

Town of Harvard Open Space¹ Committee Charge

The Need

Open space and recreational planning will help us preserve open space while allowing development to occur that is consistent with the character of the Town. Harvard's open space and park system is a valued and limited resource, which has been difficult to acquire and maintain, and needs to be protected and improved upon.

The local farms, open space, and our natural resources are key elements of our rural character -- and all are irreplaceable. Currently 58% of Harvard is open space, but only a half of that is permanently protected. The character of the town would be dramatically and permanently altered if all the unprotected open space were to be developed. We need to identify key areas for future acquisition for passive and active recreation.

The Town needs to develop a stronger open space and recreation management program. This need to incorporate region-wide solutions, where feasible, in order to meet the competing demands of the varied constituencies. Predicting the Town's needs would help us plan for funding, but we also recognize that more efforts to supplement Town resources will be needed.

A committee, representative of the varied interests, is needed to address these issues, and to provide the Town with the information and potential resources that can support the stated goals.

The Committee

The Open Space Committee will consist of nine members who are appointed to 2-year terms by the Select Board comprised of a member or designee: of the Select Board, Conservation Commission, Harvard Conservation Trust, Parks and Recreation Commission School Department, The Harvard Athletic Association, Planning Board, Agricultural Commission and one member at large. The Town's Land Use Administrator/Conservation Agent and/or Town Planner and Department of Public Works Director may participate as non-voting members on an as needed basis.

¹ "The term 'open space' is often used to refer to conservation land, forested land, recreation land, agricultural land, corridor parks and amenities such as small parks, green buffers along roadways or any open area that is owned by an agency or organization dedicated to conservation. However, the term can also refer to undeveloped land with particular conservation or recreation interest. This includes vacant lots and brownfields that can be redeveloped into recreation areas. Some open space can be used for passive activities such as walking, hiking, and nature study while others are used for more active recreational uses including soccer, tennis, or baseball." (OPEN SPACE AND RECREATION PLANNER'S WORKBOOK, March 2008, March 2008 Revision, The Executive Office of Energy and Environmental Affairs, Division of Conservation Services, Robert O'Connor, Director Principal authors: Melissa Cryan, Division of Conservation Services and Janet Curtis, EOEEA)

The Goals

- Using the 2016 Open Space and Recreation Plan (“OSRP”) as a starting point, develop a process for prioritizing lands for open space preservation and recreational needs based on current and anticipated future demand.
- Evaluate and recommend land for possible acquisition for open space and recreational use.
- Advise the Town on land acquisition and open space protection by assessing the Town’s right-of-first refusal on land coming out of Chapter 61, and evaluate any surplus land or tax-default properties that may come up.
- Provide guidance for future development or redevelopment of the Town’s land for passive or active recreation, which also includes open space, trails, natural features, landscape and viewshed.
- Develop a capital improvement plan for the protection and development of open space and recreation.
- Act as Town liaison with individuals and land protection advocacy groups working to protect open space or develop recreational facilities with the authority to apply for, negotiate, and with appropriate approvals direct Town funding for OS acquisition.
- Work with Town boards to identify private/non-profit, State and Federal funding sources.
- Assist in updating the Open Space & Recreation Plan when required by the State, and provide interim updates as needed.
- Work with other Town Boards & Committees to implement the Goals and Objectives of the Town’s Open Space and Recreation Plan.
- Identify which group is responsible for maintenance of land acquired for open space and recreational use.
- Present a semi- annual report at a duly convened Select Board meeting.

Town of Harvard Open Space Ccommittee Goals for 2021

- Using the OS prioritization model, create a plan recommending land for acquisition for open space and recreational use based on current and anticipated future demand.
- Finalize the capital improvement plan for the protection and development of open space and recreation.
- Work with Town boards to identify private/non-profit, State and Federal funding sources.
- Act as Town liaison with individuals and land protection advocacy groups working to protect open space or develop recreational facilities with the authority to apply for, negotiate, and with appropriate approvals direct Town funding for OS acquisition.

TO: Rich Maiore, Select Board
FROM: Peter Dorward, Open Space Committee
DATE: February 11, 2021
SUBJECT: Delinquent Tax Parcel Recommendations

At the request of the Select Board, the Open Space Committee (OSC) reviewed a list of delinquent tax parcels for suitability as active recreation sites and for protection as open space (OS). This analysis was performed using the recently developed OSC GIS tools, and with the assumption that Select Board would agree to acquire the parcels for municipal use without recovering the delinquent tax.

The OSC voted at its meetings of 1/14/21 and 2/10/21 to recommend the following disposition for these parcels.

- Gebo Lane RE Trust - the majority of this parcel is a fire pond so may be of interest to the Fire Department. It has little value for active recreation or OS protection.
- Higgins, St. John's Lane - this parcel was taken by eminent domain at the 2013 ATM (article 40). It appears the deed was not recorded.

Active Recreation

None of the parcels meet the requirements for sufficient level land outside of wetland buffers and with road access.

