

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
FEBRUARY 14, 2011
APPROVED: March 3, 2011**

Vice Chair Wendy Sisson called the meeting to order at 7:04pm in the Hildreth House

Members Present: Wendy Sisson, Charlie Gorss, Don Ritchie, Jim Breslauer and Janet Waldron

Others Present: Liz Allard (LUB Admin), Tom Cotton (Bare Hill Rowing Association), Jeff Richards (Transformations, Inc.) and Neil Gorman (Ross Associates, Inc.)

Appropriate Time Frames for Submittal of Material

After a brief discussion as to the process of receiving additional information on an open application, it was suggested that the Commission establish a policy requiring a minimum of five (5) business days prior to a hearing to receive and review new material. This time frame is needed in order for Commission members to have adequate time to review filings prior to the hearing. Jim Breslauer suggested that over the next month the members review Chapter 147, Wetland Protection Bylaw Regulations, and submit any changes to him and he will incorporate them for an amendment to those regulations, which will include the new policy.

Approval of Minutes

Jaye Waldron made a motion to approve the minutes of September 16, 2010 as amended. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

Jim Breslauer made a motion to accept the minutes of October 7, 2010 as amended. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Wendy Sisson made a motion to accept the minutes of October 21, 2010 as amended. Jim Breslauer seconded the motion. The vote was unanimously in favor of the motion.

Review and Discuss Tree Cutting Policy

Liz Allard has not developed the form for the review of sites for tree removal as requested previously. Jim Breslauer has not had an opportunity to incorporate changes into the policy. Both Liz & Jim will work on these for the next meeting.

Review & Discuss Planning Board Zoning Amendment for Annual Town Meeting Floodplain District Bylaw

Members asked for additional information on the zones mentioned within the bylaw. Jaye Waldron asked if the term "Use Regulations" should be used in §125-54D or should in refer to Harvard's Protective Bylaw. Liz Allard will obtain the requested information on the zones and make Ms. Waldron's suggestion to the Planning Board.

Notice of Intent Hearing – Richard & Jean McCrosky, 193 Old Littleton Road, DEP#177-590, Harvard#0111-01. Opened at 7:37pm

Request for Determination of Applicability Hearing – Bare Hill Rowing Association, Bare Hill Pond, Harvard#0111-02. Opened at 8:09pm

Continuation of a Notice of Intent Hearing – Transformations, Inc., Stow Road (Map 36 Parcel 85 & 86.1), DEP#177-586, Harvard#1010-01. Opened at 8:20pm

Open Space & Recreation Plan Implementation Committee Update of Goals

Patrick Doherty was not present to review the Commission's goals. This will be discussed at the next meeting.

Adjournment

Jim Breslauer made a motion to adjourn the meeting at 8:39pm. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

**Harvard Conservation Commission
Notice of Intent Hearing Meeting Minutes
Richard & Jean McCrosky, 193 Old Littleton Road
DEP#177-590, Harvard#0111-01
February 14, 2011**

The public hearing was opened at 7:37pm by Vice Chair Wendy Sisson under the Massachusetts Wetland Protection Act, Ch. 131 §40 and the Harvard Wetland Protection Bylaw, Chapter 119 of the Code of the Town of Harvard in the Town Hall Meeting Room

Members Present: Wendy Sisson, Charlie Gorss, Don Ritchie, Jim Breslauer and Janet Waldron

Others Present: Liz Allard (LUB Admin) and Neil Gorman (Ross Associates)

This hearing is for a Notice of Intent filed on behalf of Richard & Jean McCrosky for a sewage disposal upgrade with a portion of the constriction within the 100' wetland buffer zone

Neil Gorman, from Ross Associates, was present to represent the applicant. Mr. Gorman stated that due to the shallow depth to ledge and wetlands on the site, there are very few locations for a septic system. The proposed leach field is within the Natural Heritage area as depicted on the October 2008 maps. The installation of tanks and force main would be accessed from the west side of the property off Old Littleton Road. Frontage on the east side of the property along Old Littleton Road would require more work, effort and disturbance to the buffer zone if used for access. The leach field is within the 100' wetland buffer zone. The force main is about 25' from wetland, with siltation barriers at 23'. This location was chosen due to the existing well in the center of the yard that has a water line to the house. There is also a water line to an existing spring on the site to the rear of the house. The Applicant would prefer not have run the force main in a fashion that would require the crossing of the water lines. The existing pine and oak forest will need to be removed for the installation of the leach field. The septic tank is designed to be 58' from wetland, with grading up to the 50' off set line. The force main will need to be insulated in some areas due the depth to ground water. Photos of the area received with the application were shown and described.

Jim Breslauer asked if the fill would change the drainage into the wetlands. Mr. Gorman stated it would not. Don Ritchie asked how roof drainage was going to be addressed. Mr. Gorman stated there are existing gutters on the barn. The members expressed concerned to Mr. Gorman about creating a nice lawn area that could be extended and its close proximity to the wetland. Members would like to see a vegetated buffer between the lawn area and the wetland. Mr. Ritchie recommended granite posts to demarcate the edge of disturbance. Other members suggested the posts with plantings in between to aid in nutrient uptake. Mr. Gorman stated he would add granite markers to the plan at 25' intervals. Mr. Ritchie asked about the existing garden and what types of chemicals are

used there, as the location is within 50' of the wetland and on the slope. Mr. Gorman was unable to answer the uses of the existing garden.

