

**HARVARD CONSERVATION COMMISSION  
MINUTES OF MEETING  
NOVEMBER 7, 2019  
APPROVED: DECEMBER 19, 2019**

Chair Don Ritchie called the meeting to order at 7:04pm in the Town Hall, 13 Ayer Road, under MGL Chapter 131 §40 Wetland Protection Act and Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw

**Members Present:** Don Ritchie, Paul Willard, Wendy Sisson, Jaye Waldron, Joanne Ward, Mark Shaw and Derek Beard (Associate member)

**Others Present:** Liz Allard (Land Use Boards Administrator/Conservation Agent), David Outman (Harvard Conservation Trust), Pam Durrant (Harvard Conservation Trust), Michael Butler (GPR, Inc.), Bruce Ringwall (GPR, Inc.), Brian McClain (Land Stewardship Subcommittee), Kathy Corning, Jennifer Sundeen and Michael Maglothin

**Executive Session**

Paul Willard made a motion to go into Executive Session with members of the Harvard Conservation Trust to discuss the possible purchase of real property, the public discussion of this could have detrimental effects on the negotiating position, only to return to the public meeting once completed. Jaye Waldron seconded the motion. A roll call vote was taken: Paul Willard, aye; Jaye Waldron, aye; Mark Shaw, aye; Wendy Sisson, aye; Joanne Ward, aye; and Don Ritchie, aye.

At 7:15pm Wendy Sisson made a motion to exit executive session and return to the public meeting. Jaye Waldron seconded the motion. A roll call vote was taken: Paul Willard, aye; Jaye Waldron, aye; Mark Shaw, aye; Wendy Sisson, aye; Joanne Ward, aye; and Don Ritchie, aye.

**Discuss Finnegan Oak Hill Road Conservation Restrictions with the Harvard Conservation Commission**

David Outman, Director of Harvard Conservation Trust, explained Mark and Hilary Finnegan, of 126 Oak Hill Road wish to place a conservation restriction (CR) on the orchard currently used by Carlson Orchard. Mr. Outman detailed the public benefits of this CR in regards to open space protection, which include prime agricultural soils, the property is directly across from a working farm, is consistent with Metro West Development Plan, and on the Scenic Inventory prepared by Freedom Ways, as well as the Massachusetts Landscape Inventory. This CR is being offered as a gift, so there is no need for any fund raising to protect this land. The CR stated the standard reserve rights.

Jaye Waldron made a motion to support the Conservation Restriction of Mark and Hilary Finnegan, at 126 Oka Hill Road, by signing the municipal certification. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

**Review Agreement for the Use of the Reuben Reed Land by the Bromfield Baseball Booster Club for the sale of Christmas Trees**

Other than a minor revision, the Commission was in agreement with the agreement drafted for the Bromfield Booster Club.

**ZBA Request for Comments – 2 Littleton Road and 26 Madigan Lane**

The Commission had no comments in regards to either of the ZBA applications.

**Request for Determination of Applicability Hearing – Young Boissy, 198 Littleton Road, Harvard#1019-01.** Opened at 7:30pm

**Forest Legacy Program Request for Support**

Wendy Sisson made a motion to send a letter of support which would expand the Forest Legacy area to include Harvard. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

**Request for a Certificate of Compliance – 64 Warren Avenue, DEP#177-640**

Mark Shaw made a motion to issue a Certificate of Compliance to 64 Warren Ave, DEP#177-640. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

**Request for the use of the Haskell Land for Livestock**

After a brief discussion the Commission agreed the proponent should first speak with Paul Willard, who currently uses the field for agricultural purposes, to determine if there is suitable room for both activities.

**Notice of Intent Hearing – 62 Old Littleton Road, LLC, 62 Old Littleton Road, Harvard#1019-02. Opened at 7:45pm****Land Stewardship Subcommittee Update**

Brian McClain, a member of the Land Stewardship Subcommittee (LSS), has been seeking a location to create a nursery orchard to develop seed for blight resistant American chestnut trees. After discussing this proposal with the LSS, the Powell land was suggested. Mr. McClain detailed the proposal, the goals and a timeline of activity. The Commission and Mr. McClain discussed the need to draft a memorandum of understanding for the use, which is a ten year proposal. Mr. McClain explained the need to begin preparing the site as soon as possible for planting this coming spring.

Joanne Ward made a motion to allow Brian McClain to apply mulch to the proposed orchard area on Powell Land as shown on the Google image provided this evening. The Commission will begin work on the drafting of a memorandum of understanding for the use. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

**Deer Management Subcommittee Follow-Up from Town Meeting**

Wendy Sisson has drafted a new statement for the Commission's webpage on the Town website, which details where the Commission is at in the process now that the vote to ban hunting on conservation land has failed at Town Meeting. Unfortunately, there is still some misunderstanding within the community in regards to what is being allowed. Many members of the community still believe all forms of recreational hunting will be taking place on all of the town-owned conservation land in Town. The Commission discussed the need for an additional comment in regards to this misunderstanding, but opted to let it be for the time being.