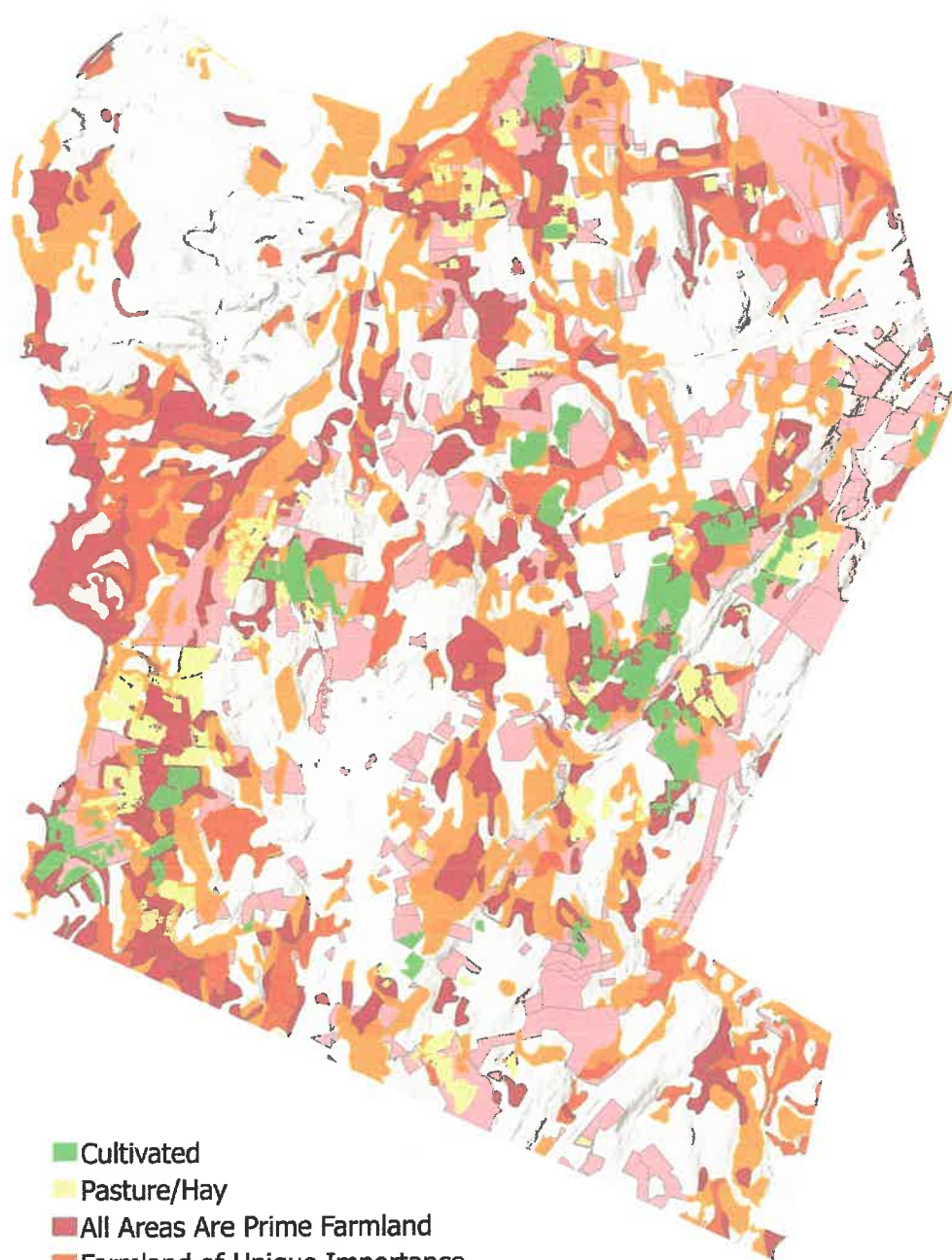
Open Space Protection

The following properties have OS qualities that make them worthy of protecting.

- Corbett, Littleton Road – 25 Ac parcel which is currently trying to be developed. It is in an ecologically significant area, and could become part of an OS corridor. It does contain a residence so the parcel may have to be divided.
- Erikson, Finn Road – 2 Ac parcel which abuts Delaney. Mostly wetlands, but has a dry area along Finn Road which could provide parking and a viewshed.
- Hemphill Drilling, Codman Hill Road – 7.5 Ac parcel which contains ecologically sensitive areas, and has the strong potential to become part of an extensive open space corridor.
- Kazogles, Poor Farm Road – 6 Ac parcel which abuts existing conservation land and contains wetlands.
- O'Donnell, Woodside Road – 3 Ac parcel which abuts conservation land.
- Westchester Company, Old Mill Road – 10 Ac parcel adjacent to several OS parcels ranked as Priority, so has potential for OS connectivity; contains wetlands

