

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
August 7, 2008
Approved: August 21, 2008**

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

Members Present: Paul Willard, Wendy Sisson, Jim Breslauer, Charlie Gorss, Don Ritchie, Jaye Waldron, George Watkins and Joshua Gould (Associate Member)

Others Present: Liz Allard (LUB Admin), Sarabeth Golden and J. Matthew Bellise (Pare Corp.)

Minutes

Jim Breslauer made a motion to accept the minutes of May 1, May 15, July 3 and July 17, 2008 as amended and June 5 and June 19, 2008 as written. George Watkins seconded the motion. The vote was unanimously in favor of the motion.

ZBA Request for Comments

The Commission has received several requests for comments from the Zoning Board of Appeals. They include an application for a Special Permit filed on behalf of Matthew & Evangeline Kennedy at 11 Bowers Road. The Commission commented that any activity within 100' of a stream the applicant will need to file with the Commission. Bell Atlantic, off Pinnacle Road (Fire Tower) has filed an application for a renewal of its existing permit. The Commission had no comments. And, Richard and Roxanne Mace at 38 Peninsula Road for the construction of a garage. The Commission issued an Order of Conditions for the wetland restoration at this location that included the construction of the garage. A copy of the Order will be forwarded to the ZBA members.

Enforcement Order – Steve Kimball, 29 Littleton Road

Amendments were made to the Enforcement Order issued to Steve Kimball at 29 Littleton Road, to include the installation of a physical barrier to the wetland. The Commission made minor changes to the document. The amended Enforcement will be mailed to the Kimball's on Monday.

Request for Determination of Applicability – Michael & Deborah Golden, Golden Pond, Mill Road, Harvard#0708-02. Opened at 7:30pm

Community Preservation Committee Project Tracking Form

The Commission was not certain if any CPC money was used to purchase Hosking's Point or the Locke land on Green Hill Road. The administrator will review the files and determine what CPC funds have been used for the purchase of Open Space. A letter will be written and sent to the CPC.

Open Space & Recreation Plan Maps

Members reviewed the maps received from Montachusett Regional Planning Commission in regards to the Open Space and Recreation Plan.

Land Use Boards Meeting Update

Liz Allard updated the members on the June 25, 2008 meeting of the Land Use Boards (LUB). This meeting was held with Building Inspector, Gabe Vellante, and Town Administrator, Tim Bragan. The LUB was looking to avoid certain situations when it comes to the issuance of building permits by requiring an applicant to get a sign-off from the Conservation Commission (Concom) and the Board of Health (BOH) prior to submitting a building permit application. Mr. Vellante was not in favor of such a requirement. It was determined that the assistant to Mr. Vellante will make two copies of the front page of the application and deliver them to the Concom and BOH for their comments. The Concom and BOH can then contact the individual directly if there are any outstanding issues.

Adjournment

Don Ritchie made a motion to adjourn the meeting at 8:10pm. George Watkins seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

**Harvard Conservation Commission
Request for Determination of Application
Michael & Deborah Golden, Golden Pond, Old Mill Road, Harvard#0708-02
August 7, 2008**

The public hearing was opened at by 7:30pm Chairman Paul Willard under the Wetland Protection Act, MGL Chapter 131 §40 and the Code of the Town of Harvard, Chapter 119 the Wetland Protection Bylaw in the Town Hall meeting room

Members Present: Paul Willard, Wendy Sisson, Jim Breslauer, Charlie Gorss, Don Ritchie, Jaye Waldron, George Watkins and Joshua Gould (Associate Member)

Others Present: Liz Allard (LUB Admin), Sarabeth Golden and J. Matthew Bellise (Pare Corp.)

This hearing is for a Request for Determination of Applicability filed on behalf of Michael and Deborah Golden for the repair of a sinkhole and replacement of a deteriorated conduit through the embankment of the dam at Golden Pond on Old Mill Road, Harvard.

Matt Bellise, of Pare Corporation, gave an overview of the area and the project planned for the dam. There will be no fill within the wetland area. Construction should take about one week. Sand bags will be used if needed during construction. Josh Gould asked with the spill way operational why not just fill the pipe. Mr. Bellise stated that dam safety regulations require that in the event of an emergency you need the timer gate so that you have a way to drain it if needed. Don Ritchie asked why Mr. Bellise thinks there will not be water coming through. Mr. Bellise stated the conduit stayed dry while we were in there. George Watkins asked how far below pond level is the pipe. Mr. Bellise stated about seven feet. Mr. Bellise stated that he has filed with Natural Heritage and there is a turtle in the area of concern. Mr. Ritchie asked what is going to keep the sides of the removed culvert from falling in. Mr. Bellise stated the opening will be sloped. The contactor is confident he can do the work. Mr. Ritchie suggested that another row of hay bales across the stream channel be added.

Don Ritchie made a motion to close the hearing and issue a Negative#3 Determination that includes an extra row of erosion controls barrier within the channel. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent