaker informed the members that there is a meeting on Tuesday at Candy Frazer's house to discuss this issue with other equestrians within Town. Ms. Sisson stated that by February the Commission would like to have guidelines established as it pertains to trail use during adverse weather. Ms. Blake would like some type of communication between the horse groups in Town and the Commission. The Commission was very agreeable to this request. Charlie Gorss stated some of the trails have yellow markings and there are some that are blue. The yellow trails are for hard use and blue trails should not be used during adverse weather conditions. Ms. Sisson suggested setting up a time to come in and talk with the Commission to further discuss this issue since this evenings meeting is very full with previously scheduled hearings.

Thurston's Cove/Hasting Driveway Covenant

Wendy Sisson stated she thought the Commission had decided that there would be no vehicular access and the gate was to be removed at the top of the drive, along with signage to be installed with the police enforcing no parking at the cove. Ms. Sisson asked if the Commission needed to take action to get the signs made up. The members agreed the signs should be installed as soon as possible in order for the gate to be removed. The sign should state Harvard Conservation Land, Thurston's Cove, no vehicular access, please do not block the drive and no trespassing dusk to dawn.

Continuation of a Notice of Intent Hearing – Theodore Shasta, 50 Westcott Road, DEP#177-540, Harvard#807-1. Opened 7:30pm

Notice of Intent Hearing – Anthony & Linda Maggiore, 47 Pine Ridge Road, DEP#177-541, Harvard#807-2. Opened 8:10pm

Notice of Intent Hearing – Paul Cherington & Deborah Krepcio, 64 Still River Road, DEP#177-542, Harvard#807-3. Opened at 8:30pm

Notice of Intent Hearing – Joseph Dzekevich & Rita Lancaster, Slough Road (Map 22 Parcel 23.2). Opened at 9:06pm

Bare Hill Pond Watershed Management Committee Draw Down Update, DEP#177-493

Bruce Leicher was present to discuss the Bare Hill Pond report and request the draw down from the Commission. A preliminary report from ENSR in regards to the plant survey was submitted. The report indicates there is a decrease at shallower depths of the biomass. The plan for the draw down is to proceed as last year and begin the draw down the week of September 20th. The Committee would like to increase the depths, by initially going to five feet, stopping and then determining if the mussel population is okay. If it is they will return to the Commission and ask for additional depths.

The harvester was in operation again this year. A much more intensive amphibian count was done this year as well. There were more turtles counted this year than last. Fish counts are up from last year. The Committee is thinking about taking next year off from the draw down based on the success of this year's draw down.

The timing of the draw down is based on the GEIR, which recommends a start time before the freeze. Mr. Leicher stated with the pump the Committee has the power and ability to do that. The goal is have the draw down complete by November. As for the refill, starting earlier this year did not cause any damage. The plan is to start refilling on February 1, 2008.

The Committee will be put on the agenda for the November 1st meeting to discuss further drawing down the pond beyond five feet.

Mr. Leicher further explained the Committee is working with the EPA to identify storm water flowing into the pond. A site walk will take place with the EPA in October. The Commission requested to be included on this site walk.

George Watkins made a motion to allow the Bare Hill Pond Watershed Management Committee to conduct the draw down of Bare Hill Pond to five feet, with the Committee returning before the Commission in November to determine if an additional depth should be sought for this year's draw down. Jim Breslauer seconded the motion. The vote was unanimously in favor of the motion.

Adjournment

Jim Breslauer made a motion to adjourn the meeting at 9:22pm. George Watkins seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Administrative Assistant

Harvard Conservation Commission
Continuation Notice of Intent Hearing Meeting Minutes
Theodore Shasta, 50 Westcott Road, DEP#177-540, Harvard#807-1
September 6, 2007

The public hearing was opened at 7:30pm by Vice Chair Wendy Sisson under the Wetland Protection Act Chapter 131 §40 and the Wetland Protection Bylaw, Chapter 119

Members Present: Wendy Sisson, Charlie Gorss, Jim Breslauer, Otto Solbrig and George Watkins

Others Present: Liz Allard (LUB Admin), Bruce Ringwall (GPR, Inc.) and Bill Lewis

This hearing was continued from August 2, 2007 on a notice of Intent filed on behalf of Theodore Shasta for the creation of a pond, construction of a garage, associated infrastructure and site landscaping all within the upland area at 50 Westcott Road, Harvard.

Bruce Ringwall informed the members that a meeting took place with the abutters since the last meeting. The applicant has decided that some of the concerns of the abutters may be over kill, but some may, over time, have validity. After meeting with the abutters, the applicant and Mr. Ringwall decided to add several things to the plan, including an operation & maintenance plan for the pond. An emergency overflow has also been added to the plan. The upper surface of the swale will be lined with turf reinforcement mats and the lower surface will be riprap. The details of the installation guides for the turf reinforcement mats were submitted. Bill Lewis feels that concerns of the abutters have been addressed.

George Watkins asked what is going to keep the water flowing toward the riprap. Mr. Ringwall stated the area will be depressed slightly and he would work with the contractor to ensure that. Mr. Ringwall also explained that the adjacent abutter, Bill Lewis, may in the future raise his driveway and if that is to happen the riprap will be diverted vertically to tie into the existing under drain. Mr. Ringwall explained the notching of the liner of the pond.

Wendy Sisson asked if when the landscaping done is there anything to aid with silt from getting into the pond. Mr. Ringwall believes the area will be stabilized fairly quickly and will discuss putting hay bales up with the applicant. A detail to add a wire mesh over the mouth of the over flow structure was submitted. This is for the over flow and not emergency over flow. The purpose is to avoid leaf matter blocking the pores of the rock at the out flow.