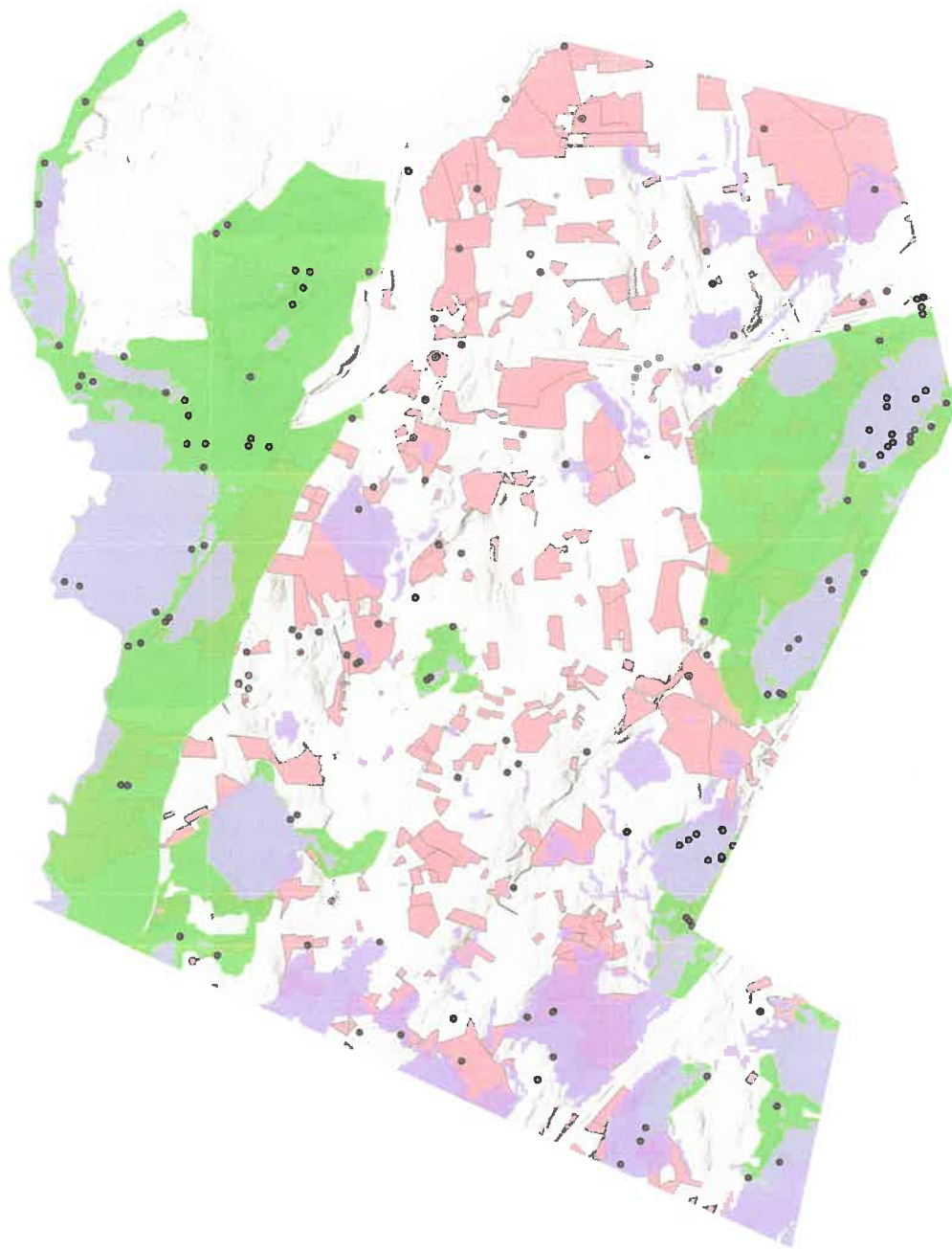
The remainder of the tax delinquent parcels have little value for OS protection.





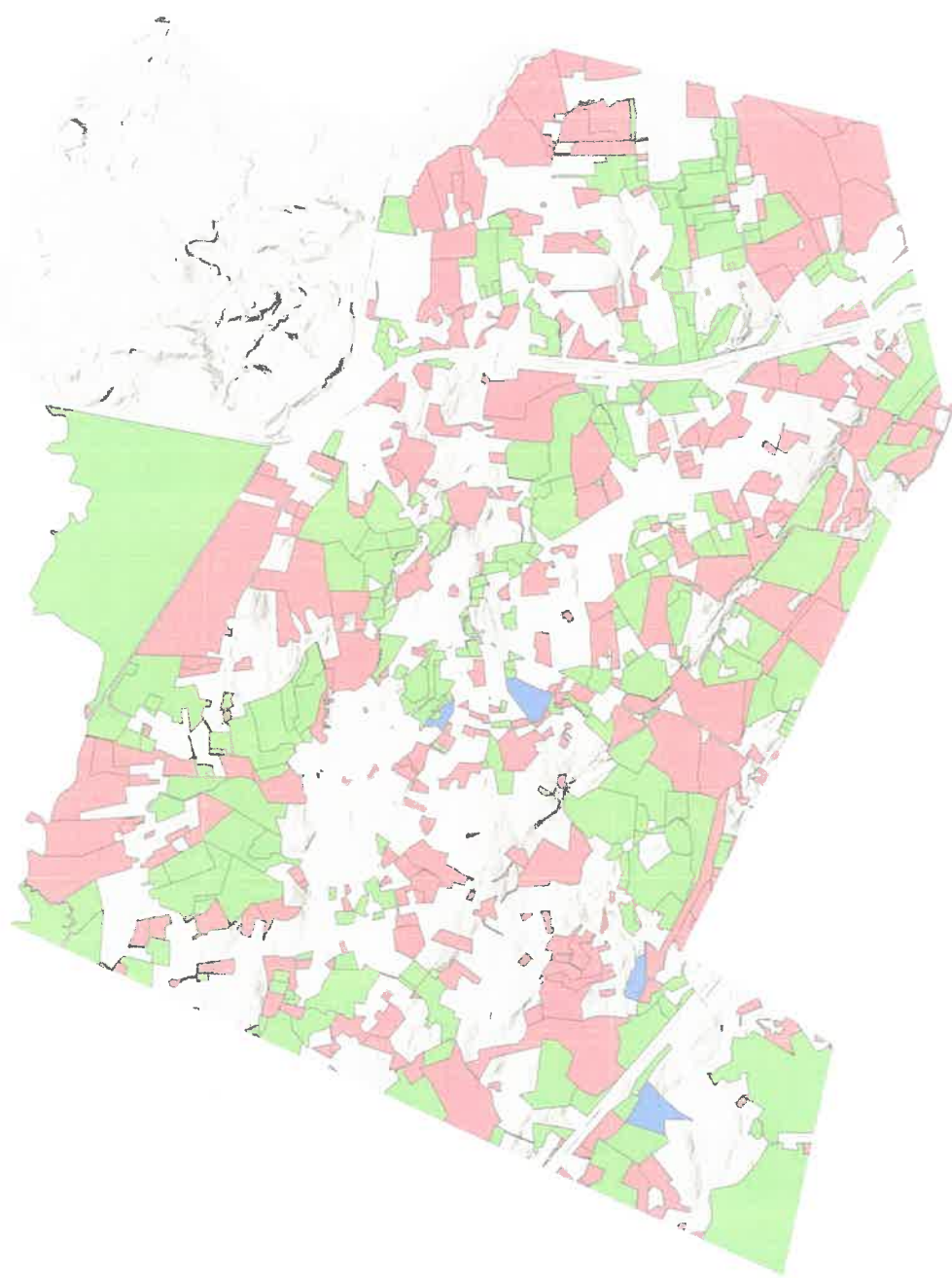
- Cultivated
- Pasture/Hay
- All Areas Are Prime Farmland
- Farmland of Unique Importance
- Farmland of Statewide Importance
- Unprotected_OS





