

**HARVARD CONSERVATION COMMISSION**  
**MINUTES OF MEETING**  
**April 17, 2008**  
**Approved: May 1, 2008**

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

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

**Others Present:** Liz Allard (LUB Admin), Josh Gould, Al Combs, Candy Frazer, Pam Browning, Phil Knoettner, Lesley Shepard, Laura Scott, Ralph Fenlberg, Ted van Dusen, Chris Ryan, Jamie & Janice Perry and Gary Shepard (Ross Assoc.)

**Accept Amended Policy Hearing – Horse Riding on Conservation Trails**

Al Combs stated the Agricultural Commission had made some recommendations to the original policy as approved. Those changes have been incorporated. Most of the equestrian people who Mr. Combs has spoken with are willing to follow the policy. Phil Knoettner, the Trails Keeper for the Commission, stated if the horse riders see a tree branch down they can report it to the Commission or move it off the trail. Any rerouting of trails needs approval of the Commission. Mr. Combs stated he understands it if someone has an issue with a particular trail they should come to the Commission and ask about that. The Commission stated that was correct. It has been recommended that trail markers indicating horses or no horses should be obtained to aid in this effort.

Otto Solbrig stated he walks the trails everyday with his dog and he wanted to know if there are problems with horses and dogs. A resident in attendance stated loose dogs can cause a problem without an owner around. Mr. Combs explained there is no leash law here in Town. Janice Perry stated most dog people she has encountered have been very respectful. Candy Frazer stated most riders know how their dogs will react to horses and the horse rider can ask that the dog be put on a leash. Leslie Shepard stated she had put out a survey a few weeks ago and no one addressed that issue.

Pam Browning is not sure how many of the blue trails would be affected by the new policy, but some of the blue trails are easier to access before getting to the yellow trails and she is afraid some trails will not be useable. Paul Willard stated the policy is a work in progress. Ms. Browning volunteered to help determine what trails are better to use. Mr. Knoettner stated all of the entry trails are yellow trails.

Otto Solbrig made a motion to accept the Policy with the additional amendment to include the statement “and protecting the integrity of the trails” at the end of the Purpose statement. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

### **Relocation of the Powell/Abbot/Reed Trail**

Al Combs and Candy Frazer discussed with the Commission relocating a portion of the trail on the Powell/Abbott/Reed land. The members scheduled a site walk for Monday at 5pm to review the relocation of the trail.

### **Continuation of a Notice of Intent Hearing – Richard & Roxanne Mace, 38 Peninsula Road, DEP#177-548, Harvard#1207-1. Opened at 7:36pm**

#### **Trail Committee Update**

Phil Knoettner, the Trails Keeper, was present to update the Commission on the trails. Mr. Knoettner stated the Vasanka Land had a tree that came down and damaged a board walk. Mr. Knoettner would like permission to get the materials to fix it. The Commission unanimously agreed the boardwalk should be repaired.

The Village Nursery contacted Mr. Knoettner in regards to a tree that may need to come down on the trail located behind it. Paul Willard stated he would review the site to determine if the tree should in fact be taken down.

The Small Nature Trail behind the elementary school has some dead trees that may need to come down. Mr. Knoettner suggested that someone from the Commission should walk the trail and mark the ones that need to come down. George Watkins will review the site and determine if the trees should be removed or left for habitat.

Mr. Knoettner stated that the Maxant Trail needs lots of work and a trail working day has been scheduled for May 4<sup>th</sup>. Mr. Knoettner explained that a boardwalk has drifted down stream and once the stream goes down in level the boardwalk will be pulled out and repositioned.

#### **Energy Sub-Committee**

Paul Willard explained to the Commission that Selectmen Leo Blair is very much interested in establishing an Energy Sub-Committee to be a sub-committee of the Commission. The Commission would be acceptable to this sub-committee as long as they could approve members that are suggested by the Board of Selectmen.

