

**HARVARD CONSERVATION COMMISSION  
MINUTES OF MEETING  
OCTOBER 3, 2013  
APPROVED: NOVEMBER 7, 2013**

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

**Members Present:** Paul Willard, Jim Breslauer, Charlie Gorss, Wendy Sisson, Joanne Ward and Jim Saalfield (Associate Member)

**Others Present:** Liz Allard (LUB Admin), Dan Wolfe (Ross Assoc.), Steve Sears (Ross Assoc.), Lauren Slater, Kevin Brooks (Many Springs Farm Environmental), Sydney Blackwell (Harvard Press), Robert Hughes, Christian Boysen (Land Solutions), Carol Perini, Jane Sawyer, Natasha Yakovlev Cavicchio and Bruce Ringwall (GPR, Inc.)

**Update on Enforcement – 95 Depot Road**

Christian Boysen, of Land Solutions, Kevin Brooks, of Many Springs Farm Environmental and Lauren Slater, property owner at 95 Depot Road, were present to discuss the recently issued enforcement order for Ms. Slater's property. The order was issued for the construction of a riding ring, pasture and trail within the 100' buffer zone and resource area without any permits from the Conservation Commission. Members of the Commission visited the site prior to the meeting this evening. Mr. Boysen explained the site and the violations for those members who have not seen the site. Mr. Boysen asked for the Commission to approve the wetland line as seen this evening in order for him to move forward with a plan to remediate the situation with a Notice of Intent.

Paul Willard noted the fencing installed at 111 Depot Road on Judith Feltus's land is also in violation of the Wetland Protection Act and needs to be addressed. Mr. Boysen explained some of the proposed resolutions for the disturbed areas. Without a plan associated with an official filing the Commission could not commit to any of the details of the remediation or the wetland line. Mr. Boysen explained the differences between a riding ring and pasture; he noted that riding rings are not prohibited under the Wetland Protection Bylaw within 100' of a wetland as pastures are. Mr. Boysen also explained permanent conditions should be included in the Order of Conditions that can detail the use and maintenance of the riding ring. Mr. Boysen offered a Conservation Restriction on the back part of the parcel as part of the remediation. The Commission stated they look forward to the Notice of Intent being filed soon

**Continuation of a Notice of Intent Hearing – Sarah Porter, 55 Turner Lane, DEP#177-625, Harvard#0913-01.** Opened at 7:30pm

**Request for De Minimus Change to Order of Conditions, 37 Peninsula Road, DEP#177-618**

Dan Wolfe, of Ross Associates, explained to the Commission that his client Patrick Wind has had final plans developed for the property at 37 Peninsula Road, which will require the removal of additional trees for the installation of the house. The trees have been reviewed by Liz Allard, who stated the trees were not of significant value with the exception of the pine closest to Bare Hill Pond. Jim Breslauer stated he would like to see trees replanted with similar trees after the installation of the house. The members agreed once an engineered stamped plan is received they will review and determine if the changes to the house differ significantly enough from the original plan to require an amendment to the Order of Conditions.

**ZBA Request for Comments – Transformations, Inc., Pine Hill Village, Stow Road**

Liz Allard explained the application before the ZBA is for an extension to the Comprehensive Permit for an additional two years. Members had no comments in regards to this request.

**Request for Determination of Application Hearing – Patrick & Mary Connelly, 15 Lovers Lane, Harvard#0913-02.** Opened at 8:01pm

**Review & Approve Plans for Chris & Cindy Allen, 43 Under Pin Hill Road, DEP#177-620**

The plans submitted by the Allen's for review by the Commission as required by the Order of Conditions did not detail roof drains or elevations. Liz Allard will be in touch with the Allens in order to get the correct information.

**Issue Certificate of Compliance**

Liz Allard continues to reduce the files in the office for the move of Town Hall during renovations. As previously stated there are a large number of files that had Certificates of Compliance (COC) issued, but never returned a recorded copy for the file. Ms. Allard has been able to locate the information on the Registry of Deeds (ROD) website and is able to destroy the files as allowed by State law. Additional files had COC issued, but they are not recorded at the ROD; Ms. Allard requested these files, DEP#177-181, 209 and 215 have the COC re-issued. Charlie Gorss made a motion to re-issue the COC for the previously mention DEP file numbers. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

**Approve Bills**

Wendy Sisson stated the Commission has received a bill from Polatin Ecological Services, LLC for work completed for the invasive species control project on conservation land, in the amount of \$2,500.00. Jim Breslauer made a motion to approve the bill for Polatin Ecological Services, LLC in the amount of \$2,500.00 to be included on the next bill warrant. Charlie Gorss seconded the motion. The vote was unanimously in favor of the motion.

**Adjournment**

Jim Breslauer made a motion to adjourn the meeting at 8:18pm. 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  
Continuation of a Sarah Porter, 55 Turner Lane, DEP#177-625, Harvard#0913-01  
October 3, 2013**

The public hearing was opened at 7:30pm 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, Jim Breslauer, Charlie Gorss, Wendy Sisson, Joanne Ward and Jim Saalfield (Associate Member)

**Others Present:** Liz Allard (LUB Admin), Dan Wolfe (Ross Assoc.), Sydney Blackwell (Harvard Press), Robert Hughes, Jane Sawyer and Natasha Yakovlev Cavicchio

This hearing was continued from September 19, 2013 for a Notice of Intent filed on behalf of Sarah Porter for the replacement of a sewage disposal system, overall driveway and yard area grading, along with the installation of stormwater control measures within the 200' wetland buffer zone of Bare Hill Pond at 55 Turner Lane, Harvard.