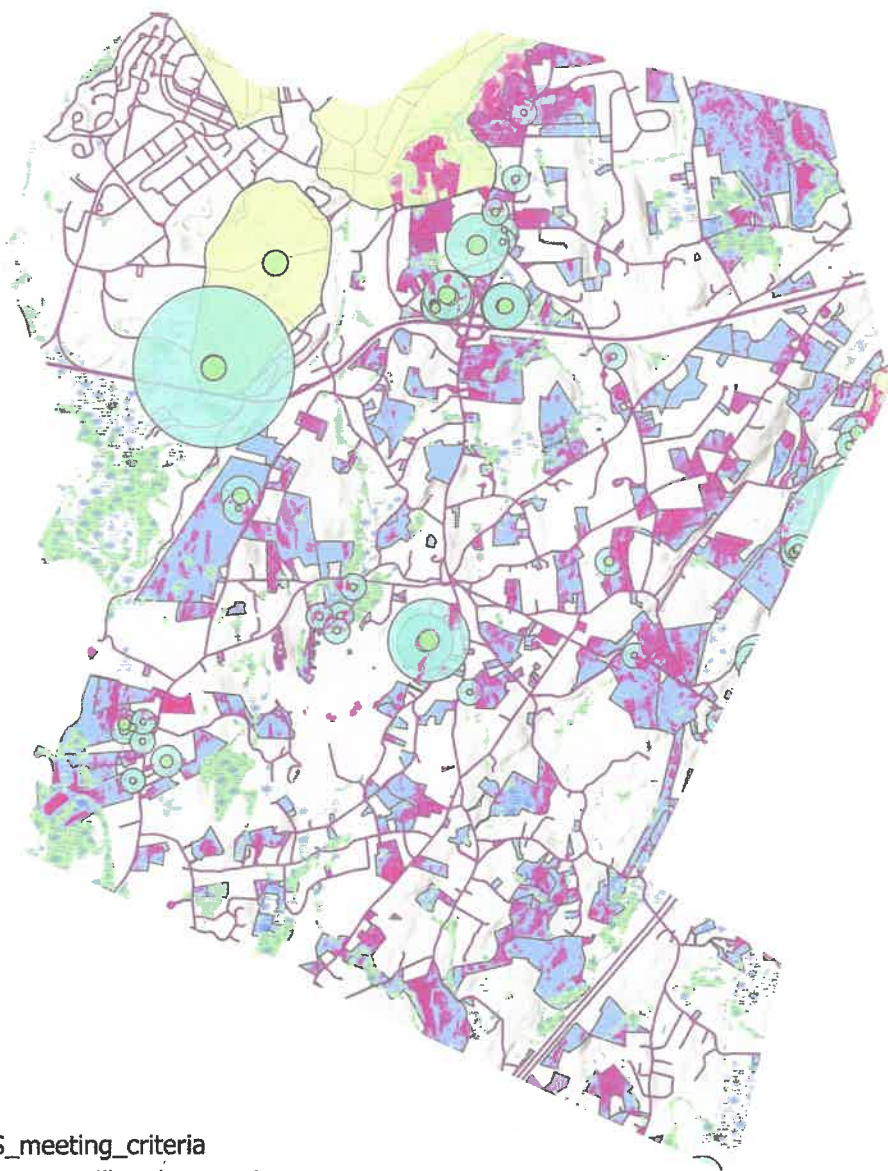
- Areas of Ecological Significance
- Areas of High Ecological Integrity
- Vernal Pools
- Unprotected_OS





