

**HARVARD CONSERVATION COMMISSION  
MINUTES OF MEETING  
NOVEMBER 3, 2011  
APPROVED: January 19, 2012**

Chairman Paul Willard called the meeting to order at 7:05pm in the Town Hall Meeting Room

**Members Present:** Paul Willard, Wendy Sisson, Charlie Gorss, Jim Breslauer, Jaye Waldron and Patrick Doherty

**Others Present:** Liz Allard (LUB Admin), Dan Wolfe (Ross Assoc.), Karen Tardanico, Sean Bartram and Allen Specht (Harvard Fire Depart.)

**Encroachment onto Conservation Land – Blue Moon Farm, 87 Depot Road**

Liz Allard believes due to the recent snow storm Mr. Croyle was unable to attend this evening. Ms. Allard will contact Mr. Croyle next week to re-schedule for the November 17<sup>th</sup> meeting.

**Tully Land Drainage Improvements**

Members of the Commission reviewed the location for the proposed drainage improvements on the Tully Land at the rear of the Department of Public Works (DPW) facility on October 24<sup>th</sup>. While there they viewed additional encroachment into the buffer zones and other sensitive areas surrounding the former Town dump. The Commission agreed that the DPW needs to maintain what is there now, by possibly placing barriers at the toe of the existing slope to avoid further encroachment.

Jim Breslauer suggested an Enforcement Order (EO) be issued to the DPW that states there shall be no more storage of material beyond the current location. Wendy Sisson thinks that an EO would only make matters worse, but that the Commission should continue to educate and make the DPW staff aware of the sensitivity of the resources areas surrounding the facility. Ms. Sisson feels the Commission can be clear on the requirements without an EO. The Commission requested that Liz Allard follow up with the Director on the previous request to meet with the Commission to review the site to determine what the needs are for DPW to do their job properly and efficiently without further encroachment on the resource areas.

**Bare Hill Pond Watershed Management Committee Update**

Jaye Waldron informed the Commission that she was not able to attend the recent meeting (October 24) of the Pond Committee.

**Notice of Intent Hearing – Thomas Konop, 6 St. John Lane, DEP#177-601, Harvard#1011-01.** Opened at 7:31pm

**Notice of Intent Hearing – Sean Bartram, 17 Candleberry Lane, DEP#177-602, Harvard#1011-03.** Opened at 7:50pm

**Informal Discussion for a Fire Pond on Stow Road with Allen Specht**

Allen Specht, representing the fire department, was present to discuss with the Commission the potential of locating a fire pond on the Town property known as the gravel pit on Stow Road. The fire pond would be 20 –25 square feet in diameter. The location would be ideal for maneuvering apparatus in and out of the site. Mr. Specht is seeking guidance from the Commission on how to proceed on creating such a pond. Liz Allard stated she would do some follow up with the Department of Environmental Protection to determine the proper process.

**Request for Determination of Applicability Hearing – Thomas Horrall, 26 Bowers Road, Harvard#1011-02.** Opened at 8:44pm

**Adjournment**

Jim Breslauer made a motion to adjourn the meeting at 8:50pm. Patrick Doherty 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  
Thomas Konop, 6 St. John Lane, DEP#177-601, Harvard#1011-01  
November 3, 2011**

The public hearing was opened at 7:31pm by Chairman Paul Willard 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:** Paul Willard, Wendy Sisson, Charlie Gorss, Jim Breslauer, Jaye Waldron and Patrick Doherty

**Others Present:** Liz Allard (LUB Admin), Dan Wolfe (Ross Assoc.) and Karen Tardanico

This hearing is for a Notice of Intent filed on behalf of Thomas Konop for the construction of a new upgraded sewage disposal system with leaching trenches and grading within the 100' wetland buffer zone at 6 St. John Lane, Harvard.

Dan Wolfe, of Ross Associates, was present to represent the applicant. Mr. Wolfe explained that the current owners of the property are preparing to sell and need to upgrade the existing system. The existing system was designed to have a reserve area closer to the wetlands; the new location for the system will move the system further away from the wetlands. The sewer line and septic tank will be outside the 100' wetland buffer zone. The Board of Health has approved the system as proposed. The system, as a Presby©, is being further reviewed by the Department of Environmental Protection. A filter sock detail has been shown on the plan. At its closest, the leach area is 88 feet from the wetland (12 feet into the buffer zone). The grading of the slope for the system is graded away from the wetland.

With no questions or comments from the Commission or the general public, Jim Breslauer made a motion to close the hearing and issue a standard Order of Conditions. Wendy Sisson 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  
Sean Bartram, 17 Candleberry Lane, DEP#177-602, Harvard#1011-03  
November 3, 2011**

The public hearing was opened at 7:50m by Chairman Paul Willard 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:** Paul Willard, Wendy Sisson, Charlie Gorss, Jim Breslauer, Jaye Waldron and Patrick Doherty

**Others Present:** Liz Allard (LUB Admin), Dan Wolfe (Ross Assoc.) and Sean Bartram

This hearing is for a Notice of Intent filed on behalf of Sean Bartram for the installation of a pool, patio, retaining wall, infiltration trench, shed, driveway extension and house additions within the 100' wetland buffer zone at 17 Candleberry Land, Harvard.

Dan Wolfe, of Ross Associates, was present to represent the applicant. Mr. Wolfe explained that the Bartram's recently purchased the property and have thought of all of the things they would like to do on the property, rather than to keep coming back to the Commission for additional approvals. Mr. Bartram had much more aggressive plans originally, which have been scaled back to the plan before the Commission today. The bylaw states that provisions can be waived in areas that have been previously disturbed. Mr. Wolfe explained that the backyard was created by fill when the lot was developed in the 1980's.