An operation and maintenance plan was submitted, dated 8/14/07, which after some adjustments will be recorded on the deed. Jim Breslauer requested that if the applicant or future owner of the property proposes any modifications to the operation and maintenance plan that the Commission is to be notified. Mr. Watkins stated he would

like to see the water in the pond to be at capacity at the time of spring thaw as to not starve the down stream wetland. Mr. Watkins also believes the Commission should not request the applicant to clean the silt that had flowed down stream. Mr. Ringwall stated there is really no remaining silt down stream from the initial event that caused the discoloration and siltation.

George Watkins made a motion to close the public hearing and issue an Order of Conditions with the special conditions the water in the pond to be at capacity at the time of spring thaw as to not starve the down stream wetland, the emergency over flow is to be designed as to channel the water onto the riprap, if the operation and maintenance plan is to be modified the Commission will be notified, the emergency overflow shall be grass lined with a turf reinforced mat (TRM), the bottom and sides slopes shall be lined for the entire length of swale as noted on the titled "Pond Emergency Overflow Detail" dated 8/15/07 and modified at the hearing on 9/6/07. Mr. Breslauer requested a new plan showing the installation of the emergency spill way, at which Mr. Ringwall stated he would not submit and that the 8 ½ x 11 submitted was more than enough. Mr. Breslauer feels as if the Commission's concerns have not been clearly addressed in regards to the over flow getting to the riprap. Wendy Sisson stated she would accept a change on the 8 ½ x 11 plan as part of the record. Charlie Gorss seconded the motion. The vote was 3-1-1, with George Watkins, Charlie Gorss and Wendy Sisson in favor, Jim Breslauer opposed and Otto Solbrig abstaining from the vote.

Respectfully submitted,

Liz Allard
Administrative Assistant

**Harvard Conservation Commission
Notice of Intent Hearing Meeting Minutes
Anthony & Linda Maggiore, 47 Pine Ridge Road, DEP#177-541, Harvard#807-2
September 6, 2007**

The public hearing was opened at 8:10pm by Vice Chair Wendy Sisson under the Wetland Protection Act Chapter 131 §40 and the Wetland Protection Bylaw, Chapter 119

Members Present: Wendy Sisson, Charlie Gorss, Jim Breslauer, Otto Solbrig and George Watkins

Others Present: Liz Allard (LUB Admin) and Sean Hale (Ross Assoc.)

This hearing is for a Notice of Intent filed on behalf of Anthony & Linda Maggiore for the upgrade to a surface disposal system within 200' of Bare Hill Pond at 47 Pine Ridge Road, Harvard.

A site walk took place on August 21, 2007 with members of the Commission. Otto Solbrig asked that even though it is outside the jurisdiction please monitor the installation of the new system as to not allow silt to enter the pond. Sean Hale will pass the information on to the owners.

George Watkins 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

**Harvard Conservation Commission
Notice of Intent Hearing Meeting Minutes
Paul Cherington & Deborah Krepcio, 64 Still River Road
DEP#177-542, Harvard#807-3
September 6, 2007**

The public hearing was opened at 8:30pm by Vice Chair Wendy Sisson under the Wetland Protection Act Chapter 131 §40 and the Wetland Protection Bylaw, Chapter 119

Members Present: Wendy Sisson, Charlie Gorss, Jim Breslauer, Otto Solbrig and George Watkins

Others Present: Liz Allard (LUB Admin)

This hearing is for a Notice of Intent filed on behalf of Paul Cherington & Deborah Krepcio for a sewage disposal system upgrade within the 100' wetland buffer zone at 64 Still River Road, Harvard.

The applicant's representative requested a continuance to the next meeting.

George Watkins made a motion to continue the hearing to September 20, 2007 at 8:00pm. 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 Hearing Meeting Minutes
Joseph Dzekevich & Rita Lancaster, Slough Road (Map 22 Parcel 23.2)
DEP#177-543, Harvard#807-4
September 6, 2007**

The public hearing was opened at 9:06pm by Vice Chair Wendy Sisson under the Wetland Protection Act Chapter 131 §40 and the Wetland Protection Bylaw, Chapter 119

Members Present: Wendy Sisson, Charlie Gorss, Jim Breslauer, Otto Solbrig and George Watkins

Others Present: Liz Allard (LUB Admin), Sean Hale (Ross Assoc.), Rita Lancaster, Joe Dzekevich, Chris Ready, and Jeff Ritter

This hearing is for a Notice of Intent filed on behalf of Joseph Dzekevich & Rita Lancaster for the construction of a single family house with associated access and utilities with portions of the work within the 100' wetland buffer zone of a bordering vegetated wetland on Slough Road (Map 22 Parcel 23.2), Harvard.

A site walk was conducted on September 4, 2007 with members of the Commission. The application was filed because the previous Order of Conditions has expired. Sean Hale explained to the members that the plan is essentially the same plan as original plan filed with the Commission three years ago. The offset to the wetlands conforms to the existing wetland regulations now in place. The Commission agreed the delineation looks good, but requested that the flags be reinstalled. The footprint shown on the plan will include any decks or concrete pads that would be included with the house when construction. The granite markers will also be installed as previously permitted. George Watkins noted the original Order stated the granite posts are to be installed before the work begin, does the Commission want this condition to remain as is. The Commission agreed they did not, but the post should be installed with at least two feet of the post showing above ground. Jim Breslauer asked what is going to happen with roof runoff. Mr. Hale was not certain. Mr. Watkins stated he did not think the site is sensitive to roof runoff. Mr. Breslauer asked if the only paving to be done will be for the driveway. Mr. Hale stated yes.

Jim Breslauer made a motion to close the hearing and issue an Order of Conditions to include the Special Conditions of the previous order (DEP#177-462). George Watkins seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Administrative Assistant