Protected_OS
Unprotected_OS
Municipal_OS



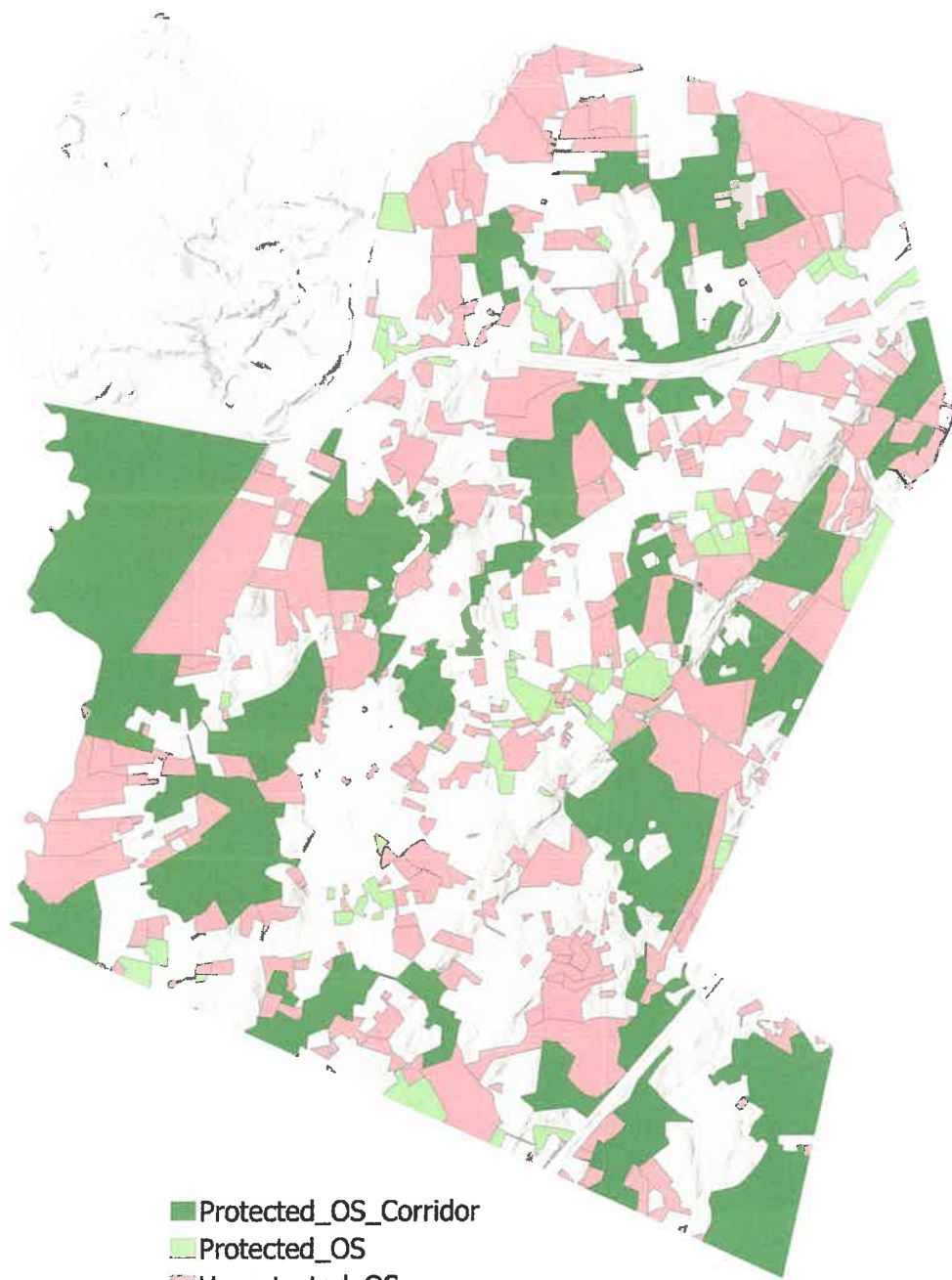


- OS_meeting_criteria
- Zone 1 Wellhead Protection
- Interim Wellhead Protection Area
- Zone 2 Wellhead Protection
- Marsh/Bog
- Wooded marsh
- MassDOT_Roads_ToH
- Potential_Rec_OS