Wendy Sisson would like to have the work done after the spring melt, when the area is dry, all trenches are to be opened and closed the same day, and any stock piles of material are to be covered. The site required a filling with Natural Heritage and Endangered Species Program (NHESP) for Priority Habitats of Rare Species and Estimated Habitat of Rare Species. Comments have not been received from NHESP as of yet.

The application was submitted with a requested waiver for a portion of the fees. Mr. Gorman stated that the bylaw fees only would be in excess of \$1000. The cost to confirm the delineated wetland line would be \$343, plus the standard fee of \$500 brings the total to \$843 before you add in the fee for disturbance within the buffer zone. Ms. Sisson would recommend that the Commission waive the wetland confirmation fee, since this action has not taken place and indicate in the Order of Conditions that the line has not confirmed and that and additional activity would require a new Notice of Intent. Other members feel that since the work can not be done until summer the line could be confirmed at a later date. Alternatives were discussed in regards to minimizing the disturbance within the buffer zone, in turn reducing the associated fee. It was agreed to leave the issue open to the next meeting. The members and Mr. Gorman agreed to continue the hearing to a time suitable to review the delineation in the field.

Mr. Gorman requested that the hearing be continued to allow for time to receive comments from NHESP and a review of the delineated wetland. Jim Breslauer made a motion to continue the hearing to March 17, 2011 at 7:30pm. Jaye Waldron 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 Applicability Hearing Meeting Minutes
Bare Hill Rowing Association, Bare Hill Pond, Harvard# 0111-02
February 14, 2011

The public hearing was opened at 8:09pm by Vice Chair Wendy Sisson under the Massachusetts Wetland Protection Act, Ch. 131 §40 and the Harvard Wetland Protection Bylaw, Chapter 119 of the Code of Harvard in the Hildreth House

Members Present: Wendy Sisson, Charlie Gorss, Don Ritchie, Jim Breslauer and Janet Waldron

Others Present: Liz Allard (LUB Admin) and Tom Cotton

This hearing is for a Request for Determination of Applicability for the breaking up of rocks that are a safety hazard to users within Bare Hill Pond by mechanical methods.

Tom Cotton was present and presented a copy of the notification of the activity in a local newspaper. Mr. Cotton stated the crew team is interested in going out and breaking up rocks that are a hazard again this year. No work has taken place this year. Mr. Cotton is not sure if they will have an opportunity this year to do any work, depending on the refill of the pond. The method to be utilized would be the same as last year. A concrete cutting saw will be used to score the rock down to three to four inches, and then an electric jack hammer powered with a generator will be used to further break up the rocks. A flat bottom boat is used to contain the generator in case there are any issues with the generator causing the release of gas or oils, and to transport additional equipment. The work is slow going, but does the job. A snowmobile was used to tow the boat out to the sites.

Wendy Sisson stated that the application requires the signing of the application by the Board of Selectmen. Since the signature has not been received it was recommended that the hearing be continued to the next meeting. Jim Breslauer made a motion to continue the hearing to March 3, 2011 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

**Harvard Conservation Commission
Continuation of a Notice of Intent Hearing Meeting Minutes
Transformations, Inc., Stow Road (Map 36 Parcel 85 & 86.1),
DEP#177-586, Harvard#1010-01
February 14, 2011**

The public hearing was opened at 8:20pm by Vice Chair Wendy Sisson under the Massachusetts Wetland Protection Act, Ch. 131 §40 in the Town Hall Meeting Room

Members Present: Wendy Sisson, Charlie Gorss, Don Ritchie, Jim Breslauer and Janet Waldron

Others Present: Liz Allard (LUB Admin) and Jeff Richards

This hearing was continued from January 20, 2011 for a Notice of Intent filed on behalf of Transformations, Inc. for the construction of a roadway, 17 residential buildings, septic system and public water supply source within the 100' wetland buffer zone, to include the installation of a new culvert along an intermittent stream

Jeff Richards explained that a conference call has been set up between the consulting engineer and the applicant's engineer. Mr. Richards would like to know if the Commission would like the agent to be involved with that conference. Wendy Sisson thinks that the engineer should discuss amongst themselves as long as that it only involves that the Stormwater Management models and the associated calculations. Jim Breslauer expressed the Commission's desire to have any new information submitted at least five business days before the hearing; otherwise a continuance should be requested.

With Mr. Richards's previously submitted request for a continuance, Jim Breslauer made a motion to continue the hearing to March 3, 2011 at 7:35pm. Charlie Gorss seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

DOCUMENTS & OTHER EXHIBITS

Notice of Intent Hearing – Richard & Jean McCrosky, 193 Old Littleton Road, DEP#177-590, Harvard#0111-01

- WPA Form 3 Notice of Intent – Richard & Jean McCrosky, 193 Old Littleton Road, dated January 2011
- Sewage Disposal System Plan, designed for Richard & Jean McCrosky, dated 1/18/11

Review & Discuss Planning Board Zoning Amendment for Annual Town Meeting Floodplain District Bylaw

- Proposed Floodplain District Bylaw