Dan Wolfe, of Ross Associates, was present to represent the applicant, Sarah Porter. Mr. Wolfe explained the Porter's own three parcels of land on Turner Lane, two directly on the pond and one across Turner Lane. The application before the Commission is for the installation of a septic system along with improvements to the roadway and driveway to control storm water runoff into Bare Hill Pond. Mr. Wolfe explained the installation of the septic system will require the removal of seven trees. Mr. Wolfe noted the owners tried to save as many trees as possible as to not have an area that was clear cut and barren of trees.

As for the proposed improvements for stormwater runoff, Mr. Wolfe explained the existing road pitches directly toward the Porter's driveway, which is unpaved, causing all of the storm water to head directly to Bare Hill Pond. The proposed plan includes minor re-grading of the roadway to allow water to flow on the opposite side of road. It will be directed to a catch basin, with overflow to another catch basin, which surcharges to a trench that will dissipate water, reducing erosion towards the pond.

Two parking areas have been proposed as well along either side of the property across Turner Lane to reduce parking on the narrow roadway. The existing driveway will be raised closest to house to reduce the pitch and aid the flow of water away from the house. Neither of the parking areas, nor the driveway will be paved.

Jane Sawyer, an abutter, stated she was concerned with more water on her property from the redesign of the road way. Mr. Wolfe explained the re-grading of the road and the maintenance of it by the association should reduce the amount of water onto her property.

The Commission complemented Mr. Wolfe on an innovative plan that will improve the property and the pond.

With no further questions or comments, Wendy Sisson made a motion to close the hearing and issue a standard Order of Conditions to reference the plan dated September 3, 2013. Jim 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**  
**Patrick & Mary Connelly, 15 Lovers Lane, Harvard#0913-02**  
**October 3, 2013**

The public hearing was opened at 8:01pm 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, Jim Breslauer, Charlie Gorss, Wendy Sisson, Joanne Ward and Jim Saalfeld (Associate Member)

**Others Present:** Liz Allard (LUB Admin) and Bruce Ringwall

This hearing is for a Request for Determination of Applicability filed on behalf of Patrick & Mary Connelly for the connection of the existing single family house to town sewer and the decommissioning of the existing septic system believed to be outside the 100' wetland buffer zone at 15 Lovers Lane, Harvard.

Bruce Ringwall was present to represent the applicants, Patrick & Mary Connelly. Mr. Ringwall explained the application is for the removal of the existing septic system and installation of sewer lines and grinder pump for connection to the Town Center sewer system. All work is outside the 100' wetland buffer zone of a wet meadow below the property on the adjacent lot. Silt sacs are proposed for erosion control along the existing stone retaining wall. Wendy Sisson requested that if work takes place late in the year that mulch be used to cover any exposed soil.

With no further questions or comments, Wendy Sisson made a motion to close the hearing and issue a Negative #3 with the condition that exposed areas are be mulched if work is beyond the growing season. Jim Breslauer seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard  
Land Use Administrator/  
Conservation Agent

## DOCUMENTS & OTHER EXHIBITS

### **Request for De Minimus Change to Order of Conditions, 37 Peninsula Road, DEP#177-618**

- ❖ Untitled plan showing existing and proposed house location, marked trees to be removed at 37 Peninsula Road, undated
- ❖ Email to Dan Wolfe from Bob Kody, Envision Homes, showing Grading with driveway retaining wall, dated September 23, 2013
- ❖ Email to Dan Wolfe, from Bob Kody, Envision Homes, showing Back with walkout and right side with grading, dated September 23, 2013

### **Continuation of a Notice of Intent Hearing – Sarah Porter, 55 Turner Lane, DEP#177-625, Harvard#0913-01**

- ❖ Site Plan in Harvard, Mass., Prepared for Sarah Porter, prepared by David E. Ross Associates, Inc., Job No. 27970, Plan No. L-12149, dated September 3, 2013

### **Request for Determination of Application Hearing – Patrick & Mary Connelly, 15 Lovers Lane, Harvard#0913-02**

- ❖ Request for Determination of Applicability, Site Plan, 15 Lovers Lane, Harvard, MA 01451, Owner: Patrick and Mary Connelly, 15 Lovers Lane, Harvard, MA 01451, Prepared by GPR, Inc., Job PC3722, dated September 2013

### **Review & Approve Plans for Chris & Cindy Allen, 43 Under Pin Hill Road, DEP#177-620**

- ❖ Allen Residence, Cross Sections, Prepared by Classic Homes Design, LLC, dated September 18, 2013
- ❖ Allen Residence, Upper Level/First Floor, Prepared by Classic Homes Design, LLC, dated September 18, 2013
- ❖ Allen Residence, 43 Under Pin Hill Road, Harvard, MA, Foundation Plan, Prepared by Classic Home Design, LLC, dated September 18, 2013
- ❖ Allen Residence, Second Floor, Prepared by Classic Home Design, LLC, dated September 18, 2013
- ❖ Chris & Cindy Allen, 43 Under Pin Hill Road, Harvard, MA, Elevations, Prepared by Classic Home Design, LLC, dated September 18, 2013