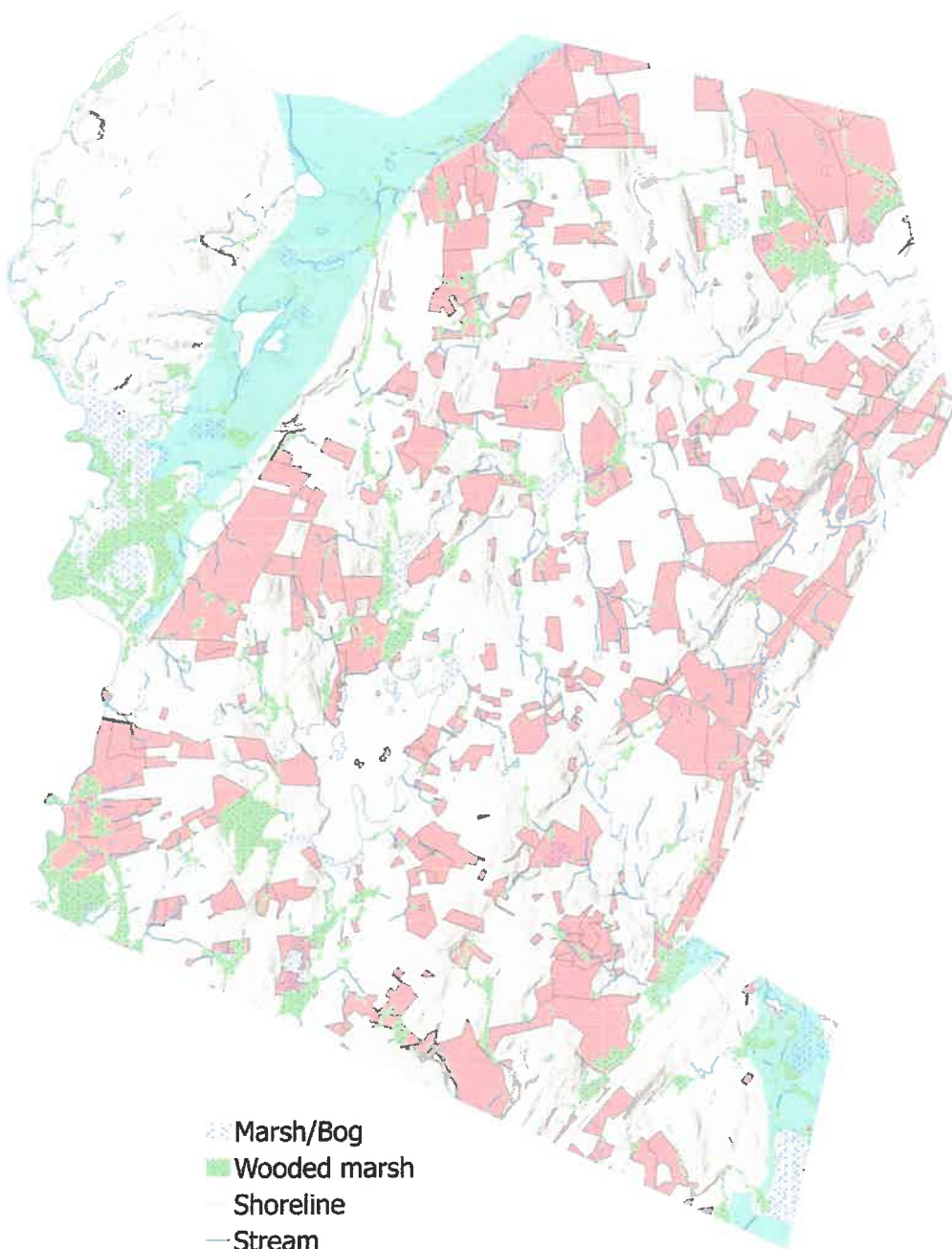
Potential open space for athletic fields meets the following criteria:

- slope < 3 degrees
- outside of a 100' wetland buffer
- outside of a Zone 1 well head protection area
- road frontage > 50'

Potential Open Space for Athletic Playing Fields



Unprotected OS near Protected OS



- Marsh/Bog
- Wooded marsh
- Shoreline
- Stream
- Aquifers
- Unprotected_OS



310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

10.03(3) Presumption Concerning 310 CMR 15.000: *The State Environmental Code, Title 5: Standard Requirements for the Siting, Construction, Inspection, Upgrade and Expansion of On-site Sewage Treatment and Disposal Systems and for the Transport and Disposal of Septage.*

A subsurface sewage disposal system that is to be constructed in compliance with the requirements of 310 CMR 15.000: *The State Environmental Code, Title 5: Standard Requirements for the Siting, Construction, Inspection, Upgrade and Expansion of On-site Sewage Treatment and Disposal Systems and for the Transport and Disposal of Septage*, or more stringent local board of health requirements, shall be presumed to protect the eight interests identified in M.G.L. c. 131, § 40, but only if none of the components of said system is located within the following resource areas:

(a) Coastal.

1. coastal bank;
2. coastal beach;
3. coastal dune;
4. salt marsh.

(b) Inland.

- | | | |
|----------------|-----------|---------|
| 1. wet meadows | | creek; |
| 2. marsh | bordering | river; |
| 3. swamp | on any | stream; |
| 4. bog | | pond; |
| | | lake. |

and only if the soil absorption system of said system is set back at least 50 feet horizontally from the boundary of said areas, as required by 310 CMR 15.211: *Minimum Setback Distances*, or a greater distance as may be required by more stringent local ordinance, by-law or regulation. To protect wildlife habitat within riverfront areas, the soil absorption system shall not be located within 100 feet of the mean annual high-water line unless there is no alternative location on the lot which conforms to 310 CMR 15.000: *The State Environmental Code, Title 5: Standard Requirements for the Siting, Construction, Inspection, Upgrade and Expansion of On-site Sewage Treatment and Disposal Systems and for the Transport and Disposal of Septage* without requiring a variance as determined by the local Board of Health, with less adverse effects on resource areas.

This presumption, however, shall apply only to impacts of the discharge from a sewage disposal system, and not to the impacts from construction of that system, such as erosion and siltation from the excavation, placement of fill, or removal of vegetation. Impacts from construction shall be minimized by the placement of erosion and sedimentation controls during excavation, limiting the placement of fill, confining the removal of vegetation to that necessary for the footprint of the system, and taking other measures deemed necessary by the issuing authority.

The setback distance specified above shall be determined by measuring from the boundary of the area in question, from the contour at the mean annual flood elevation in inland areas, or from the top of a coastal bank or the contour at the highest spring tide elevation in coastal areas, whichever is further from the water body.

The setback distance specified above shall not be required for the renovation or replacement (but is required for the substantial enlargement) of septic systems constructed prior to the effective date of 310 CMR 10.00, provided no alternative location is available on the lot and such work has been approved by the local board of health or the Department, as required by law. This presumption may be overcome only by credible evidence from a competent source that compliance with 310 CMR 15.000: *The State Environmental Code, Title 5: Standard Requirements for the Siting, Construction, Inspection, Upgrade and Expansion of On-site Sewage Treatment and Disposal Systems and for the Transport and Disposal of Septage* or more stringent local requirements will not protect the interests identified in M.G.L. c. 131, § 40.