The proposed plan calls for the following improvements:

- ❖ Two floating decks
- ❖ The leveling of the backyard, which will require the installation of a concrete block wall and associated infiltration trench
- ❖ The installation of a shed for the storage of lawn equipment
- ❖ The extension of the existing garage and associated driveway
- ❖ The extension of the existing foundation on the east side of the dwelling at the rear
- ❖ The removal of existing white pines to be replaced with white paper birch trees
- ❖ The installation of an in-ground pool with concrete pool deck and associated equipment located on a concrete pad
- ❖ The installation of fencing
- ❖ The installation of a concrete wing wall

The activity that will be within the 50' no disturb zone includes:

- ❖ a portion of the pool
- ❖ the removal and replanting of vegetation,
- ❖ a portion of the block concrete wall
- ❖ the pool equipment pad
- ❖ a portion of the shed
- ❖ a portion of the fencing

Mr. Wolfe explained that the pool could not be located on the east side of the house due to the existing septic system. Members questioned if the pool could be reduced in size or another shape chosen to remove it from the 50' no disturb zone. Mr. Wolfe stated that the pool is already reduced in width at 20x40. Sean Bartram stated that he wants to keep length to be able to do laps in the pool. Mr. Wolfe explained that the area in question is in a previously disturbed area. Wendy Sisson asked if the shed could be moved in such a way that it was out of the 50' buffer zone entirely. Mr. Wolfe stated that the shed could only move about two feet due to the location of the driveway. Jim Breslauer asked what is keeping the chemically infused water from slopping outside of the pool. Mr. Wolfe stated an infiltration trench will catch water from pool and patio.

Ms. Sisson asked about draining the pool. Mr. Wolfe stated that current maintenance instructions are to not lower the level of the water each fall, as previously recommended, but to leave them full when closing for the winter. Patrick Doherty asked if back washing was still required. Mr. Bartram stated that it was. Mr. Wolfe suggested that the Order of Conditions indicate that the back wash should be done into the infiltration trench. However, if the pool needs to be drained it will have to be trucked off site. Mr. Breslauer asked if all equipment would be staying at grass line. Mr. Wolfe stated yes. Mr. Breslauer wanted to know what would happen to the tree stumps. Mr. Wolfe stated they would remain to aid in the stabilization of the slope. Ms. Sisson suggested that small woody shrubs be planted as well in the area of the white paper birches to help stabilize the bank.

Ms. Sisson suggested that the 50' buffer on the east side of the house, currently part of the lawn, be landscaped as a natural buffer as a trade-off for allowing disturbance within the 50' buffer zone. The applicant was agreeable to the suggestion. Guidance on what to plant can be obtained from the Conservation Agent. Ms. Sisson recommended plantings that will not require fertilization. The area should be 700 –750 square feet of natural landscape on the easterly side of the house, north of the existing septic system.

Wendy Sisson made a motion to close the hearing and write an Order of Conditions to include revisions discussed this evening, to include the planting of natural vegetation in an area of 700-750 square feet on the east side of the house in the existing lawn area, additional woody vegetation (six more plantings) shall be planted along the slope inter-dispersed with the suggested white paper birches, back washing of the pool shall be directed to the infiltration trench and should the pool need to be drained the water will be trucked off site. Jim Breslauer added that the waiver requested to allow for disturbance to take place within the 50' buffer zone shall be granted based on the fact that the location is an already disturbed area and the applicant has agreed to re-vegetate an area of existing lawn within the 50' buffer zone as described above. Mr. Breslauer 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  
Thomas Horrall, 26 Bowers Road, Harvard#1011-02  
November 3, 2011**

The public hearing was opened at 8:44m by Chairman Paul Willard 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:** Paul Willard, Wendy Sisson, Charlie Gorss, Jim Breslauer, Jaye Waldron and Patrick Doherty

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

This hearing is for a Request for Determination of Applicability filed on behalf of Thomas Horrall for the removal of two trees that are threatening damage to the house with the 200' wetland buffer zone of Bare Hill Pond at 26 Bowers Road, Harvard.

Liz Allard explained that the application was filed after the issuance of an Emergency Certification for the removal of two trees that were a safety issue. Work was performed by Acorn Tree and Landscape. With no questions from the Commission or the general public Jim Breslauer made a motion to issue a Negative 2 Determination of Applicability. 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 – Thomas Konop, 6 St. John Lane, DEP#177-601, Harvard#1011-01**

- ❖ WPA Form 3 Notice of Intent – Thomas Koop, 6 St. John Lane, dated October 2011
- ❖ Sewage Disposal System Plan, designed for Thomas Konop, Job No. 27617, Plan No. L-11745, dated October 2011

### **Notice of Intent Hearing – Sean Bartram, 17 Candleberry Lane, DEP#177-602, Harvard#1011-03**

- ❖ WPA Form 3 Notice of Intent – Sean Bartram, 17 Candleberry Lane, dated October 2011
- ❖ Site Plan of Land in Harvard, Massachusetts prepared for Sean Bartram, Job No. 27518, Plan No. L-11740, dated October 2011

### **Request for Determination of Applicability Hearing – Thomas Horrall, 26 Bowers Road, Harvard#1011-02**

- ❖ WPA Form 1 Request for Determination of Applicability – Thomas Horrall, 26 Bowers Road, dated September 29, 2011

### **Informal Discussion for a Fire Pond on Stow Road with Allen Specht**

- ❖ Two undated photos of existing water course
- ❖ Assessor's Map 32, dated 1/1/10