

**HARVARD CONSERVATION COMMISSION  
MINUTES OF MEETING  
JUNE 18, 2020  
APPROVED: AUGUST 20, 2020**

Chair Don Ritchie called the meeting to order at 7:00pm, virtually in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A §20, under MGL Chapter 131 §40 Wetland Protection Act and Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw

**Members Present:** Don Ritchie, Jaye Waldron, Joanne Ward, Jim Burns and Mark Shaw

**Others Present:** Liz Allard (Land Use Boards Administrator/Conservation Agent), Bill Johnson, Michael Maglothin, Jason Cole (Deer Management Subcommittee), Art Allen (EcoTech), Nathan Bailey, Peter Grilli, Bob Douglas (Deer Management Subcommittee) and Bob Schmidt

**Haskell Land Update/Request**

Rob Duzan had previously provided an update to the Commission of his use of the Haskell land for the pasturing of two cows. There were no questions or comments from the Commission members in regard to the update provide by Mr. Duzan. Mr. Duzan has requested the annual license for the land be extended to a 5-year license. The Commission has been advised previously by Town Counsel that they are only able to provide for an annual license; Liz Allard was unsure of the reasoning, but will circle back to this previous advice to determine why that is. Ms. Allard will follow up with Mr. Duzan on this matter.

**Request to Amend the Determination of Applicability – 72 Warren Ave, Harvard#0419-03**

As an abutter to the property, Jaye Waldron recused herself as a voting member on this matter.

Bill Johnson stated as suggested at the site visit last week, he has started planting additional ground cover to assist in slowing the flow of water off the slope into Bare Hill Pond and will continue throughout the summer to populate the slope quite densely with plantings. After a brief discussion in regard to the additional trees Mr. Johnson is seeking to remove, Joanne Ward made a motion to approve the removal of four additional hemlocks, as detailed in an email from Bill Johnson on May 5, 2020. Mark Shaw seconded the motion. The vote was unanimously in favor of the motion by a roll call, Joanne Ward, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie, aye.

**Deer Management Subcommittee – Confirmation of Lands Approved for Bow Hunting**

With Wendy Sisson absent this evening the Commission wanted to wait on approving the five conservation areas, as recommended by the Deer Management Subcommittee (DMS), for the 2020 bow hunting season. Members did briefly discuss the DMS desire to qualify twenty to thirty hunters for this season. Once a location is secured qualifying of hunters will begin.

**Notice of Intent Hearing, Harvard#0620-01, Nathan Bailey, 131 Bolton Road.** Opened at 7:30pm

**Town Meeting Warrant Article 13 Community Preservation Act Funds**

Don Ritchie stated he would attend the Annual Town Meeting should any questions arise in regard to the requested funding from the Community Preservation Committee.

**Request for Certificate of Compliance, 14 Park Lane, DEP#177-667**

Jim Burns made a motion to issue a Certificate of Compliance for 14 Park Lane, DEP#177-667. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Joanne Ward, aye; Jaye Waldron, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie, aye.

**Approve Minutes –May 7, 2020**

Jaye Waldron made a motion to approve the minutes of May 7, 2020 as amended. Mark Shaw seconded the motion. The vote was unanimously in favor of the motion by a roll call, Joanne Ward, aye; Jaye Waldron, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie, aye.

**Approve Use of Stone Land for Bromfield Cross-Country Events**

Jim Burns made a motion to approve the use of the perimeter of the Stone land for Bromfield Cross-Country events on September 15 and 30, and October 29, 2020. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Joanne Ward, aye; Jaye Waldron, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie, aye.

**Update on Unauthorized Mowing on Bare Hill Wildlife Sanctuary, including the allocation of funds**

After a brief discussion of the unauthorized mowing at Bare Hill Wildlife Sanctuary and the need to purchase equipment and signage to avoid this issue again, Jim Burns made a motion to allocate funding in the amount of \$100.00. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Joanne Ward, aye; Jaye Waldron, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie, aye.

**Update on Pine Hill Village Stow Road**

The members discussed Peter Cricones' response to the most recent report from Nitsch Engineering, specifically the foundation drains. After a discussion of the recommendations made by Nitsch Engineering to the Conservation Agent, Jaye Waldron made a motion to require the foundation drains be connected into the drainage system for the property as opposed to daylighting the drains within feet of the wetland resource area in the Pine Bank neighborhood. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion by a roll call, Joanne Ward, aye; Jaye Waldron, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie, aye.