Message

Tue, Feb 16, 2021 11:45 AM

From: **Julie Doucet**
To: dsritchie@aol.com
Cc: **Liz Allard** Lucy Wallace

Subject: Conservation Commission - annual appointments

Attachments: Appointment process - final 2021.pdf / Adobe Acrobat Document

112K

Hello Don,

The Select Board has amended their annual appointment process to begin earlier in the calendar year and have included specific timelines:

- Incumbents to submit their statement of intent by March 15th
- New volunteer forms due no later than May 1st
- Committees/Boards/Commission recommendations by May 1st

I have attached their policy as a reference.

My master list indicates Joanne, Paul and Eve have terms expiring on June 30th. Please include this as a topic for discussion at an upcoming meeting.

All vacancies and positions up for re-appointment will be advertised on the town website.

Select Board liaisons are available to advise committees/boards/commissions in the annual appointment process and can provide further explanation on the changes to their policy if need be. You will notice your liaison has been copied on this email.

As always, I will reach out to each member directly informing them their term will expire this coming June and request their intent to continue or not.

If you have any questions or concerns please let me know. Many thanks as always for your help with the annual appointment process.

Julie Doucet
Executive Assistant
Town of Harvard
13 Ayer Road, Harvard, Ma 01451
978-456-4100x312
fax 978-456-4107

APPOINTMENTS

The Select Board makes numerous appointments each year, most of which require a majority vote. Section 3-2 (b)2 of the Charter, however, requires the Board to appoint by no fewer than 4 members, the following: Planning Board, Board of Health, Cemetery Commission, Community Preservation Committee, Constable, Historical Commission, Park and Recreation Commission, and Tree Warden. Appointments are generally made for one or three years in length. Appointments shall not be made for more than three years unless specifically allowed by State Law. Appointments generally are made by June 30th of each year. In the case of appointments, no second to the nomination or motion will be required prior to Board action.

Whenever possible, the Board will seek to appoint members from diverse backgrounds and fields of expertise, so that a true cross section of the community will be reflected. In order to attract qualified and interested persons, vacancies will be made public as far in advance of appointment as practicable. Vacancies could be advertised in the local paper as well as on Cable TV. Appointments should be based on merit and qualifications rather than political merit.

The Select Board liaison will as needed:

1. Assist the committee/board in developing criteria for the vacant position.
2. Assist the committee/board in balancing institutional knowledge while encouraging involvement of new volunteers.
3. Assist with succession planning and or term limits

The Executive Assistant shall:

1. Provide by February 1st a list of the positions up for reappointment and any current vacancies to be filled to the Select Board members.
2. Notify the SB liaison and Chair of the appropriate board or committee regarding reappointment or the filling of vacancies.
3. Notify incumbents and request their statements of intent regarding reappointment by March 15. Advertise annual appointments on town website.
4. Notify Committee/Board Chairs recommendations and any new volunteer forms are due by May 1st to accommodate the annual appointment process in June.

If a vacancy occurs on a Board or Committee appointed by the Select Board or a newly formed committee is created the following procedures will be used to fill the vacancy. (It is the responsibility of the Chair of the Board or Committee to notify the Select Board of all vacancies.)

1. The vacancy shall be posted on the town website and announced during the Select Board members' reports at the next regularly scheduled Select Board meeting; notice of the vacancy with a 30 day deadline for the submission of applications to fill the position(s) will be sent to the Town Clerk, local media outlets, and shall be posted on the Town's website and posted on the cable access bulletin board.
2. Residents who wish to be considered to fill a vacancy must complete a "Volunteer Application" (available on the town website) with all requests being delivered to the Executive Assistant or Town Administrator either in writing or by email. The application should contain all of their contact information including an email address, the name of the board they are interested in joining, why they are interested and provide a brief personal background/outline.
3. The Town Administrator's office will distribute copies of the Applicant's "Volunteer Application" to all Select Board members and to the Chair of the prospective Board or Committee for their review. The Select Board will schedule time on the agenda of their next regular meeting to act on the applications it has received.

4. The Select Board shall interview new Applicant(s) (interviews may be requested by the Select Board, but are not required, for re-appointments or for candidates who have previously served on a Committee or Board). All interviews/appointments shall appear on the agenda of a regularly scheduled Select Board meeting. It is the responsibility of the office of the Select Board to notify the Applicant(s) and the Chair of the prospective Board or Committee, of the time and place for the interview/appointment. With the exception of reappointments, the candidate(s) and a representative(s) of the prospective Board or Committee shall be present at the Board interview as may be necessary to facilitate the appointment.
5. The Select Board will review/discuss all nominees in public session, make the appointment(s) and notify the following parties of their selection: the applicant(s), the Board or Committee to which they are appointed, and the Town Clerk. Appointment criteria will focus on relevant expertise relating to the committee/board mission or geographic local, recommendation of committee/board and stated interest in committees' purpose and activities. All appointments shall run until June 30th in the year that the term expires, unless otherwise noted at the time of appointment or in the case of an elected office which shall expire at the time of the next town election.
6. In the event a vacancy is not filled within the required 30 days applications will be considered on a rolling basis until the position is filled.

ADVISORY COMMITTEES OF THE SELECT BOARD

Select Board members are permitted to serve as a voting member(s) on other boards or committees appointed by the Select Board.

The Board may appoint advisory committees to aid on matters under the Board's jurisdiction. The use of such advisory committees provides greater expertise and more widespread citizen participation in the operation of government.