The Commission had been provided the letter from Eve Wittenberg, which suggests the establishment of a set of process and outcome measures to provide data for the Commission to monitor the program and provide feedback to the residents. Jennifer Sundeen stated Ms. Wittenberg's outline is a great way to measure the results. Michael Maglothin suggested the deer meat be donated to a food bank as the activity of hunting is merely an entertainment sport, to which several Commission members disagreed.

**Community Preservation Committee Request for Priorities**

Community Preservation Committee (CPC) is unable to fund both the Community Harvest Project request for \$500,000 over a two-year period for an agricultural preservation restriction (APR) and the Commission's request of \$200,000 for the conservation fund in fiscal year 2021, therefore CPC is seeking input from the Commission as to the priority for funding. The Commission agreed the priority is the APR and will recommend the reduction of their original request to \$100,000 for the conservation fund.

**Approve Minutes**

Minutes were unavailable this evening for approval

**Update Pine Hill Village**

The monitoring agreement between the Town and Nitsch Engineering has been finalized. The pre-construction site visit was held yesterday with representatives from Nitsch Engineering; the developer, Peter Cricones; chair of the Commission, Don Ritchie; and Conservation Agent, Liz Allard. Ms. Allard is confident in the team assembled by Nitsch, including the lead Brittany Veeck. Clearing should be starting soon; once a date of this activity is determined a notification will be put on the Commission's page of the Town website.

**Revised Driveway Easement for 98 Shaker Road**

Attorney Gould has stated a draft revised deed will be available for the November 21<sup>st</sup> meeting.

**Accepting Precipitation Frequency Statistics prepared by the Northeast Regional Climate Center at Cornell University**

This item was passed over this evening.

**Adjournment**

Jaye Waldron made a motion to adjourn the meeting at 9:00pm. 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  
Request for Determination of Applicability Hearing Minutes  
Young Boissy, 198 Littleton Road, Harvard#1019-01  
November 7, 2019**

The public hearing was opened at 7:30pm by Chair Don Ritchie under MGL Chapter 131 §40 Wetland Protection Act and Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw in the Town Hall Meeting Room, 13 Ayer Road, Harvard

**Members Present:** Don Ritchie, Paul Willard, Wendy Sisson, Jaye Waldron, Joanne Ward, Mark Shaw and Derek Beard (Associate Member)

**Others Present:** Liz Allard (Land Use Administrator/Conservation Agent)

This hearing is for a Request for Determination of Applicability filed on behalf of Young Boissy for the installation of a new septic system with grading within the 100' wetland buffer zone at 198 Littleton Road, Harvard.

Liz Allard detailed the proposal for the installation of a new septic system on the opposite side of the existing driveway from the wetland resource area. Only grading will be within the 100' wetland buffer zone. Don Ritchie and Ms. Allard reviewed the site today and found there to be no issues with the proposal.

Paul Willard made a motion to close the hearing and issue a Negative #2 Determination of Applicability. 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  
Notice of Intent Hearing Minutes  
62 Old Littleton Road, LLC, 62 Old Littleton Road, Harvard#1019-02  
November 7, 2019**

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**Members Present:** Don Ritchie, Paul Willard, Jaye Waldron, Joanne Ward, Mark Shaw and Derek Beard (Associate Member)

**Others Present:** Liz Allard (Land Use Administrator/Conservation Agent), Michael Butler (GPR, Inc.) and Bruce Ringwall (GPR, Inc.)

This hearing is for a Notice of Intent filed on behalf of 62 Old Littleton Road, LLC for the demolition of a structure within the 100' buffer zone of a wetland resource area at 62 Old Littleton Road, Harvard.

Michael Butler, from GPR, Inc., was present to represent the applicant. Mr. Butler stated that 30 - 40% of the parcel is covered by bordering vegetated wetlands. The new proposed dwelling has been configured well outside the wetland buffer zones. The existing septic system is compliant for an eight-bedroom dwelling. The activity to take place within the 50' to 100' wetland buffer zones includes the demolition of the existing structures, removal of a concrete pad and the installation of a new well line. Don Ritchie and Liz Allard reviewed the site today and found there to be no issues with the proposal.

With no Department of Environmental Protection file number issued as of yet Mark Shaw made a motion to continue the hearing to November 21, 2019 at 7:25pm. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard  
Land Use Administrator/  
Conservation Agent

## **EXHIBITS & OTHER DOCUMENTS**

### **Conservation Commission Agenda, dated November 7, 2019**

#### **Discuss Finnegan Oak Hill Road Conservation Restrictions with the Harvard Conservation Commission**

- Finnegan CR Muni Cert Package, dated 11/7/2019

#### **Review Agreement for the Use of the Reuben Reed Land by the Bromfield Baseball Booster Club for the sale of Christmas Trees**

- Rueben Reed Agreement, BBBC, 2019

#### **Forest Legacy Program Request for Support**

- FLP Support Letter 2019

#### **Land Stewardship Subcommittee Update**

- Proposal to create a nursery orchard on the Powell conservation land to develop seed for blight resistant American Chestnut trees, undated

#### **Deer Management Subcommittee Follow-Up from Town Meeting**

- Letter to the Harvard Conservation Commission, Re: implementation of deer hunting rule, from Eve Wittenberg, dated November 7, 2019