#### **Recommendation of Associate Member to Board of Selectmen**

Don Ritchie made a motion to send a letter to the Board of Selectmen recommending that Joshua Gould be appointed as the Commissions associate member. Jim Breslauer seconded the motion. The vote was unanimously in favor of the motion.

#### **ZBA Comments – Transformations, Inc. Stow Road (Map 36 Parcels 85 & 86.1)**

The ZBA has requested that the Commission detail what specific parts of the Wetland Protection Bylaw they would not want a waiver granted for the Chapter 40B project currently in front of them. The Commission discussed several items and will discuss in more detail at the next meeting.

**Williams Land Signage**

Wendy Sisson requested the Commission discuss the possibility of a sign on the Williams Land not allowing use of the field during breeding season as ground nesting birds have been known to use that field. The Commission agreed that a hearing should take place at the next meeting.

**Appointment of Members to the Community Preservation Committee**

Jim Breslauer made a motion appointing George Watkins as the Conservation representative to the Community Preservation Committee. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

**Thank You Otto Solbrig**

At the last meeting of the Commission Otto Solbrig informed the members that he would not be seeking an additional term as a Conservation Commissioner. The Commission presented Mr. Solbrig with a card and gift and thanked him for all of his work for the past three years. Mr. Solbrig has enjoyed working with the Commission and is willing to lend his expertise if the Commission ever finds it necessary.

**Adjournment**

Jim Breslauer made a motion to adjourn the meeting at 8:32pm. Otto Solbrig seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard  
Land Use Administrator/  
Conservation Agent

**Harvard Conservation Commission**  
**Continuation of a Notice of Intent Hearing Meeting Minutes**  
**Richard & Roxanne Mace, 38 Peninsula Road, DEP#177-548, Harvard#1207-1**  
**April 17, 2008**

The public hearing was opened at by 7:36pm Chairman Paul Willard under the Wetland Protection Act, MGL Chapter 131 §30 and the Code of the Town of Harvard, Chapter 119 the Wetland Protection Bylaw in the Town Hall meeting room

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

**Others Present:** Liz Allard (LUB Admin), Gary Shepard (Ross Assoc.) and Josh Gould

This hearing was continued from April 3, 2008 on a Notice of Intent filed on behalf of Richard & Roxanne Mace, for the proposed restoration/plantings in response to an Enforcement Order and associated grading and driveway construction within 200' of Bare Hill Pond at 38 Peninsula Road, Harvard.

A request was submitted to create an opening within the silt fence to allow the applicant access to the dock. Paul Willard asked for an extra hay bale to fill the gap in case of rain. Gary Shepard stated that would not be an issue. Mr. Willard then suggested cutting a gap in the fence then place two hay bales on each side at an angle with an extra one hand to close the gap when not in use. The Commission agreed with this configuration as did Mr. Shepard.

Mr. Shepard explained that Mr. Mace would like to maintain the view he created when the tree were removed. If the Commission cannot bend in that respect and Mr. Mace has to put trees in front of his windows he will need to decide what he will do next. Mr. Willard stated it was the Commission's goal to restore the site to its previous condition as much as possible. Mr. Willard believes the Commission wanted to create a situation that would allow the trees to grow back. Jim Breslauer stated Mr. Shepard could convey to Mr. Mace that the Commission has not required the payment of any fines to date for the violation that was committed. George Watkins thinks there is room for middle ground so that some of the tree cover is obtained. Mr. Shepard asked what if Mr. Mace says he does not want to replace the trees in the manner that the Commission is looking for. Mr. Breslauer stated the Commission could begin imposing fines of \$300.00 a day from the time the trees were cut for the violation.

There had been some confusion as to what the consultant was going to do from the last meeting. This issue has been straightened out; the Commission and Mr. Shepard have agreed to move forward with getting the consultant involved.

Jim Breslauer made a motion to continue the hearing to May 1, 2008 at 7:30pm. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard  
Land Use Administrator/  
Conservation Agent