Charges to advisory committees shall be in writing and shall include the work to be undertaken, the time in which it is to be accomplished, and the procedures for reporting to the Select Board. Each committee must report at least semi-annually to the Select Board. The charge of an advisory committee shall indicate if it is to be disbanded upon the completion of their work. In addition, each Committee shall be provided with a Committee Handbook addressing issues such as conduct and compliance with the Open Meeting Law.

The Select Board shall engage in an ongoing review of all committees and determine whether a committee is a permanent (i.e., standing) committee, or an ad-hoc advisory committee. The charges and membership of advisory committees shall be reviewed periodically (annually at a minimum) to assess the necessity and desirability of continuing the committee. Reappointments shall be based on an evaluation of the member's contribution, the desirability of widespread citizen involvement, relevant expertise, institutional knowledge, and the changing needs of the committee and the town.

It is the policy of the Select Board to appoint qualified citizens representing a broad representation of the town all to such advisory committees.

Boardwalk Proposal

The goal is to create a 3'-wide board walkway to access upland island. The boardwalk begins at the edge of the hayfield and is 96' long. The construction technique is identical to that used for the construction of the 450' long boardwalk at the Cloverdale Conservation Land trail in Littleton. The benefit of this construction technique is that it requires no footings, and displaces almost no wetland vegetation.

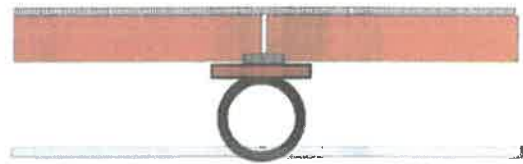
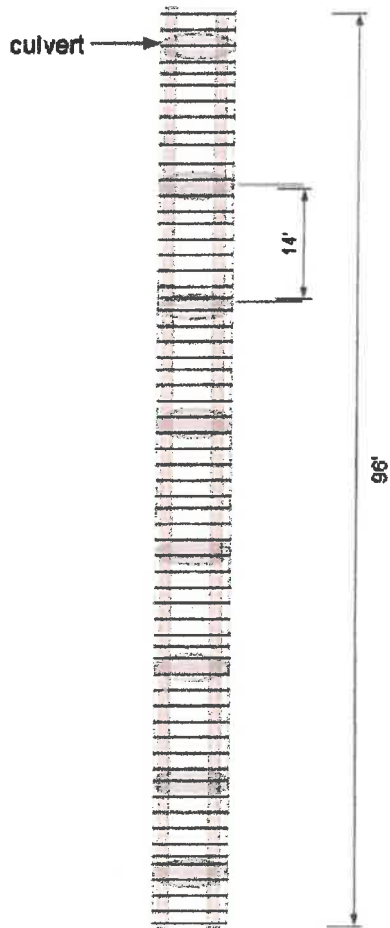
The technique is to have the side joists rest on corrugated HDPE culvert. The culvert allows water to pass through without obstruction, and provides a strong base for the joists. The wetland water depth varies. Much of the summer, there is little to no water. After heavy rains, the depth can reach up to 1' deep, as the water slowly drains through the narrow culvert under Shaker Road.



Cross-section.

As the cross-section above shows, the 10" diameter culvert has a 2"x10" board bolted to it. The 2"x10" joists are then fastened to the board below, and decking is applied above. This technique allows the structure to be temporary if needed, since it is assembled using carriage bolts and screws. It is relatively lightweight, simple to construct and leaves no permanent damage to the wetland.

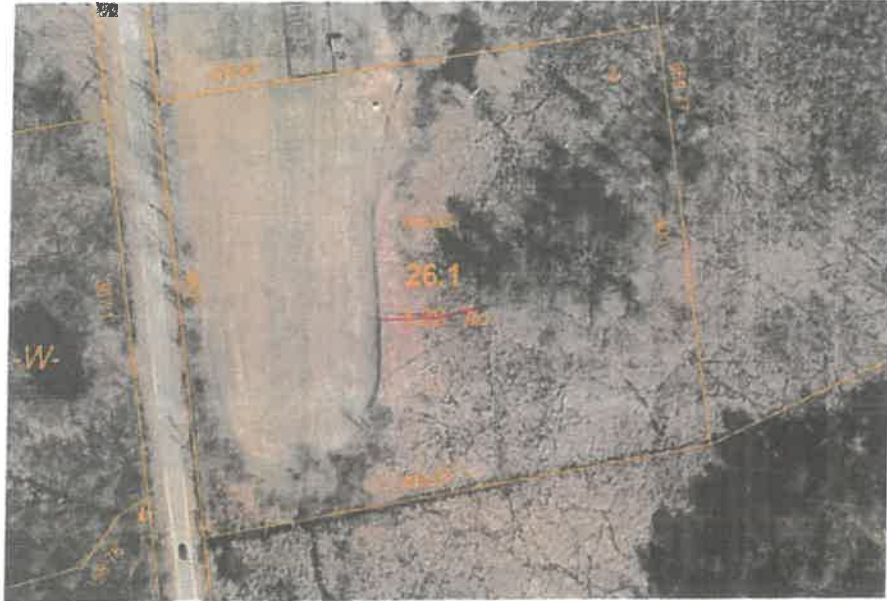
Each end of the boardwalk rests on a 4"x4" PT block. There are 8 three-foot long culverts, 14' apart. There are two 14' long 2"x10" joists in each section, and the decking consists of 1"x6" PT boards screwed to the joists.



Cross-section

Dimensions

The location proposed boardwalk is indicated by the red line on the image below. It provides access from the field to the upland island.



Thank you for considering this project to allow access to the island.

