

**HARVARD CONSERVATION COMMISSION  
MINUTES OF MEETING  
October 4, 2007**

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

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

**Others Present:** Liz Allard (LUB Admin) and Robert Elliot (R. Wilson & Assoc.)

**ZBA Request – Nigzus, 26 Madigan Lane**

Comments will be sent to the ZBA that the property has a current Order of Condition for the construction of the barn and that if additional disturbance is required for the installation of the wind tower within the buffer zone then the Order will need to be amended. As for the actual use of wind as an alternative energy source, the Commission would be supportive.

**Extension Permit – Tingle, 19 Tahanto Trail, DEP#177-475**

The Commission has received a request to extend the Order of Condition for Jeffery and Cynthia Tingle at 19 Tahanto Trail, DEP#177-475. The Order will expire on November 18, 2007. The Tingles have recently purchased the property and have recently amended the Order. Jim Breslauer made a motion to allow a one year extension to November 18, 2008. Otto Solbrig seconded the motion. The vote was unanimously in favor of the motion.

**Minutes**

Don Ritchie made a motion to accept the minutes of May 3, 2007, August 2, 2007 and September 6, 2007 as amended. Otto Solbrig seconded the motion. The vote was unanimously in favor of the motion.

**Continuation of a Notice of Intent Hearing – Paul Cherington & Deborah Krepcio, 64 Still River Road, DEP#177-542, Harvard#807-3.** Opened at 7:30pm

**Request for Determination of Applicability Hearing – P&E Trust, South Shaker Road (Map 4 Parcel 44), Harvard#907-2.** Opened at 7:45pm

**Adjournment**

Don Ritchie made a motion to adjourn the meeting at 8:00pm. Charlie Gorss 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**  
**Paul Cherington & Deborah Krepcio, 64 Still River Road**  
**DEP#177-542, Harvard#807-3**  
**October 4, 2007**

The public hearing was opened at 7:30pm by Chairman Paul Willard under the Wetland Protection Act M.G.L. Chapter 131 §40 and the Code of the Town of Harvard, Chapter 119 Wetland Protection Bylaw

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

**Others Present:** Liz Allard (LUB Admin) and Robert Elliot (R. Wilson & Assoc.)

This hearing was continued from September 20, 2007 on a Notice of Intent filed on behalf of Paul Cherington and Deborah Krepcio for a sewage disposal system upgrade within the 100' wetland buffer zone of a bordering vegetated wetland at 64 Still River Road, Harvard.

Robert Elliot explained the plan is to replace a failed septic system. A site walk was done with Dave Crossman on August 21, 2007. A Presby system, which reduces the size of the system, is proposed. Paul Willard asked if there is any chance of turning the orientation of the system at all to try and move it further from the edge of the wetland. Mr. Elliot explained the system location was chosen as it fits the contours of the area, not to mention the location of the well. Mr. Willard understands the applicant has a problem because the only feasible location is between a wetland and a well, but could the applicant not apply for a variance to the offset of the well? Mr. Elliot explained even if they got a variance to the well they could not get the system in because of groundwater, the existing system is within ground water. Mr. Willard asked where the application stood with the Board of Health (BOH). Mr. Elliot stated comments from Ira Grossman have been received and are being resolved.

The members requested the hay bale silt fence detail be the Harvard method as shown within the rules and regulations. Any changes per the BOH will need to come back to the Commission for an amendment. Wendy Sisson stated it sounds as if the system will be in an area that floods and if the variance can be obtained, she does not see why it can not be pursued. Don Ritchie was on the site walk does not think that it is a real critical area and that twelve feet is not going to make a difference. The brook is a good distance away. Jim Breslauer would prefer a contingent condition that a variance be requested but if not granted the Commission will allow the installation as proposed this evening. Mr. Elliot explained if the system is turned so as to be against the contours it will raise the system up and require more fill. The members agreed to not require the seeking of a variance to the offset of the well.

Jim Breslauer made a motion to close the hearing and issue an Order of Conditions once a revised plan detailing the Harvard hay bale method is submitted. Otto Solbrig seconded the motion. The vote was unanimously in favor of the motion.

**Harvard Conservation Commission**  
**Request for Determination of Applicability Hearing**  
**P&E Trust, South Shaker Road (Map 4 Parcel 44), Harvard#907-2**  
**October 4, 2007**

The public hearing was opened at 7:45pm by Chairman Paul Willard under the Wetland Protection Act M.G.L. Chapter 131 §40 and the Code of the Town of Harvard, Chapter 119 Wetland Protection Bylaw

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

**Others Present:** Liz Allard (LUB Admin)

This hearing is for a Request for Determination of Applicability filed on behalf of P&E Trust for the construction of a single family dwelling proposed outside the 100' wetland buffer zone on South Shaker Road (Map 4 Parcel 44), Harvard.

A site walk was conducted on October 2, 2007 at which time the Commission requested an outside consultant review the site to obtain an opinion as to the presence of an isolated wetland as previously noted by Lynn Remington of Ross Engineering. The review has not yet been conducted and the applicant has requested the hearing be continued.

Jim Breslauer made a motion to continue the hearing to October 18, 2007 at 7:45pm. Wendy Sisson seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard  
Administrative Assistant