**Craftsman Village Harvard - Soil Report, Draft Letter**

Jim Burns made a motion to approve the draft letter to Craftsman Village Harvard in regard to the soil report and the need for additional information for both the Conservation Commission and the Board of Health. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Joanne Ward, aye; Jaye Waldron, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie, aye.

**Adjournment**

Jaye Waldron made a motion to adjourn the meeting at 8:36pm. Mark Shaw seconded the motion. The vote was unanimously in favor of the motion by a roll call, Joanne Ward, aye; Jaye Waldron, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie, aye.

Respectfully submitted,

Liz Allard,  
Land Use Administrator/  
Conservation Agent

**Harvard Conservation Commission  
Notice of Intent Hearing Minutes  
Nathan Bailey, 131 Bolton Road, Harvard#0620-01,  
June 18, 2020**

The public hearing was opened at 7:30pm by Chair Don Ritchie under Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw virtually in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A §20.

**Members Present:** Don Ritchie, Jaye Waldron, Joanne Ward, Jim Burns and Mark Shaw

**Others Present:** Liz Allard (Land Use Administrator/Conservation Agent), Art Allen (EcoTech), Nathan Bailey, Peter Grilli, and Bob Schmidt

This hearing is for a Notice of Intent filed on behalf of Nathan Bailey for the restoration of disturbed wetland and buffer zone areas and the completion of a walkway and patio to provide access to the existing house within the 100' wetland buffer zone at 131 Bolton Road, Harvard

Arthur Allen, of EcoTech, was present to represent the applicant, Nathan Bailey, who was also present. Mr. Allen explained the work that has taken place on the site, which includes the significant removal of mature trees, the addition of granite steps, drainage and fill within an intermittent stream and its buffer zone. Mr. Allen noted the red maples are regenerating on the site. Mr. Allen detailed the restoration plan which includes regrading filled areas with screened loam, installing a biodegradable erosion control blanket within the stream, and planting and seeding of the disturbed wetland areas and buffer zones.

Peter Grilli, of 141 Bolton Road, stated a wetland area has developed on his property over the past few months; he is not certain that the cutting at 131 Bolton Road is the cause, but would like someone from the Commission to take a look. A site visit will be arranged by the Conservation Agent.

Jaye Waldron had questions in regard to the state of the buffer zone and the stairway under construction. Mr. Allen explained the buffer zone has been seeded and stabilized with additional silt fence. The area in which the stairway is being constructed was a previous sandy path to the back of the house. The stairs provide a stable footing on the slope for access to the lower area of the house and backyard. Jim Burns asked about roof drains, which are tied into the newly installed drainage pipe.

Liz Allard wanted to confirm the erosion control blankets are in fact bio-degradable. Ms. Allard asked why the stone wall along Bolton Road is proposed. Mr. Bailey stated for esthetics only. Ms. Allard asked for a detailed planting plan as opposed to just a list of plants to be planted on site. Ms. Allard asked why there is no plan for restoration within the buffer zones. Mr. Allen explained those areas are showing signs of natural re-vegetation.

Bob Schmidt, of 127 Bolton Road, asked why there is a temporary barrier at the end of the drainage ditch. Mr. Allen explained the plan is to bring the channel back to the original grade as to not dewater the wetland. Mr. Schmidt asked if there would be less pooling in that area. Mr. Allen stated there would.

With additional information requested and no DEP file number provided, Jim Burns made a motion to continue the hearing to July 2, 2020 at 8:15pm. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie, aye.

Respectfully submitted, Liz Allard Land Use Administrator/Conservation Agent

**EXHIBITS & OTHER DOCUMENTS**

- Conservation Commission Agenda, dated June 18, 2020
- Email from Bill Johnson Subject: Close one book and open another..., dated May 5, 2020
- Existing Conditions Plan of Land in Harvard, MA 131 Bolton Road, DWG: 23373-BASE, prepared by Andrysick Land Surveying, dated 4/15/20
- Grading and Wetland Restoration Plan, 131 Bolton Road, DWG: 23373-WRP.dwg, prepared by Andrysick Land Surveying, dated 5/12/20
- Draft Harvard Conservation Commission Meeting Minutes, prepared by Liz Allard, dated May 21, 2020
- Memorandum to Craftsman Village Harvard, from Harvard Board of Health and Conservation Commission, RE: Craftsman Village Harvard – Soil Remediation, dated June 19, 2020